



Lewisville City Council

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A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
DECEMBER 5, 2016**

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

WORKSHOP SESSION - 5:45 P.M.

REGULAR SESSION – 7:00 P.M.

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION – 5:45 P.M.

- A. Presentation Seeking Council Input on 2017 Legislative Agenda
- B. Presentation Regarding Assessment of Fair Housing
- C. Discussion of Regular Agenda Items and Consent Agenda Items

REGULAR SESSION – 7:00 P.M.

- A. **INVOCATION:** Councilman Daniels
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Ferguson
- C. **PRESENTATION:** State of Texas Emergency Medical Services Administrator of the Year
- D. **PUBLIC HEARINGS:**
 - 1. **Public Hearing:** Consideration of an Ordinance Granting a Zone Change Request From General Business District (GB) to Old Town Center Business District (OTC), on Approximately 0.07 Acres Situated in the J. W. King Survey, Abstract No. 696, Located on the South Side of West Main Street Approximately 150 Feet West of South Mill Street, at 132 West Main Street, as Requested by Kellie Fister Stokes, President, J.W. Mustang Properties LLC, the Property Owner (Case No. PZ-2016-11-31).

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ADMINISTRATIVE COMMENTS:

The subject property contains a two-story building with parking at the rear. The building has both a front and rear entrance and is being used as an office. The applicant is considering a building addition at the rear of the property and is in the process of platting and site planning. The proposed zone change corresponds with the Old Town Master Plan for this area. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of November 15, 2016.

RECOMMENDATION:

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

AVAILABLE FOR - Richard Luedke, Planning Manager
QUESTIONS:

2. **Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Office District (OD) to Old Town Mixed Use 2 District (OTMU2), on Approximately 0.47 Acres Situated in the J. W. King Survey, Abstract No. 696, Located on the East Side of North Hatcher Avenue Approximately 200 Feet North of West Main Street, at 112, 118 and 120 North Hatcher Avenue, Being A Portion of Lot 12 Rawlings Addition, as Requested by Kristie Steed, Eve's Moon, LLC, the Property Owner (Case No. PZ-2016-11-29).**

ADMINISTRATIVE COMMENTS:

The property is currently occupied by three residences (one duplex and a third separate residence). Per Denton Central Appraisal District records the homes were constructed in 1940 and 1961. The applicant does not have any plans to redevelop the property at this time. This site adjoins 119 Herod Street, which was recently changed from OD zoning to OTMU2 zoning. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of November 15, 2016.

RECOMMENDATION:

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

**AGENDA
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AVAILABLE FOR QUESTIONS: - Richard Luedke, Planning Manager

3. **Public Hearing:** Consideration of an Ordinance Granting a Special Use Permit (SUP) for a Gasoline Service Station and Four Associated Variances on an Approximately 3.268-Acre Tract of Land Located at the Northwest Corner of North Stemmons Freeway (I-35E) and Justin Road (FM 407), Legally Described as a Portion of Lot 2, Block A, Blake C. Bowen Addition and Zoned Light Industrial District (LI); as Requested by Michael Potter, QuikTrip, on Behalf of Brad Bowens, Trinity Partners, the Property Owner (Case No. SUP-2016-11-11).

ADMINISTRATIVE COMMENTS:

The applicant has requested that consideration of the proposed SUP and variance requests be delayed to the January 16, 2017 City Council meeting to allow additional time for the applicant to further discuss the project with staff. Since the required public hearing notice had already been published, the public hearing must be opened at the December 5, 2016 City Council meeting and continued to the January 16, 2017 City Council meeting to accommodate the applicant's delay request. On November 1, 2016, the Planning and Zoning Commission unanimously recommended denial (7-0) of the SUP.

RECOMMENDATION:

That the City Council continue the public hearing to the January 16, 2017 City Council meeting as requested by the applicant.

AVAILABLE FOR QUESTIONS: - Richard Luedke, Planning Manager

- 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.

4. **APPROVAL OF MINUTES:** City Council Minutes of the November 21, 2016, Workshop Session and Regular Session.

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- 5. Approval of a Supplemental Appropriation for Prior Year Encumbrances in the Following Amounts: General Fund - \$557,701; Implementation/Incentives Fund - \$182,510; Hotel/Motel Fund - \$11,390; Asset Forfeiture-State Fund - \$507; Community Activities Fund - \$13,003; Grants Fund - \$128,821; Crime Control & Prevention Fund - \$153; Utility Fund - \$38,388; Maintenance & Replacement Fund - \$64,897; Self-Insurance Risk Fund - \$38,379; Health Insurance Trust Fund - \$24,472; and LPLDC (4B) Fund - \$37,823.**

ADMINISTRATIVE COMMENTS:

Each year, a recommendation is made to supplementally appropriate funds for open purchase orders from the prior fiscal year because when items or services are received in the current fiscal year, they are charged to the current year. Unless the current fiscal year appropriations are amended to provide for these charges, funds in the affected line item accounts will be short at year-end.

RECOMMENDATION:

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

- 6. Approval of the Fiscal Year 2016-2017 Ambulance Service Interlocal Cooperation Agreement between Denton County and the City of Lewisville; and Authorization for the City Manager or Her Designee to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The Lewisville Fire Department provides emergency ambulance service to Denton County through an annual interlocal cooperation agreement. By providing ambulance service to designated unincorporated areas of Denton County, fixed revenue is generated for the City in the amount of \$53,152, plus \$250.9870 per ambulance transport. The 4.28 rural miles noted in the Agreement is the Castle Hills area, Lewisville Lake Bridge, as well as a small amount of property owned by the Corps of Engineers. The term of agreement is for the period of October 1, 2016 through September 30, 2017.

RECOMMENDATION:

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

**AGENDA
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- 7. Approval of the Fiscal Year 2016-2017 Fire Protection Services Interlocal Cooperation Agreement Between Denton County and the City of Lewisville; and Authorization for the City Manager or Her Designee to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The Lewisville Fire Department provides fire protection services to Denton County through an annual interlocal cooperation agreement. By providing fire protection services to designated unincorporated areas of Denton County, revenue is generated for the City in the amount of \$10,000 for a readiness fee, plus \$525.00 per fire call. The 4.28 rural miles is the Castle Hills area, Lewisville Lake Bridge, as well as a small amount of property owned by the Corps of Engineers. The term of agreement is for the period of October 1, 2016 through September 30, 2017.

RECOMMENDATION:

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

- 8. Acceptance of Property Located on a Portion of 944 Lakeland Drive; Further Identified as a Portion of Lot 5, Block F, Lakeland Terrace No. 2 Addition, Being Conveyed to the City of Lewisville, Texas by Donation Deed from Toney Garrett.**

ADMINISTRATIVE COMMENTS:

TXDOT schematics have identified certain properties that lie within the proposed future I-35E expansion area and have begun right-of-way acquisitions. The portion acquired by TXDOT bisected the existing house, which has since been demolished. The remaining portion of the General Business (GB) lot has also been left unbuildable. The property being donated is the remainder of the lot that fronts onto Lakeland Drive.

RECOMMENDATION:

That the City Council accept that Portion of Lot 5, Block F, Lakeland Terrace No. 2 Addition being conveyed to the City of Lewisville, Texas by the Toney Garrett Donation Deed.

**AGENDA
LEWISVILLE CITY COUNCIL
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G. REGULAR HEARINGS:

- 9. Consideration of Two Variances to the Lewisville City Code to Allow a Reduction in Required Parking From 955 to 808 Spaces and to Allow an Existing Sign to Remain that Exceeds the Height Restrictions of a Freestanding Sign by Two Feet, Located at 2613 Denton Tap Road, and Requested by Mark C. Spears and David J. Day, Representing Mary Kay Inc, the Property Owner.**

ADMINISTRATIVE COMMENTS:

The subject site is a 28.6-acre lot zoned Light Industrial (LI) within the Campbell Ranch Addition. The property owner, Mary Kay Inc. is developing a 478,000 sf research and development facility. The property owner is requesting two variances: (a) to allow a reduction in parking from 955 to 808 spaces; and (b) to allow an existing sign to remain that exceeds the city's height restrictions of a freestanding sign by two feet.

RECOMMENDATION:

It is staff's recommendation that the City Council approve the variances as set forth in the caption above with the condition that the existing sign shall become a freestanding sign which may only be used for on-premise advertising.

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

- 10. Consideration of a Resolution of the City Council of the City of Lewisville, Texas, Acknowledging the 2017 Waste Management Cost of Service Rates for Franchised Solid Waste and Recycling Services.**

**AGENDA
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ADMINISTRATIVE COMMENTS:

In April 2014, City Council approved a franchise agreement with Waste Management (WM) for solid waste/recycling collection services for residential and multi-family customers and solid waste collection and disposal services for commercial customers. Ordinance No. 4062-04-2014 became effective August 4, 2014. Per the agreement, WM cost of service rates are to be adjusted annually by the percentage increase in the DFW Consumer Price Index (CPI) for the preceding twelve month period. Adjustments take effect on January 1 of the subsequent contract year. The current CPI for the DFW area as published by the Bureau of Labor Statistics reflect an increase of 2.0 percent, and WM cost of service rates will be increased by 2.0 percent effective January 1, 2017.

RECOMMENDATION:

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

- 11. Consideration of an Ordinance Amending the Lewisville Code of Ordinances, Chapter 2, Article VIII, Section 2-201, Fee Schedule, Related to Solid Waste and Recycling Rates.**

ADMINISTRATIVE COMMENTS:

In April 2014, City Council approved a franchise agreement with Waste Management (WM) for solid waste/recycling collection services for residential and multi-family customers and solid waste collection and disposal services for commercial customers. Ordinance No. 4062-04-2014 became effective August 4, 2014. Annually, Council establishes customer rates based on cost of service rates of WM. Per the franchise agreement, WM cost of service rates are to be adjusted annually by the percentage increase in the DFW Consumer Price Index (CPI) for the preceding twelve month period. Adjustments take affect on January 1 of the subsequent contract year. The current CPI for the DFW area as published by the Bureau of Labor Statistics reflects an increase of 2.0 percent, and WM cost of service rates will be increased by 2.0 percent beginning January 1, 2017. Customer rates established by the City Council have historically increased by the same CPI adjustment made to cost of service rates. Customer rates require a revision to the fee schedule related to franchised solid waste and recycling services.

RECOMMENDATION:

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

**AGENDA
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- 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).

2017 Legislative Agenda

- *Legislative Priorities*
- *Critical Issues*
- *Key Topics*
- *Legislative Schedule*



Access to state HOT funds

- State law allows local cities to provide a rebate of a portion of state Hotel Tax revenue for certain hotel projects, but the law is tightly bracketed to benefit only a handful of cities.
- While a strong case could be made for making that option available to all cities as a matter of fairness, at this time Lewisville is most interested in being bracketed into the law.
- This change would enable Lewisville to compete more effectively with such cities as Frisco and Plano.
- Qualifying projects definition could include a full-service hotel with convention space along the Interstate 35E corridor.



Prompt Pay requirements

- Prompt Pay legislation requires cities to pay interest on any invoice paid more than 30 days beyond its due date.
- This sometimes results in extremely small interest payments that require additional staff workload that far exceeds that value of the interest due.
- Current law exempts institutions of higher education (state agencies) from paying interest if it is equal to or less than \$5.
- This same exemption should be extended to all cities statewide as a way to improve efficient use of local government resources.



ETJ mixed-beverage tax

- Earlier this year, the Comptroller's Office notified the city that it would no longer receive the local portion of Mixed Beverage Tax for sales at restaurants within its ETJ (Castle Hills), stating that the city should not receive the tax money because it does not provide service in the ETJ. The local portion of tax will still be collected, but will be retained by the state.
- Lewisville's relationship with Castle Hills is unique in that the city does, in fact, provide public safety services within its ETJ under contract with the Fresh Water Supply District.
- Legislation tightly bracketed to cities that provide public safety services within an ETJ would allow the city to continue receiving this important revenue stream.



Credit card processing fees

- Current state law allows Texas counties to recover credit card processing fees by assessing a handling fee reasonably related to the county's processing costs and equal to no more than 5 percent of the total charge or a flat rate of \$5 per transaction.
- Cities are allowed to collect a percentage fee, but do not have the option of a flat fee that is available to counties.
- A flat fee is easier and more efficient to administer than a percentage fee.
- State law should be extended to give cities the same options as counties.



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Critical Legislative Issues

- This section will list those legislative items that are deemed to have the most potential impact on Lewisville, and thus will receive the highest level of monitoring and engagement.
- Emphasis will be given to proposed legislation that would hinder the ability of the city to govern itself under Home Rule provisions of the Texas Constitution, or that would shift state responsibilities (and expenses) to cities without funding.
- The list will be compiled after receiving input from City Council members.



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Local Authority

- Oppose legislation that would erode local authority over land uses
- **Oppose legislation that would restrict or hinder a city's ability to formally annex property located within its ETJ**
- Oppose legislation that would erode or invalidate a city's ability to establish and enforce reasonable business regulations
- Support continuation of existing eminent domain authority and related tools used for planning and development of projects serving a valid public purpose
- Oppose legislation that would change the current two dates per year on which local elections can be held, unless it is to give cities additional flexibility



Local Authority

- Preserve municipal authority to manage and maintain public rights-of-way, including the right to adequate compensation for their use
- Maintain the ability of municipal government to participate in utility rate cases on behalf of their residents
- Strengthen the ability of cities to regulate placement of pipelines and drilling sites within their municipal boundaries
- Oppose legislation that would expand or mandate meet-and-confer or collective bargaining for any class of municipal employee
- Oppose legislation that would expand civil service law for municipal employees
- Oppose legislation that would further erode local control related to retirement issues for municipal employees



Local Authority

- Revise or eliminate outdated print advertising mandates for cities
- Support state regulation to prevent exploitative payday and vehicle title lending



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Local Revenue

- Oppose any measure that would re-direct existing local revenue to the state
- Oppose legislation that would increase or expand appraisal caps
- Oppose legislation that would erode local taxing authority, including measures that would create new obstacles to funding sources or that would restrict the use of existing revenue streams
- Oppose legislation that would erode the concept of “true market” appraisals
- **Support legislation that would close the “dark box” loophole being used by some large retailers to artificially devalue commercial properties for tax purposes**



Local Revenue

- Oppose increased state fees, or reallocation of existing fees, on municipal court fines and proceedings, or legislation that would have the effect of requiring municipal courts to collect revenue for the state
- Oppose legislation that would permanently eliminate sales tax for online transactions
- Oppose legislation to create new sales tax exemptions, expand current exemptions, or expand the annual “sales tax holiday”
- Support legislation that would extend certain revenue options into a city’s ETJ, such as transit sales taxes or hotel occupancy tax
- Support measures that would expand allowable uses of PEG fee revenue



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Parks Funding

- Encourage the state to adequately fund maintenance and operation of state parks, recreation areas, natural areas and monuments; and ensuring those venues are widely and readily available to the public
- Support expanded state and federal funding to assist with creating, maintaining and operating local parks
- Support dedicating sporting goods sales tax revenues for use in state and local parks that would directly benefit parks, recreation, open space, trails and tourism
- Ensure that parks and recreation agencies are included as eligible partners and beneficiaries in any strategy or guideline aimed at benefitting healthy lifestyles, increasing physical activity, conservation, or preservation



Parks Funding

- Support restoring full funding to the Local Park Grant Program
- Support expanded options for parks, recreation, open space and trails on utility corridors, to include waiving all liability for those purposes to the utilities
- Support increased local access to pass-through federal dollars for parks and related uses



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Public Safety

- Support a statewide prohibition on texting while operating a motor vehicle
- Support adequate funding of state law enforcement agencies on public lakes
- Support discontinuing the redirection of dedicated telephone taxes to purposes other than 911 services
- Oppose efforts to legalize recreational use of marijuana in Texas
- Oppose any legislation that would subject local police to criminal charges for enforcing federal firearms laws, or subject any city that allows such enforcement to a lawsuit by the state's attorney general or to punitive reductions in state funding



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Public Safety

- Make it an offense for a person to post on a publicly accessible website the residence address or telephone number of an individual the actor knows is a public servant or a member of a public servant's family or household
- Clarify the authority of municipalities to enact residency restrictions on registered sex offenders
- Support opt-in state programs to help local governments protect electronic data bases from criminal breach, including state funding mechanisms to assist with cybersecurity priorities
- Oppose proposed state and federal regulations that would increase the maximum size of long-haul trucks on public highways



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Transportation

- Identify and secure full and timely funding for the second phase of Interstate 35E reconstruction
- Seek increased and consistent state funding to build and maintain a high-quality, efficient highway system
- Support ending the diversion of transportation revenues to non-transportation purposes
- Support increased state investment in public transit, including regional rail service
- Seek greater flexibility for cities to fund local transportation projects, including potential new state funding sources for important local and regional roads



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Transportation

- Preserve municipal authority to manage and maintain public rights-of-way, including the right to adequate compensation for their use
- Oppose legislation that impedes local authorities from adopting, implementing, or considering ordinances that regulate traffic controls and safety in their communities
- Allow voluntary “complete streets” participation by cities, but not imposing mandatory “complete streets” requirements on cities
- **Support legislation that grants North Texas counties the ability to adopt a \$10 optional registration fee for transportation projects**



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Water

- Oppose any legislation that would undermine city original jurisdiction, and oppose any efforts to make local water rates subject to approval by any state agency
- Support researching and assessing some level of water re-use, especially for upstream cities in North Texas such as Lewisville
- Support establishing and enforcing water conservation standards at the local level, not at the state or federal level unless adequate ongoing funding is provided
- Oppose state “tap fees” or other state fees on municipal water systems



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Water

- Support fully funding the State Water Plan, and creating future state funding sources
- Oppose any legislation that might restrict Lewisville's ability to continue providing a safe and reliable local water supply
- Support joint efforts by the state, regional partners, and other cities to identify and secure options for new water sources



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85th Texas Legislature

- Nov. 14 – bill pre-filing began
- Jan. 9 – Council adoption of 2017 Legislative Agenda
- Jan. 10 – Texas Legislature opens the 2017 session
- Feb. 28-Mar. 1 – Denton County Days
- March 10 – bill filling deadline
- May 29 – Texas Legislature closes the 2017 session



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2017 Assessment of Fair Housing

Entitlements must:

Certify that they are Affirmatively Furthering Fair Housing (AFFH) as a condition of receiving federal funds from HUD



2017 Lewisville AFH

New AFFH Rule Means:

1. Conduct an Assessment of Fair Housing (AFH) – must use HUD data and must use HUD “Assessment Tool”
2. Identify fair housing *issues*
3. Addressing *contributing factors*
4. Prioritize *fair housing goals & actions*



2017 Lewisville AFH

Population by Race and Ethnicity

Lewisville

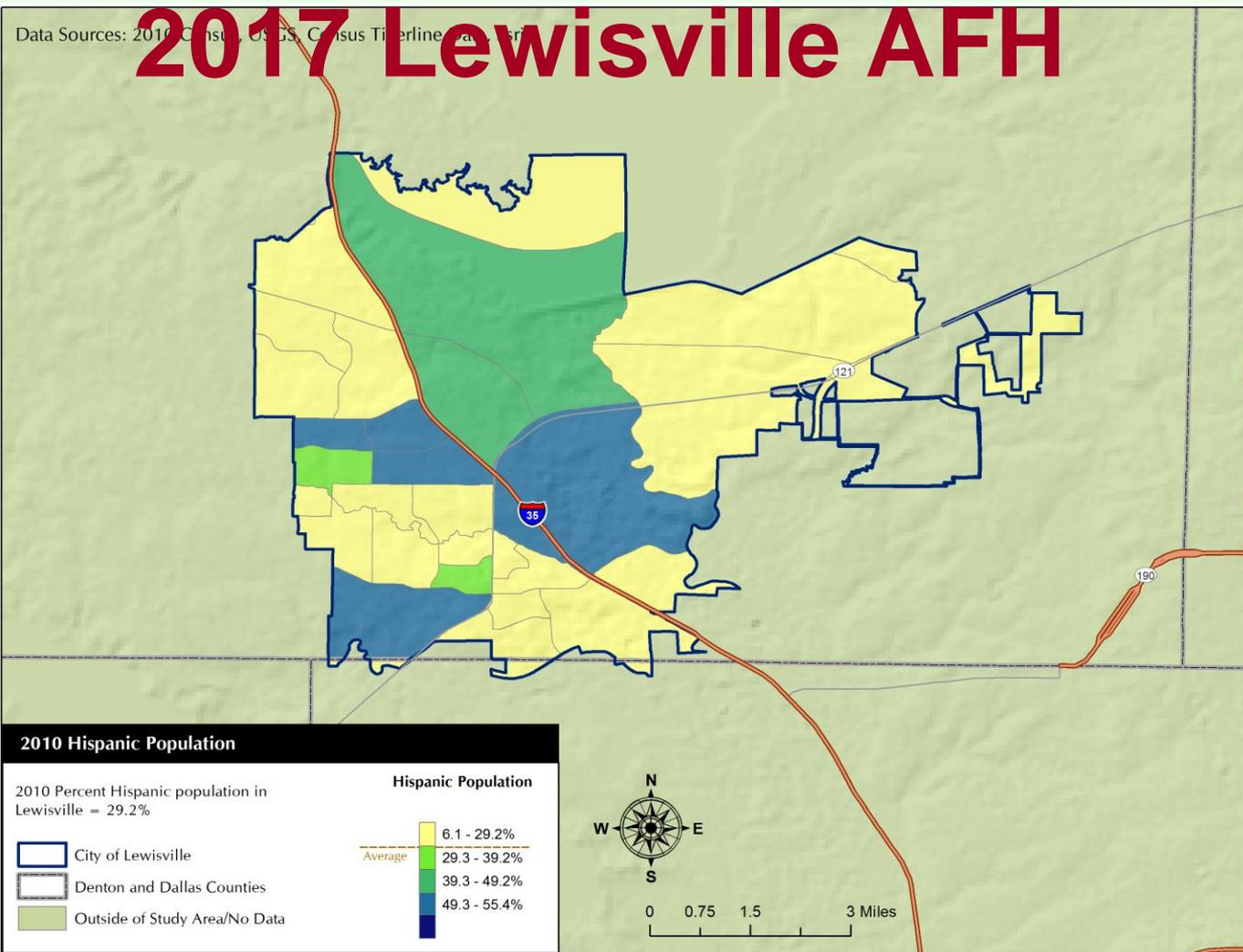
2010 Census & 2014 Five-Year ACS

Race	2010 Census		2014 Five-Year ACS	
	Population	% of Total	Population	% of Total
White	62,263	65.3%	73,778	74.5%
Black	10,661	11.2%	8,875	9.0%
American Indian	623	0.7%	146	0.1%
Asian	7,392	7.8%	7,777	7.9%
Native Hawaiian/ Pacific Islander	67	0.1%	87	0.1%
Other	11,236	11.8%	3,454	3.5%
Two or More Races	3,048	3.2%	4,922	5.0%
Total	95,290	100.0%	99,039	100.0%
Non-Hispanic	67,507	70.8%	69,088	69.8%
Hispanic	27,783	29.2%	29,951	30.2%



Data Sources: 2010 Census, US Census Tilerline, etc.

2017 Lewisville AFH





2017 Lewisville AFH

HUD's Analysis AFFH Includes:

- 1. RCAP and ECAP evaluation**
- 2. Segregation analysis**
- 3. Disparities in access to opportunity**
- 4. Disproportionate housing needs**
- 5. Disability and access analysis**
- 6. Fair housing enforcement, outreach capacity, and resource analysis**



#2: Segregation Analysis: The Dissimilarity Index

Dissimilarity Trends

Lewisville

2016 HUD AFFH Databases

Racial/Ethnic Dissimilarity Index	1990	2000	2010
Non-White/White	17.41	20.04	26.87
Black/White	23.36	19.72	30.57
Hispanic/White	19.68	31.86	37.82
Asian or Pacific Islander/White	26.36	25.42	36.12

Interpreting the Dissimilarity Index

Measure	Values	Description
Dissimilarity Index [range 0-100]	<40	Low Segregation
	40-54	Moderate Segregation
	>55	High Segregation



#3: Disparities in Access to Opportunity

- **Areas of Opportunity are physical places**
- **Identified through quantitative means, such as an index by Census Tract**
- **Seven indexes: low poverty, school proficiency, labor market engagement, transit trips, low transportation cost, job proximity, and environmental health**

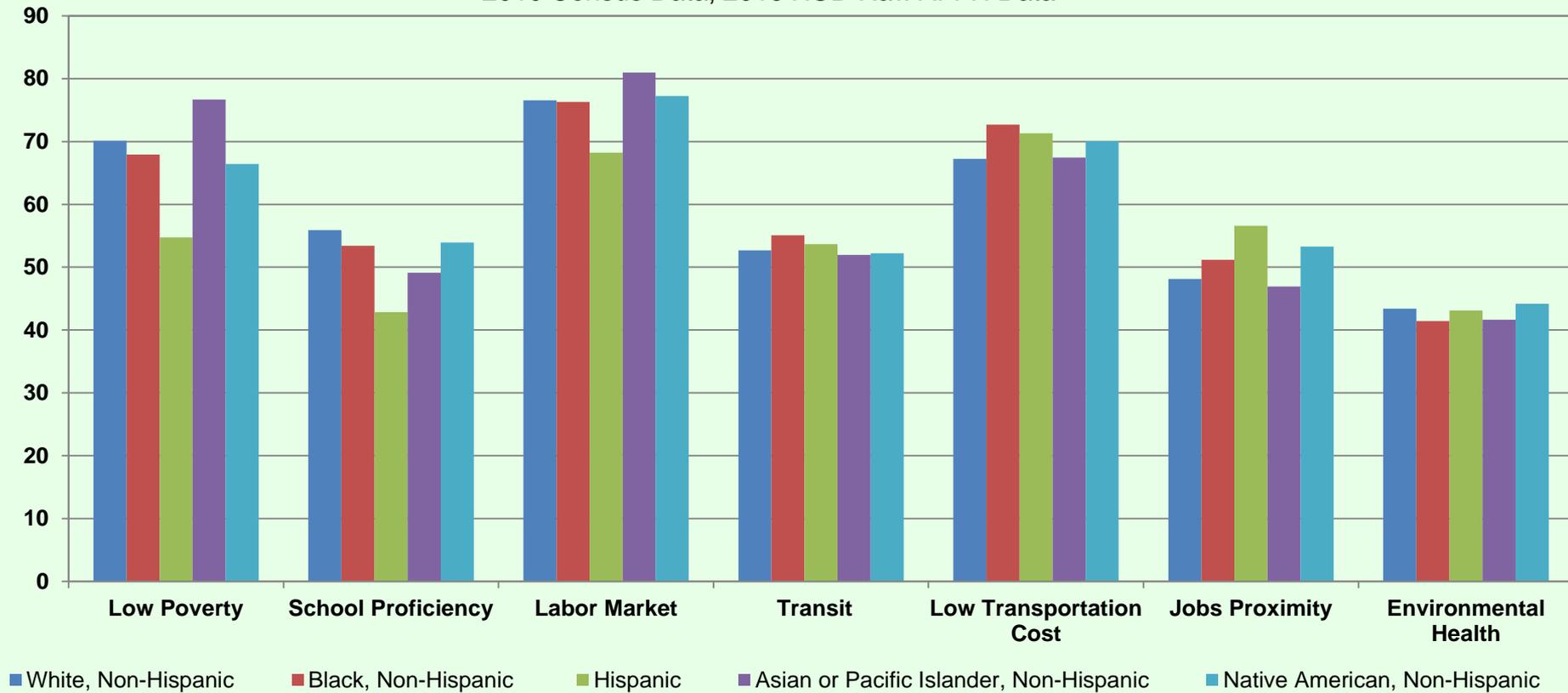


Opportunity Indexes by Race/Ethnicity

Access to Opportunity by Race and Ethnicity

Lewisville

2010 Census Data, 2016 HUD Raw AFFH Data





#4: Disproportionate Housing Needs

Households with Problems

Housing Problems by Race, Ethnicity, and Household Type
Lewisville

2008-2012 HUD CHAS Data

Disproportionate Housing Needs		Lewisville	
HHs experiencing any of 4 housing problems	# with problems	# households	% with problems
Race/Ethnicity			
White, Non-Hispanic	6,305	21,729	29.02
Black, Non-Hispanic	1,580	3,770	41.91
Hispanic	3,920	8,045	48.73
Asian or Pacific Islander, Non-Hispanic	910	2,359	38.58
Native American, Non-Hispanic	85	120	70.83
Other, Non-Hispanic	440	1,099	40.04
Total	13,235	37,135	35.64
Household Type and Size			
Family households, <5 people	5,665	19,345	29.28
Family households, 5+ people	2,240	3,940	56.85
Non-family households	5,335	13,845	38.53



#5: Disability and Access

Persons with Disabilities in Lewisville

2010-2014 ACS Data

Hearing difficulty	2,152	2.40
Vision difficulty	921	1.03
Cognitive difficulty	3,148	3.52
Ambulatory difficulty	3,584	4.00
Self-care difficulty	1,443	1.61
Independent living difficulty	2,384	2.66

Public-Assisted Housing Residents with Disabilities by Program

Lewisville

July 2016 HUD AFFH Raw Data

Lewisville	People with a Disability	
	Number	Percent
Public Housing	0	0
Project-Based Section 8	0	0
Other Multifamily	0	0
HCV Program	73	19.68



#6: Fair Housing Enforcement

Housing Complaints

Fair Housing Complaints by Basis of Complaint

City of Lewisville
2008-2016 HUD Data

Basis	2008	2009	2010	2011	2012	2013	2014	2015	2016	Total
Disability	2	.	2	2	1	1	3	.	4	15
Race	6	2	1				2	1		12
Sex	1						1	1		3
Family Status	1			1						2
National Origin			1							1
Retaliation	1									1
Total	11	2	4	3	1	1	6	2	4	34
Total Complaints	8	2	3	3	1	1	4	2	4	28



#6: Fair Housing Enforcement

Housing Complaints

Fair Housing Complaints by Issue of Complaint

City of Lewisville
2008-2016 HUD Data

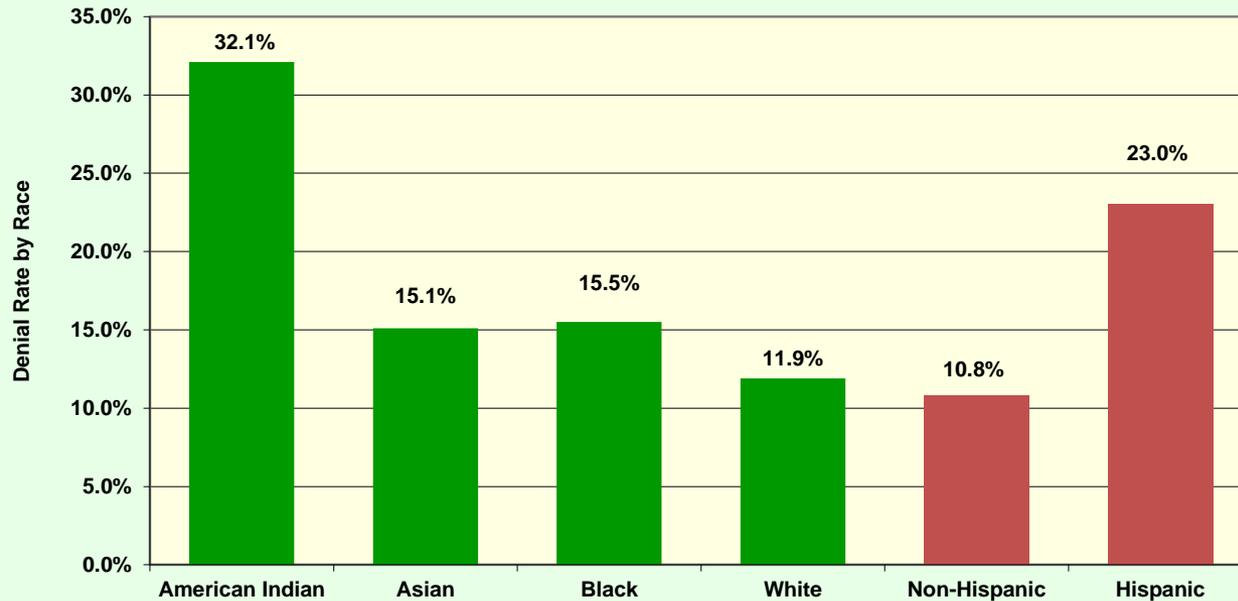
Basis	Total
Discriminatory terms, conditions, privileges, or services and facilities	17
Discrimination in terms/conditions/privileges relating to rental	7
Failure to make reasonable accommodation	7
Discriminatory refusal to rent	6
Discriminatory acts under Section 818 (coercion, Etc.)	5
Discriminatory financing (includes real estate transactions)	2
Discriminatory refusal to rent and negotiate for rental	2
Discriminatory refusal to negotiate for rental	1
False denial or representation of availability - rental	1
Total Issues	48
Total Complaints	28



#6 Cont. FH Enforcement

Home Lending

Denial Rates by Race/Ethnicity
City of Lewisville





#6: Fair Housing Outreach

Citizen Involvement

2016 Fair Housing Survey

Role of Respondent

City of Lewisville

2016 Fair Housing Survey Data

Primary Role	Total
Local Government	22
Advocate/Service Provider	5
Construction/Development	1
Law/Legal Services	1
Service Provider	1
Other Role	3
Missing	87
Total	121

<https://www.research.net/r/2016LewisvilleFHSurvey>



#6: Fair Housing Outreach

Citizen Involvement

2016 Fair Housing Survey

Barriers to Fair Housing in the Private Sector
 City of Lewisville
 2016 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of any questionable practices or barriers to fair housing choice in:					
The rental housing market?	6	47	17	51	121
The real estate industry?		44	23	54	121
The mortgage and home lending industry?	5	43	22	51	121
The housing construction or accessible housing design fields?	3	43	23	52	121
The home insurance industry?	1	43	23	54	121
The home appraisal industry?	5	40	24	52	121
Any other housing services?	3	41	24	53	121



#6: Fair Housing Outreach

Citizen Involvement

2016 Fair Housing Survey

Barriers to Fair Housing in the Public Sector
 City of Lewisville
 2016 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of any questionable practices or barriers to fair housing choice in:					
Land use policies?	5	35	24	57	121
Zoning laws?	4	35	24	58	121
Occupancy standards or health and safety codes?	7	36	21	57	121
Property tax policies?	2	36	27	56	121
Permitting process?	3	33	28	57	121
Housing construction standards?	1	34	29	57	121
Neighborhood or community development policies?	5	34	24	58	121
Limited access to government services?	5	38	21	57	121
Public administrative actions or regulations?	2	29	31	59	121



Fair Housing Issues:

- 1. Discriminatory terms and conditions in Rental. Failure to make reasonable accommodation**
- 2. Limited Supply of Affordable Housing, especially for minorities and seniors**
- 3. High denial rates for racial and ethnic minorities**
- 4. Prospective discriminatory practices and policies. NIMBYism**



Fair Housing Issues, continued:

- 5. Insufficient outreach and education**
- 6. Disparities in Access to Opportunity**
- 7. Denial of available housing in the rental markets. Discriminatory terms, conditions, or privileges relating to rental**



Fair Housing Goals:

- 1. Enhance understanding of fair housing and fair housing law**
- 2. Promote partnerships that enable the development of accessible and affordable housing**
- 3. Enhance financial literacy**
- 4. Review and Revise Local Land use Policies**



Fair Housing Goals, Continue:

- 5. Enhance Fair Housing Program and enforcement**
- 6. Promote equitable access to credit and home lending**
- 7. Reduce Discrimination in Rental Market**



Recommended Actions:

- 1, 3, 5, 7. Seminars, trainings, and outreach**
- 2. Promotion of construction of new, redeveloped or rehabilitated housing**
- 3. Review land use policies and regulations by 2021-22**
- 4. Review land use policies and regulations by 2021-22**
- 5. Reduce disparities in home purchase through credit education & outreach**
- 6. Reduce disparities in home purchase through credit education & outreach**



2017 Lewisville AFH

Contact Information

Lewisville lead contact:

Mr. Jamey Kirby
Grants Coordinator
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2017 CITY OF LEWISVILLE ASSESSMENT OF FAIR HOUSING



DRAFT FOR PUBLIC REVIEW
DECEMBER 2, 2016

2017 CITY OF LEWISVILLE

ASSESSMENT OF FAIR HOUSING:



Prepared for the:
City of Lewisville

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Website: <http://www.westernes.com>

**Draft Report for Public Review
December 2, 2016**

HAS YOUR RIGHT TO FAIR HOUSING BEEN VIOLATED?

If you feel you have experienced discrimination in the housing industry, please contact:

North Texas Fair Housing Center
8625 King George Dr, Suite 130
Dallas, TX 75235
877-471-1022

COVER PAGE

1. Submission date:
2. Submitter name: **City of Lewisville, Texas**
3. Type of submission (e.g., single program participant, joint submission): **Single Program Participant**
4. Type of program participant(s) (e.g., consolidated plan participant, PHA): **Consolidated Plan Participant**
5. For PHAs, Jurisdiction in which the program participant is located:
6. Submitter members (if applicable):
7. Sole or lead submitter contact information:
 - a. Name: **Jamey Kirby**
 - b. Title: Grants Coordinator
 - c. Department: **Neighborhood Services**
 - d. Street address: **P.O. Box 299002**
 - e. City: **Lewisville**
 - f. State: **Texas**
 - g. Zip code: **75029**
8. Period covered by this assessment: **2017-18 through 2021-22**
9. Initial, amended, or renewal AFH: **Initial**
10. To the best of its knowledge and belief, the statements and information contained herein are true, accurate, and complete and the program participant has developed this AFH in compliance with the requirements of 24 C.F.R. §§ 5.150-5.180 or comparable replacement regulations of the Department of Housing and Urban Development;
11. The program participant will take meaningful actions to further the goals identified in its AFH conducted in accordance with the requirements in §§ 5.150 through 5.180 and 24 C.F.R. §§ 91.225(a)(1), 91.325(a)(1), 91.425(a)(1), 570.487(b)(1), 570.601, 903.7(o), and 903.15(d), as applicable.

All Joint and Regional Participants are bound by the certification, except that some of the analysis, goals or priorities included in the AFH may only apply to an individual program participant as expressly stated in the AFH.

(Signature) (date)

(Signature) (date)

(Signature) (date)

Departmental acceptance or non-acceptance:

(Signature) (date)

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SECTION I. EXECUTIVE SUMMARY

OVERVIEW

Title VIII of the 1968 Civil Rights Act, also known as the Federal Fair Housing Act, made it illegal to discriminate in the buying, selling, or renting of housing based on a person's race, color, religion, or national origin. Sex was added as a protected class in the 1970s. In 1988, the Fair Housing Amendments Act added familial status and disability to the list, making a total of seven federally protected characteristics. Federal fair housing statutes are largely covered by the following three pieces of U.S. legislation:

1. The Fair Housing Act,
2. The Housing Amendments Act, and
3. The Americans with Disabilities Act.

The purpose of fair housing law is to protect a person's right to own, sell, purchase, or rent housing of his or her choice without fear of unlawful discrimination. The goal of fair housing law is to allow everyone equal opportunity to access housing. In 1993, Texas passed its Fair Housing Act, covering the same protected classes as noted in Federal law.

ASSESSING FAIR HOUSING

Provisions to affirmatively further fair housing are long-standing components of the U.S. Department of Housing and Urban Development's (HUD's) housing and community development programs. These provisions come from Section 808(e) (5) of the federal Fair Housing Act, which requires that the Secretary of HUD administer federal housing and urban development programs in a manner that affirmatively furthers fair housing.

In 1994, HUD published a rule consolidating plans for housing and community development programs into a single planning process. This action grouped the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grants (ESG)¹, and Housing Opportunities for Persons with AIDS (HOPWA) programs into the Consolidated Plan for Housing and Community Development, which then created a single application cycle.

As a part of the consolidated planning process, and entitlement communities that receive such funds as a formula allocation directly from HUD are required to submit to HUD certification that they are affirmatively furthering fair housing (AFFH).

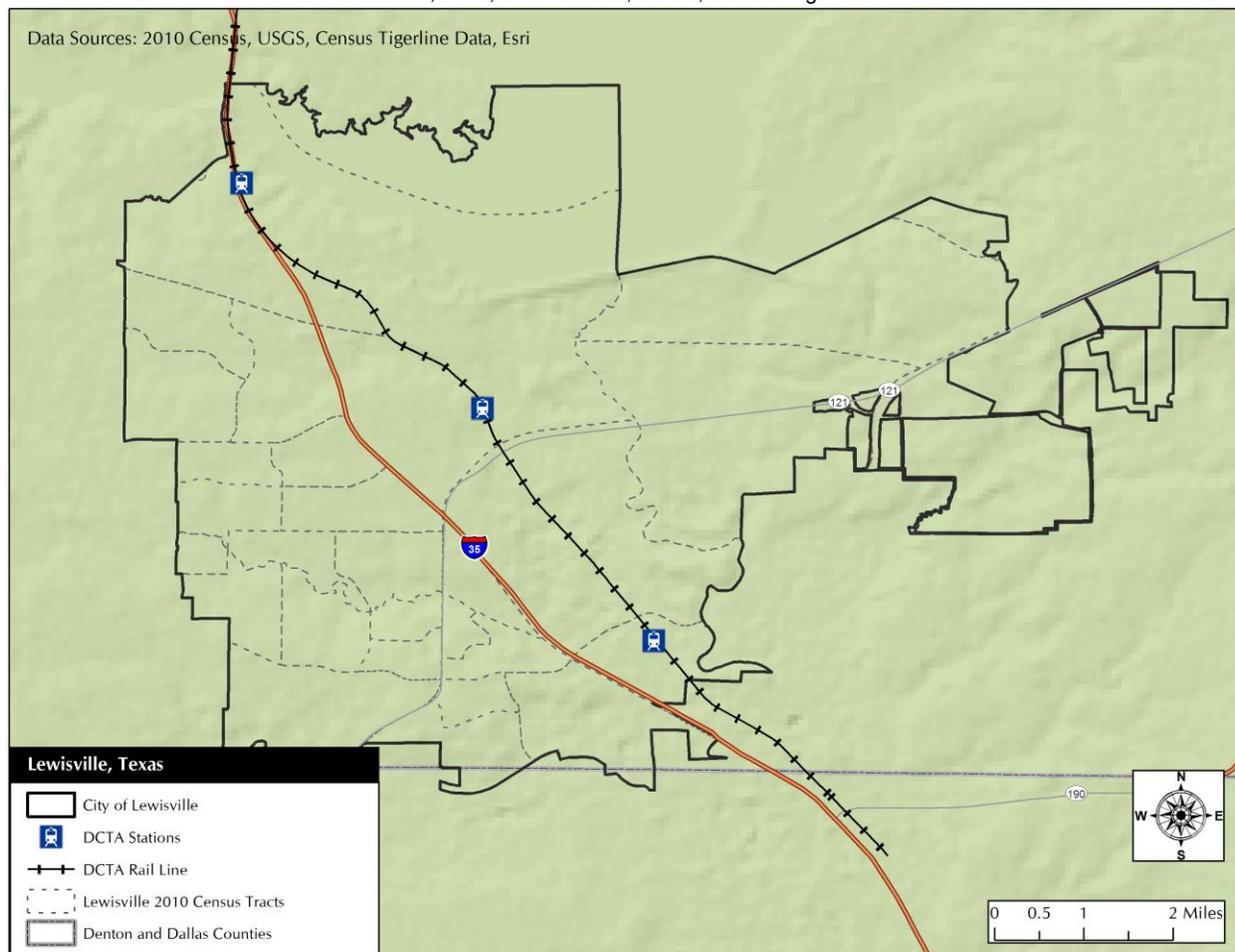
The City of Lewisville, Department of Community Development, has committed to prepare, conduct, and submit to HUD their certification for AFFH, which is presented in this Assessment of Fair Housing.

¹ The Emergency Shelter Grants program was renamed the Emergency Solutions Grants program in 2011.

The decision to approach the current study through a collaborative effort was motivated by a desire for efficiency and effectiveness, as well as recognizing a need for broad collaboration and coordination among members of the Fair Housing community on fair housing planning throughout the City. The geographic area addressed in this report is presented in Map 1.1, noted below.

Map I.1 Lewisville, Texas

1990, 2000, 2010 Census, USGS, Census Tigerline



PURPOSE AND PROCESS

The AFFH rule requires fair housing planning and describes the required elements of the fair housing planning process. The first step in the planning process is completing the fair housing analysis required in the AFH. The rule establishes specific requirements program participants must follow for developing and submitting an AFH and for incorporating and implementing that AFH into subsequent Consolidated Plans and Public Housing Agency (PHA) Plans. This process is intended help to connect housing and community development policy and investment planning with meaningful actions that affirmatively further fair housing.²

² <https://www.hudexchange.info/resources/documents/AFFH-Rule-Guidebook.pdf>

The introduction of the HUD's Assessment of Fair Housing tool (Assessment Tool) requires jurisdictions to submit their Fair Housing Assessments through an online User Interface. While this document is not that submittal, the Assessment Tool provides the organizational layout of this document.

AFH METHODOLOGY

This AFH was conducted through the assessment of a number of quantitative and qualitative sources. Quantitative sources used in analyzing fair housing choice in City of Lewisville included:

- Socio-economic and housing data from the U.S. Census Bureau, such as the 2010 Census and the 2010-2014 American Community Survey,
- 2008-2013 HUD CHAS data
- Employment data from the U.S. Bureau of Labor Statistics,
- Economic data from the U.S. Bureau of Economic Analysis,
- The 2016 HUD AFFH Database, which includes PHA data, disability information, and geographic distribution of topics
- Housing complaint data from HUD
- Home loan application data from the Home Mortgage Disclosure Act, and
- A variety of local data.

Qualitative research included evaluation of relevant existing fair housing research and fair housing legal cases. Additionally, this research included the evaluation of information gathered from many public input opportunities conducted in relation to this AFH, including the 2016 Fair Housing Survey, a series of fair housing forums, presentations, and the public review.

As a result of detailed demographic, economic, and housing analysis, along with a range of activities designed to foster public involvement and feedback, the City has identified a series of fair housing issues, and factors that contribute to the creation or persistence of those issues. The issues that the City has studied relate to segregation and integration of racial and ethnic minorities, disproportionate housing needs; publicly supported housing location and occupancy; disparities in access to opportunity; disability and access; and fair housing enforcement, outreach, capacity, and resources.

Table I.1 on the following page provides a list of the factors that have been identified as contributing to these fair housing issues, and prioritizes them according to the following criteria:

1. High: Factors that have a direct and substantial impact on fair housing choice
2. Medium: Factors that have a less direct impact on fair housing choice, or that the City has a comparatively limited capacity to address
3. Low: Factors that have a slight or largely indirect impact on fair housing choice, or that the City has little capacity to address.

Table I.1
Fair Housing Contributing Factors and Priorities

Contributing Factor	Priority	Discussion
Availability of Affordable Units in a Range of Sizes	Medium	There is a need for additional publicly assisted housing throughout the City. Racial or ethnic minority households are more likely to be experiencing a disproportionate need due to cost burdens, incomplete plumbing or kitchen facilities, or overcrowding. This contributing factor has been assigned a medium level of priority based on the extent of the need and the City's ability to respond to this need.
Access to financial services	High	The ability of residents throughout the City to secure home purchase loans varies according to the race and ethnicity of the loan applicant. This was identified in data gathered under the Home Mortgage Disclosure Act (HMDA). The City has designated efforts to address this factor to be of "high" priority.
Resistance to affordable housing	Medium	This factor, identified through the feedback of stakeholders during the public input portion of the AFH process, contributes to a lack of affordable housing in the City. Lack of affordable housing restricts the fair housing choice of City residents. The City has assigned this factor a priority of "medium".
Discriminatory actions in the market place	Medium	This factor, identified through the feedback of stakeholders during the public input portion of the AFH process, serves to limit the fair housing choice of residents with disabilities and racial/ethnic minority groups. The City has assigned this factor a priority of "medium".
Lack of understanding of fair housing law	High	This factor, identified through the feedback of stakeholders during the public input portion of the AFH process, contributes to discrimination and differential treatment in the housing market. Furthermore, a lack of understanding of fair housing law means that those who may suffer discrimination in the housing market do not know where to turn when they do. The City has assigned this factor a priority of "high".

Ultimately, a concluding list of prospective fair housing issues were drawn from these sources and along with the fair housing contributing factors, a set of actions have been identified, milestones and resources are being suggested, and responsible parties have been identified. All of these have been summarized by selected fair housing goals. Each of these issues are presented in the table presented on the following pages.

The AFH development process will conclude with a thirty-day public review period of the draft AFH. Specific narratives and maps, along with the entirety of this report created in the AFFH Assessment Tool, will be submitted to HUD via the on-line portal on or before January 4, 2017.

OVERVIEW OF FINDINGS

In addition to the table above, there are several significant findings or conclusions summarized here. Overall the City is pleased that this report finds low levels of segregation by race and ethnicity. The dissimilarity index explained in Section IV continues to be "low" for all racial and ethnic groups, although the City is aware that there is an increase over time in all the indices and that the index for Hispanics particularly is higher and approaching the "moderate" level of segregation. Further, there are no Racial/Ethnic Concentrated Areas of Poverty in the City as defined by HUD.

Home mortgage data showed a high disparity between loan denials for potential Hispanic and non-Hispanic borrowers. There are also significant differences between black applicants versus white and Asian applicants with low and low/moderate incomes.

Fair housing complaints show that reasonable accommodations for disabled residents followed by racial discrimination are the leading issues, although the overall number of complaints are low with only 28 complaints in 8 ½ years.

There are large numbers of Lewisville households with "housing problems" as defined by HUD, especially with the problem of "cost burden" and "extreme cost burden" where families

pay more than 30% or 50% respectively toward housing costs (a measure of housing affordability). A substantially higher number of Hispanic households and Native American households are cost burdened, followed by Black and Asian families.

GOALS, ISSUES AND PROPOSED ACHIEVEMENTS

The following Table I.2 summarizes the fair housing goals, fair housing issues and contributing factors, as identified by the Assessment of Fair Housing. It includes metrics and milestones, and a timeframe for achievements as well as designating a responsible agency.

Table I.2
City of Lewisville Fair Housing Goals, Issues, and Proposed Achievements

2017 – 2021 Assessment of Fair Housing

Goals	Contributing Factors	Fair Housing Issues	Metrics, Milestones, and Timeframe for Achievement	Responsible Program Participant
Enhance understanding of fair housing and fair housing law	Lack of understanding of where to turn	Discriminatory terms and conditions in Rental Failure to make reasonable accommodation	Seminars, trainings, and outreach Each Year	City of Lewisville
Discussion: Public input and stakeholder comments revealed that there is additional need for fair housing outreach and trainings. Housing complaint data registered many complaints based upon failure to make reasonable accommodation.				
Promote partnerships that enable the development of accessible and affordable housing	Location and type of affordable housing Access to publicly supported housing for persons with disabilities Lack of affordable, accessible housing for seniors	Limited Supply of Affordable Housing, especially for minorities and seniors	Promotion of construction of new, redeveloped or rehabilitated housing Each Year	City of Lewisville
Discussion: The City of Lewisville has an increasing number of households with housing problems, especially cost burdens. While it impacts 29.0 percent of white households, over 41 percent of black households and 48 percent of Hispanic households experience housing problems. In addition, based on public input and stakeholder feedback, seniors and residents with disabilities face limitations in the supply of accessible, affordable housing.				
Enhance financial literacy	Lending Discrimination Private discrimination Access to financial services	High denial rates for racial and ethnic minorities	Seminars, trainings, and outreach Each Year	City of Lewisville
Discussion: Denial rates for owner-occupied home purchases varied by the race/ethnicity of the applicant. Denial rates for Hispanic households were over twelve percentage points higher than for white applicants.				
Review and Revise Local Land use Policies	Siting selection policies Practices and decisions for publicly supported housing	Prospective discriminatory practices and policies NIMBYism	Review land use policies and regulations By 2021-22	City of Lewisville
Discussion: The availability of housing accessible to a variety of income levels and protected classed may be limited by zoning and other local policies that limit the production of affordable units. Review of local land use policies may positively impact the placement and access of publicly supported and affordable housing.				
Enhance Fair Housing Program and enforcement	Lack of understanding of where to turn for fair housing	Insufficient outreach and education	Seminars, trainings, and outreach Each year	City of Lewisville
Discussion: Input received from the 2016 Fair Housing Survey, as well as testimony received at the public engagement activities, demonstrated that while the organizational infrastructure is in place and available, many people still do not use the fair housing system				
Promote equitable access to credit and home lending	Access to financial services.	Disparities in Access to Opportunity	Reduce disparities in home lending application outcomes through credit education and outreach.	City of Lewisville
Discussion: Incidences of high denial rates for selected minorities underscores limitations in access to key financial services, particularly lending.				
Reduce Discrimination in Rental Market	Lack of understanding of fair housing law Discriminatory actions in the marketplace	Denial of available housing in the rental markets Discriminatory terms, conditions, or privileges relating to rental	Provide outreach and education on a yearly basis Provide fair housing seminars	City of Lewisville
Discussion: Based on public input and stakeholder feedback, including housing complaint data and results of the 2016 fair housing survey, minority residents and residents with disabilities face limitations in the supply of accessible, affordable housing.				

SECTION II. COMMUNITY PARTICIPATION PROCESS

The following section describes the community participation process undertaken for the 2017 City of Lewisville Assessment of Fair Housing.

A. OVERVIEW

The outreach process included the 2016 Fair Housing Survey, a series of two Fair Housing Forum, a public review meeting, and a final presentation.

The Fair Housing Survey was distributed as an internet outreach survey, and was available in both English and Spanish.

The 2016 City of Lewisville Fair Housing Forums were held on November 1 and November 15, 2016. The purpose of these meetings were to provide members of the public with an overview of fair housing policy and the AFH process, as well as an opportunity to provide feedback on the process and their experience with fair housing in the City of Lewisville. While sign-in sheets from the meeting are included in the Appendix A, the following represents a sample of organizations consulted during the community participation process.

Insert list of organizations/individuals as drawn from sign-in sheets from meetings.

B. THE 2016 FAIR HOUSING SURVEY

The purpose of the survey, a relatively qualitative component of the AFH, was to gather insight into knowledge, experiences, opinions, and feelings of stakeholders and interested citizens regarding fair housing as well as to gauge the ability of informed and interested parties to understand and affirmatively further fair housing. Many individuals and organizations throughout the city were invited to participate. At the date of this draft, some 102 responses were received.

The following are responses from the 2016 Fair Housing Survey. The complete set of responses, along with comments are included in the Appendix. There were 102 respondents to the survey at the date of this document. The most common respondent roles were local government. A majority of respondents were homeowners, residents of Lewisville, and a majority were white. Most respondents were not disabled and were between the ages of 18 and 65.

Table II.1
Role of Respondent
City of Lewisville

2016 Fair Housing Survey Data

Primary Role	Total
Local Government	21
Other Role	3
Advocate/Service Provider	2
Construction/Development	1
Missing	74
Total	102

Respondents were primarily not familiar or somewhat with fair housing laws, as seen in Table II.2.

Table II.2
How Familiar are you with
Fair Housing Laws?
City of Lewisville

2016 Fair Housing Survey Data

Familiarity	Total
Not Familiar	39
Somewhat Familiar	32
Very Familiar	3
Missing	28
Total	102

A majority of respondents think fair housing laws are useful, but the most number of respondents indicated that fair housing laws are not adequately enforced. This is seen in Table II.3, on the following page.

Table II.3
Federal, State, and Local Fair Housing Laws
 City of Lewisville
 2016 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Do you think fair housing laws are useful?	47	5	22	28	102
Are fair housing laws difficult to understand or follow?	18	18	38	28	102
Do you think fair housing laws should be changed?	14	14	45	29	102
Do you think fair housing laws are adequately enforced?	18	37	9	38	102

Most respondents are not aware of training available in the community, and only two respondents have participated in fair housing training. Also, only four respondents were aware of fair housing testing.

Table II.4
Fair Housing Activities
 City of Lewisville
 2016 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total	
Is there a training process available to learn about fair housing laws?	18	37	9	38	102	
Have you participated in fair housing training?	2	22	4	74	102	
Are you aware of any fair housing testing?	4	38	21	39	102	
Testing and education	Too Little	Right Amount	Too Much	Don't Know	Missing	Total
Is there sufficient outreach and education activity?	10	12	1	40	39	102
Is there sufficient testing?	3	6	1	54	38	102

In the private sector, respondents were not aware of questionable practices or barriers to fair housing, as seen in Table II.5.

Table II.5
Barriers to Fair Housing in the Private Sector
 City of Lewisville
 2016 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of any questionable practices or barriers to fair housing choice in:					
The rental housing market?	3	42	15	42	102
The real estate industry?		37	21	44	102
The mortgage and home lending industry?	2	37	21	42	102
The housing construction or accessible housing design fields?	3	38	18	43	102
The home insurance industry?	1	37	20	44	102
The home appraisal industry?	4	34	21	43	102
Any other housing services?	1	36	22	43	102

Similarly, in the public sector, few respondents were aware of questionable practices or barriers to fair housing in any of the given areas, as seen in Table II.6.

Table II.6
Barriers to Fair Housing in the Public Sector
 City of Lewisville
 2016 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of any questionable practices or barriers to fair housing choice in:					
Land use policies?	4	29	22	47	102
Zoning laws?	4	29	21	48	102
Occupancy standards or health and safety codes?	5	30	20	47	102
Property tax policies?	1	31	23	47	102
Permitting process?	3	28	24	47	102
Housing construction standards?	1	28	26	47	102
Neighborhood or community development policies?	4	28	22	48	102
Limited access to government services, such as employment services?	4	33	18	47	102
Public administrative actions or regulations?	1	25	28	48	102

C. PUBLIC INPUT MEETINGS

There were two public input meetings conducted, with one held on November 1 and the second on November 15, 2016. The meetings were recorded and documented and, while the full transcripts can also be found in Appendix C, these are summarized briefly presented below.

Fair Housing Forum Points

- Location of publicly assisted housing-where is it and why is there none on the map
- Lack of fair housing complaints-maybe too under reported
- Need for more affordable housing-rental and for-sale
- Lack of available land
- Need for education/training for renters, home buyers, and landlords
- Predatory lending, such as balloon payments
- Concentration of affordable housing in certain areas
- High cost of rent ranging between 750-1350 with the average around 1000
- Families needing to work multiple jobs to cover expenses
- Need to update zoning codes and ordinance-possible old zoning laws caused concentration of multi-family housing
- Low quality housing for sale in 150,000 range
- Vision 2025 shows people want more high-end homes
 - Lack of renters and low-income participation

D. THE FINAL PUBLIC REVIEW PROCESS

A 30-day public review process is scheduled for December 2 through January 2, 2017.

It will include a City Council Workshop on December 5 and a final presentation before City Council on December 19. These will be documented and inserted here.

SECTION III. ASSESSMENT OF PAST GOALS AND ACTIONS

The City of Lewisville, Texas Analysis of Impediments to Fair Housing Choice was prepared in June 2012. This analysis highlighted seven impediments to fair housing choice in the city: lack of affordability and insufficient income; increased public awareness of fair housing rights and local fair housing legislation should be evaluated; lower number of applications, loan originations and approvals from minorities; poverty and low-income among minority populations; limited resources to assist lower income, and elderly and indigent homeowners maintain their homes and stability in neighborhoods.

A. PAST IMPEDIMENTS AND ACTIONS

In response to these impediments, the Analysis of Impediments outlined a series of actions and objectives to address barriers to fair housing choice in the city. The following is a list of those actions and objectives as adopted in the city's 2012-2017 Consolidated Plan for Housing and Community Development:

Impediment: Lack of affordability and insufficient income. Lack of affordability, that is households having inadequate income to acquire housing currently available in the market, may be the most critical impediment faced by all households in Lewisville.

Remedial Actions: Lewisville should continue to work with local banks, developers and non-profit organizations to expand the stock of affordable housing. The City has had success with its partnerships with banks and non-profits in leveraging federal funds with additional funding for affordable housing from non-entitlement fund sources. A continuation of these efforts should increase the production of new affordable housing units and assistance toward the purchase and renovation of housing in existing neighborhoods. Greater emphasis should also be placed on capacity building and technical assistance initiatives aimed at expanding non-profit, faith based organizations and private developers' production activities in the City. Alternative resources for housing programs should be sought from Fannie Mae, U.S. Department of Treasury Community Development Funding Institution (CDFI) program, Federal Home Loan Bank and other state and federal sources.

Inclusionary Zoning, also known as inclusionary housing, can be implemented by enacting provisions in the local Zoning or Development Ordinances that require a given share of new construction houses be affordable to people with low to moderate incomes. The term inclusionary zoning is derived from the fact that these ordinances seek to counter exclusionary zoning practices which aim to exclude affordable housing from a jurisdiction through the zoning code. In practice, these policies involve placing restrictions on 10% - 30% of new houses or apartments in a given development in order to make the costs of the housing affordable to lower income households. The mix of "affordable" and "market-rate" housing in the same neighborhood is seen as beneficial by many, especially in jurisdictions where housing shortages have become acute. Inclusionary Zoning is becoming a common tool for local jurisdictions in the United States to help provide a wider range of housing options than the market

provides on its own. The zoning code must be amended to include this provision and can also be applied when residential planned unit development zoning is requested. Implementation is triggered at the building permitting phase. Inclusionary Zoning could increase the resources for affordable housing through private developer built units or developer dollars allocated in lieu of building units. Inclusionary Zoning could also generate additional resources for affordable housing since the federal grant programs cannot address all of the City's needs for affordable housing. Based on the current level of build out in the City and limited development opportunities, it is recommended that the City consider Inclusionary Zoning in its future development plans.

Impediment: Increased public awareness of fair housing rights and local fair housing legislation should be evaluated. The City of Lewisville has not enacted a local Fair Housing Ordinance substantially equivalent to the federal Fair Housing Act. Therefore, our analysis of applicable fair housing laws focused on the State of Texas Fair Housing Act. In the analysis the state statutes were compared to the Federal Fair Housing Act. Our Analysis determined that state statute offered similar rights, remedies, and enforcement to the federal law and might be construed as substantially equivalent. The City of Lewisville is part of the enforcement geography afforded enforcement coverage by the Fort Worth Regional HUD FHEO Office. While the current system provides an acceptable process for filing and investigating fair housing complaints, increased local fair housing outreach, education and training would be an important step toward raising local awareness and establishing more effective local Fair Housing Policy.

Remedial Actions: The City of Lewisville should continue increasing fair housing education and outreach in an effort to raise awareness and increase the effectiveness of its local fair housing ordinances. The City should target some of its CDBG funding to fair housing education and outreach to the rapidly growing Hispanic and other immigrant populations. The City should also continue organizing fair housing workshops or information sessions to increase awareness of fair housing rights among immigrant populations and low income persons who are more likely to be entering the home-buying or rental markets at a disadvantage. Other alternatives for increasing awareness and effectiveness of fair housing include providing local enforcement. However, community development resources are limited and therefore local enforcement would necessitate additional funds for investigation and enforcement and expansion of 94 outreach and education. We do not recommend this approach at the current time assuming the State continues its' enforcement services in the local jurisdiction. Future consideration should be given to a regional approach to local enforcement, perhaps through a partnership of other local jurisdictions and the City of Lewisville, and a joint application for FHAP and FHIP funding being submitted to HUD.

Impediment: Impacts of the Subprime Mortgage Lending Crises and increased Foreclosures. The housing foreclosure rates across the country continue to soar and the impacts are being felt in Texas as well. Numerous web sites are providing numerical counts and locations for homes with foreclosure filings across the country and for jurisdictions in the State of Texas. RealtyTrac.com shows 36 properties with foreclosure filings in May 2012 for Lewisville, 368 filings for Denton County and 58,486 properties foreclosure for the State of Texas in May 2012, representing 1 in every 870 homes in Texas in foreclosure.

Remedial Actions: The City of Lewisville should continue pursuing CDBG, HOME and Neighborhood Stabilization Program (NSP) funding if it becomes available to provide home buyer assistance and subsidies to homebuyers to acquire foreclosure property and get it back into commerce. Some of the buyers that have already acquired housing in Lewisville utilizing entitlement funds from the City and State will likely face the issues of foreclosure. The City should work with the State, National Non-Profit Housing Intermediaries and HUD to develop a program and identify funding that can help reduce the mortgage default rate and foreclosure rates among low and moderate income home buyers and existing home owners. Other alternatives being evaluated include the feasibility of creating a mortgage default and foreclosure prevention account for affordable home buyers assisted with federal funds to insure that funds are escrowed to help cover the cost of unexpected income/job loss and to write down interest rates.

Impediment: Lower number of applications, loan originations and approvals from minorities. The analysis the Home Mortgage Disclosure Act data for Lewisville indicates that the overall experience of minority groups within the home mortgage loan market differs from that of Whites. We recognize that removal of this impediment is not solely within the control of the government, and that finance industry policies, consumer credit worthiness, and economic trends all impact this issue. However, it is possible that the City could play a dual role of providing programming and leadership to help resolve the problem.

Remedial Actions: Lewisville should continue to pursue additional funding for homebuyer assistance and outreach and education efforts in order to increase the number of minorities who apply for and receive approval for mortgage loans. The City should encourage financial institutions and mortgage companies to expand their homebuyer support services to more people as a means of improving the origination rates among minorities. The City could help raise the awareness of this concern by discussing the findings in this study relative to the HMDA data with 99 lending institutions and by encouraging lenders to develop strategies to improve the success rate among minority loan applicants. Financial literacy is an important factor in the successful management of personal finances, which sets the stage for all of life's important purchases such as house, car, etc. A well-ordered personal budget prepares households to qualify with the best credit terms, eliminates the major obstacles in the home buying process, and enables households to build equity through homeownership. An early start in managing personal finances can prepare an individual for those major purchases. Lewisville should encourage lenders and the local school district to expand homeownership and credit counseling classes as part of the high school curriculum in order to help prevent credit problems rather than attempting to correct credit profiles in order to successfully qualify an applicant for a home loan origination.

Impediment: Predatory lending and other industry practices. Predatory lending is a widespread concern in Lewisville. Several incidents were cited, by person interviewed and those attending the focus group sessions, suggesting unfavorable lending practices. In some of the minority neighborhoods, lending institutions display an insignificant presence in the community. In other low-income neighborhoods, traditional banking and lending relationships

have been relegated to an overabundance of pay-day loan, check-cashing, and title-loan stores due to a lack of traditional lending institutions.

Remedial Actions: The City should encourage lending institutions to provide greater outreach to the low income and minority communities. Greater emphasis on establishing or reestablishing checking, saving, and credit accounts for residents that commonly utilize check-cashing services is desired. This may require traditional lenders and banks to establish “fresh start programs” for those with poor credit and previous noncompliant bank account practices. Lending institutions should therefore be encouraged to tailor products to better accommodate the past financial deficiencies of low income applicants with credit issues. City Officials should help raise awareness among the appraisal industry concerning limited comparability for affordable housing products. Industry representatives should be encourage to perform comparability studies to identify real estate comparables that more realistically reflect the values of homes being built in low income areas.

Impediment: Poverty and low-income among minority populations. For many households, low or no income is a major factor preventing their exercise of housing choice. Minority populations in the City are confronted with much larger numbers of their population living in poverty than Whites. The incidence of poverty among Hispanics was reported to be 18.1 percent, 9.3 percent for African-Americans, and 12.2 for Asians between 2005 and 2009. Among White persons, the data reported 3.3 percent lived in poverty. In comparison, the poverty rate for the city was 8.4 percent during the period.

Remedial Actions: The City and Chamber of Commerce should continue to work on expanding job opportunities through the recruitment of corporations, the provision of incentives for local corporations seeking expansion opportunities, assistance with the preparation of small business loan applications, and other activities whose aim is to reduce unemployment and expand the base of higher income jobs. A particular emphasis should be to recruit jobs that best mirror the job skills and education levels of those populations most in need of jobs. For Lewisville, this means jobs that support person with high school education, GED’s and in some instances, community college or technical training. These persons are evident in the workforce demographics and in need of jobs paying minimum wage to moderate hourly wages. The City should also continue to support agencies that provide workforce development programs and continuing education courses to increase the educational 105 level and job skills of residents. The goal should be to increase the GED, high school graduation, technical training, and college matriculation rates among residents. This will help in the recruitment of industry such as “call centers”, clerical and manufacturing jobs. Call centers and customer service centers where employees are recruited to process sales or provide customer service support for various industries, have become more and more attracted to areas with similar demographics to that of Lewisville. The combination of well developed and well situated industrial parks and commercial parks available in Lewisville, government incentives for relocation and the workforce to support their industries, have all become incentives in recent years, and Lewisville is poised to continue and take advantage given its assets as well.

Impediment: Limited resources to assist lower income, elderly and indigent homeowners maintain their homes and stability in neighborhoods. Neighborhood decline and increasing instability in Lewisville’s older neighborhoods is a growing concern. Neighborhoods relatively stable today with most of its housing stock in good condition will decline if routine and preventive maintenance does not occur in a timely manner. The population is aging, which means more households with decreasing incomes to pay for basic needs. This increase in elderly households coupled with the steady rise in the cost of housing and the cost of maintaining housing means that many residents will not be able to limit their housing related cost to 30 percent of household income and still maintain their property. Rental property owners will be faced with increasing rents to pay for the cost of maintenance and updating units rendering rental units unaffordable to households as well.

Remedial Actions: The City should evaluate the design and implement a Centralized Program of Self-Help Initiatives based on volunteers providing housing assistance to designated elderly and indigent property owners and assist them in complying with municipal housing codes. This will require an organized recruiting effort to gain greater involvement from volunteers, community organizations, religious organizations/institutions and businesses as a means of supplementing available financial resources for housing repair and neighborhood cleanups.

B. ADDITIONAL ACTIONS CONDUCTED

Outreach and Education

The City of Lewisville Grants Division receives fair housing complaints and makes referrals to HUD for enforcement. This agency is also responsible for conducting public education, training and outreach of fair housing rights and remedies in Lewisville. Education of the public regarding the rights and responsibilities afforded by fair housing law is an essential ingredient of fair housing enforcement. This includes outreach and education to the general public, landlords and tenants, housing and financial providers, as well as citizens, concerning fair housing and discrimination. It is important that potential victims and violators of housing and/or lending discrimination law be aware of fair housing issues generally, know what may constitute a violation, and what they can do in the event they believe they have been discriminated against. Likewise, it is important for lenders, housing providers, and their agents to know their responsibilities and when they may be violating fair housing law.

As noted in the city’s 2014 Consolidated Annual Performance and Evaluation Report (CAPER), the City completed several actions to promote education and awareness. In promoting these activities, the City has referred clients to the Dallas Housing Crisis Center, made fair housing literature available in office displays, and sponsored Homebuyer Education classes.

Funding and Investment

The City has invested CDBG funds to promote fair housing choice for its residents. In 2014, the City continues its First-Time home buyers program. The City also continued its agreement with the Denton Housing Authority for Section 8 vouchers. The City Council has provided variances to agencies/organizations/developers and homeowners on a case by case basis.

Success in Promoting Outreach and Education

The City has been successful in promoting outreach and education by fostering a network of stakeholders, organizations, and providing outreach to the public. It continued to work with these parties throughout the previous consolidated planning cycle, providing homeownership education classes, referred clients to the Dallas Housing Crisis Center, provided fair housing literature, and continued its agreement with the Denton Housing Authority. Grants staff serve on a financial coaching committee developing new programming at United Way.

The City has also achieved some success in promoting access to affordable rental and homeownership housing, through the investment of CDBG funding.

C. PAST AND CURRENT GOALS

In several cases, goals that were set in previous fair housing planning documents continue to be barriers to fair housing in Lewisville. For example, the availability of affordable housing options has been a persistent need and meeting this need is an on-going goal for the City. In addition, the denial rates for homeownership levels for minority households was included as an impediment in previous planning documents, and has been identified as a continuing issue in the most recent fair housing document. The City continues to strive for affirmatively furthering fair housing in its efforts and identification of fair housing issues in the City.

SECTION IV. FAIR HOUSING ANALYSIS

This section presents demographic, economic, and housing information. Data were used to analyze a broad range of socio-economic characteristics, including population growth, race, ethnicity, disability, employment, poverty, and housing trends; these data are also available by Census tract, and are shown in geographic maps. Ultimately, the information presented in this section illustrates the underlying conditions that shape housing market behavior and housing choice in Lewisville.

A. DEMOGRAPHIC SUMMARY

In 2000, an estimated 77,737 people lived within the City as shown in Table IV.1. By 2010, the population in the City had grown by 22.6 percent, to an estimated 95,290 residents. The fastest-growing group during that time included residents aged 65 and older, rising over 88 percent over the period. While this cohort accounted for 6.5 percent of the population in 2010, up from 4.3 percent in 2000, such strong growth may imply that housing demands are strong for this elderly cohort.

Table IV.1
Population by Age

City of Lewisville
2000 & 2010 Census SF1 Data

Age	2000 Census		2010 Census		% Change 00-10
	Population	% of Total	Population	% of Total	
Under 5	7,075	9.1%	7,894	8.3%	11.6%
5 to 19	15,570	20.0%	18,876	19.8%	21.2%
20 to 24	7,230	9.3%	8,426	8.8%	16.5%
25 to 34	18,195	23.4%	19,493	20.5%	7.1%
35 to 54	22,072	28.4%	26,843	28.2%	21.6%
55 to 64	4,284	5.5%	7,521	7.9%	75.6%
65 or Older	3,311	4.3%	6,237	6.5%	88.4%
Total	77,737	100.0%	95,290	100.0%	22.6%

The elderly population, which includes residents aged 65 and older, grew at a faster rate than the overall population between 2000 and 2010. As shown in Table IV.2, some 12.9 percent of the elderly cohort was aged 85 and older: an estimated 802 residents. This group grew considerably as a share of the overall elderly population between 2000 and 2010, as did residents aged 80 to 84.

Table IV.2
Population by Age

City of Lewisville and Dallas-Ft Worth-Arlington CBSA
2000 & 2010 Census SF1 Data

Age	Lewisville CDBG		Dallas-Ft Worth-Arlington CBSA	
	Population	% of Total	Population	% of Total
Under 18	24,968	25.67%	1,785,825	27.79%
18-64	66,015	67.86%	4,068,790	63.32%
65+	6,292	6.47%	571,599	8.89%

The youngest age cohort (under the age of 18) comprised a slightly smaller percentage in Lewisville than in the Dallas-Ft. Worth regional area, but residents aged 18-64 accounted for nearly four percentage points more of the Lewisville population than the regional area. Finally,

the 65+ cohort was nearly nine percent of the regional population, compared to a slightly-smaller 6.5 percent of the city's population.

Table IV.3
Elderly Population by Age
City of Lewisville
2000 & 2010 Census SF1 Data

Age	2000 Census		2010 Census		% Change 00-10
	Population	% of Total	Population	% of Total	
65 to 66	499	15.1%	985	15.8%	97.4%
67 to 69	588	17.8%	1,180	18.9%	100.7%
70 to 74	821	24.8%	1,476	23.7%	79.8%
75 to 79	676	20.4%	1,022	16.4%	51.2%
80 to 84	382	11.5%	772	12.4%	102.1%
85 or Older	345	10.4%	802	12.9%	132.5%
Total	3,311	100.0%	6,237	100.0%	88.4%

White residents represented more than 77 percent of the study area population in 2000, but declined to 65.3 percent in 2010 and accounted for an estimated 62,263 residents in 2010. Residents classified as "other" race and black residents constituted the next largest percentage of the population at 11.8 percent and 11.2 percent, respectively. Asian residents grew at a rate of 144 percent between 2000 and 2010, accounting for 7.8 percent of the population in 2010. In addition, the Hispanic population expanded by over 101 percent between 2000 and 2010, rising from 17.8 to 29.2 percent, or reaching 27,783 persons in 2010.

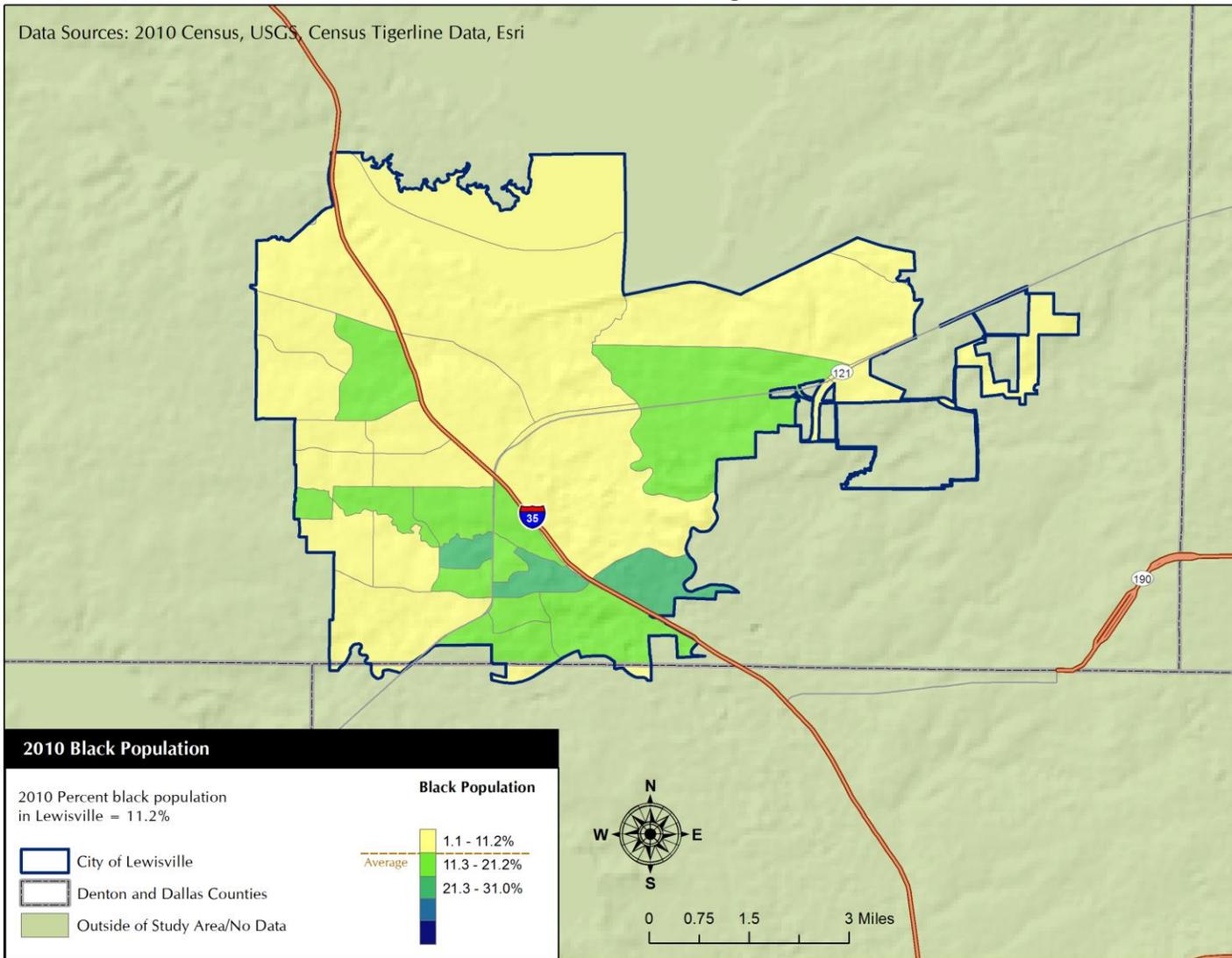
Table IV.4
Population by Race and Ethnicity
City of Lewisville
2000 & 2010 Census SF1 Data

Race	2000 Census		2010 Census		% Change 00-10
	Population	% of Total	Population	% of Total	
White	60,015	77.2%	62,263	65.3%	3.7%
Black	5,747	7.4%	10,661	11.2%	85.5%
American Indian	544	.7%	623	.7%	14.5%
Asian	3,028	3.9%	7,392	7.8%	144.1%
Native Hawaiian/ Pacific Islander	25	.0%	67	.1%	168.0%
Other	6,468	8.3%	11,236	11.8%	73.7%
Two or More Races	1,910	2.5%	3,048	3.2%	59.6%
Total	77,737	100.0%	95,290	100.0%	22.6%
Non-Hispanic	63,938	82.2%	67,507	70.8%	5.6%
Hispanic	13,799	17.8%	27,783	29.2%	101.3%

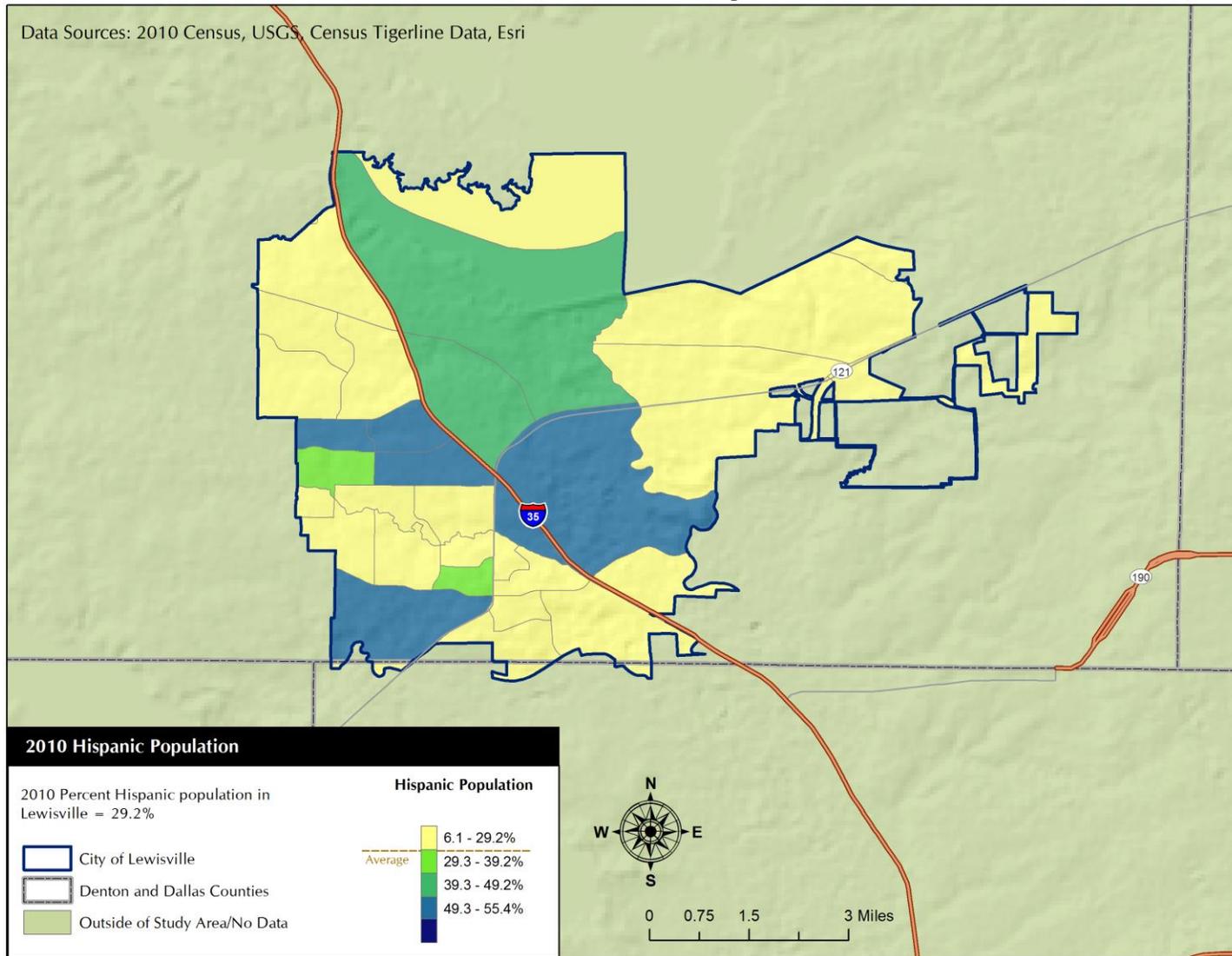
The geographic distribution of both Blacks and Hispanics demonstrates that concentrations of these minorities exist in the City of Lewisville, particularly for Hispanic residents. These distributions are presented in Maps IV.1 and IV.2, on the following pages.

In Map IV.1, several census tracts have concentrations of Black residents that exceed 21 percent, as seen in the southern portion of the City. In Map IV.2, the concentration of Hispanic households show that some areas exceed 49 percent. These areas are mainly located in the central part of the City, adjacent to I-35.

Map IV.1
Concentrations of Black Persons
 Lewisville, Texas
 2010 Census, USGS, Census Tigerline



Map IV.2
Concentrations of Hispanic Persons
 Lewisville, Texas
 2010 Census, USGS, Census Tigerline



Furthermore, ethnicity is a separate consideration from race³. The Hispanic population grew relatively rapidly from 2000 to 2010. Hispanic residents accounted for 17.8 percent of the study area population in 2000; an estimated 13,799 people. By 2010, the Hispanic population had grown by 101.3 percent, accounting for 29.2 percent of the population in that year.

Table IV.5
Population by Race and Ethnicity
City of Lewisville
2010 Census & 2014 Five-Year ACS

Race	2000		2010 Census		% Change 00 - 10
	Population	% of Total	Population	% of Total	
Non-Hispanic					
White	53,706	84.0%	47,280	70.0%	-12.0%
Black	5,628	8.8%	10,370	15.4%	84.3%
American Indian	399	.6%	347	.5%	-13.0%
Asian	2,990	4.7%	7,325	10.9%	145.0%
Native Hawaiian/ Pacific Islander	22	.0%	59	.1%	168.2%
Other	89	.1%	220	.3%	147.2%
Two or More Races	1,104	1.7%	1,906	2.8%	72.6%
Total Non-Hispanic	63,938	82.2%	67,507	70.8%	5.6%
Hispanic					
White	6,309	45.7%	14,983	53.9%	137.5%
Black	119	.9%	291	1.0%	144.5%
American Indian	145	1.1%	276	1.0%	90.3%
Asian	38	.3%	67	.2%	76.3%
Native Hawaiian/ Pacific Islander	3	.0%	8	.0%	166.7%
Other	6,379	46.2%	11,016	39.7%	72.7%
Two or More Races	806	5.8%	1,142	4.1%	41.7%
Total Hispanic	13,799	17.8%	27,783	29.2%	101.3%
Total Population	77,737	100.0%	95,290	100.0%	22.6%

An estimated 8.4 percent of the study area population was living with some form of disability in 2010-2014, as shown in Table IV.6. Female residents, 8.9 percent of whom were living with a disability during that time, were more likely than male residents to have a disability: an estimated 7.9 percent of male residents had a disability in 2010-2014.

Table IV.6
Disability by Age
City of Lewisville
2014 Five-Year ACS Data

Age	Male		Female		Total	
	Disabled Population	Disability Rate	Disabled Population	Disability Rate	Disabled Population	Disability Rate
Under 5	0	.0%	0	.0%	0	.0%
5 to 17	484	5.5%	440	5.2%	924	5.3%
18 to 34	629	4.5%	569	3.9%	1,198	4.2%
35 to 64	1,672	9.0%	1,807	9.8%	3,479	9.4%
65 to 74	500	23.6%	662	26.3%	1,162	25.0%
75 or Older	571	57.2%	972	52.7%	1,543	54.3%
Total	3,856	7.9%	4,450	8.9%	8,306	8.4%

³ Respondents to the decennial Census and American Community Survey are asked about their race and ethnicity separately, meaning that those who identified themselves as "non-Hispanic" may also identify as any race. The same is true of those who identify their ethnicity as "Hispanic".

Overall, disability rates in Lewisville closely mirrored those of the wider region as seen below. The rates generally fall within a single percentage point of the rates of the Dallas-Ft Worth area, with the lone exception to this trend being Ambulatory Difficulty, which had a rate of 4 percent in the city and 5.26 percent in the region. In the case of all six disability types, the rates in Lewisville are lower than the Dallas-Ft Worth region.

Table IV.7
Disability by Type
City of Lewisville and Dallas-Ft Worth-Arlington CBSA
Decennial Census; ACS

Disability Type	Lewisville		Dallas-Ft Worth-Arlington	
	Disabled Population	Disability Rate	Disabled Population	Disability Rate
Hearing difficulty	2,152	2.40%	161,866	2.69%
Vision difficulty	921	1.03%	116,986	1.94%
Cognitive difficulty	3,148	3.52%	226,638	3.76%
Ambulatory difficulty	3,584	4.00%	316,777	5.26%
Self-care difficulty	1,443	1.61%	122,242	2.03%
Independent living difficulty	2,384	2.66%	204,582	3.40%

Demographic Trends

As drawn from the AFH Assessment Tool, the population of Lewisville has grown considerably since 1990. At that time, there were a total of 43,834 residents in the city, 84.4 percent of whom were white (non-Hispanic), 4.5 percent of whom were black (non-Hispanic), and 8.4 percent of whom were Hispanic.⁴

Table IV.8
AFFH Table 2 – Demographic Trends
Lewisville, Texas
2016 HUD AFFH Data

Race/Ethnicity	1990		2000		2010	
	#	%	#	%	#	%
White, Non-Hispanic	37,102	84.41%	54,256	70.56%	48,349	49.70%
Black, Non-Hispanic	1,978	4.50%	5,688	7.40%	10,523	10.82%
Hispanic	3,711	8.44%	12,465	16.21%	27,919	28.70%
Asian or Pacific Islander, Non-Hispanic	822	1.87%	3,513	4.57%	7,941	8.16%
Native American, Non-Hispanic	221	0.50%	635	0.83%	357	0.37%
National Origin						
Foreign-born	2,120	4.82%	9,297	12.08%	19,460	20.62%
LEP						
Limited English Proficiency	1,660	3.77%	6,744	8.76%	13,945	14.77%
Sex						
Male	22,040	50.09%	38,441	49.96%	47,984	49.33%
Female	21,960	49.91%	38,506	50.04%	49,291	50.67%
Age						
Under 18	11,857	26.95%	21,263	27.63%	24,968	25.67%
18-64	30,144	68.51%	52,418	68.12%	66,015	67.86%
65+	1,998	4.54%	3,266	4.24%	6,292	6.47%
Family Type						
Families with children	6,476	54.83%	4,447	57.52%	12,464	52.80%

⁴ Except where otherwise noted, reference to racial groups included in this study will include only non-Hispanic residents. Those who fill out the Census questionnaire may identify themselves both as a member of a particular racial group and, in a separate question, as Hispanic or non-Hispanic. Where the narrative refers to "Hispanic" residents, those references will include Hispanic residents of any and all racial groups.

Over the following two decades, the population grew by nearly 61,000, or 140 percent. Population growth was especially pronounced among the City's minority (i.e., non-white and Hispanic) populations: the black population grew by almost 5,000 and accounted for 10.8 percent of the population in 2010. The Hispanic population had grown from 3,711 to nearly 28,000 over the same time period, accounting for 28.7 percent of the city population in 2010. By contrast, the white population declined as a proportion of the population slightly from 1990 to 2010. By 2010 the white population accounted for 48.7 percent of the population, compared to the over 84 percent in 1990.

The estimated 19,460 residents born outside of the United States accounted for approximately 20.6 percent of the population in 2010, up from 4.8 percent in 1990. Most commonly, these residents were born in Mexico, accounting for over 10 percent of the city population.

Some 13,945 residents had limited English proficiency (LEP) in 2010. The LEP population has grown considerably since 1990, when the 2,120 LEP residents in the city represented around 3.8 percent of the overall population. As of 2010, LEP individuals account for around 14.8 percent of the population. This represents a substantive portion of the population.

Over half of city families included children in 1990, or around 34,000 families. The proportion grew slightly by 2000, up from 54.8 percent in 1990 to 57.5 percent in 2000, but declined to 52.8 percent by 2010.

Table IV.9
Demographic Trends – Regional Compare
Dallas-Ft Worth-Arlington CBSA
Decennial Census; ACS

Race/Ethnicity	1990		2000		2010	
	#	%	#	%	#	%
White, Non-Hispanic	2,825,080	70.28%	3,081,462	59.21%	3,248,508	50.55%
Black, Non-Hispanic	550,532	13.70%	727,172	13.97%	941,599	14.65%
Hispanic	525,911	13.08%	1,121,084	21.54%	1,758,738	27.37%
Asian or Pacific Islander, Non-Hispanic	93,837	2.33%	216,069	4.15%	343,585	5.35%
Native American, Non-Hispanic	16,177	0.40%	39,884	0.77%	25,032	0.39%
National Origin						
Foreign-born	318,894	7.93%	784,699	15.08%	1,141,778	17.77%
LEP						
Limited English Proficiency	244,151	6.08%	592,943	11.39%	804,900	12.53%
Sex						
Male	1,982,936	49.34%	2,587,764	49.72%	3,168,434	49.30%
Female	2,035,925	50.66%	2,616,474	50.28%	3,257,780	50.70%
Age						
Under 18	1,093,648	27.21%	1,496,274	28.75%	1,785,825	27.79%
18-64	2,596,689	64.61%	3,296,337	63.34%	4,068,790	63.32%
65+	328,525	8.17%	411,626	7.91%	571,599	8.89%
Family Type						
Families with children	527,721	50.34%	499,988	52.81%	822,439	51.21%

Like Lewisville, the Dallas-Ft Worth-Arlington CBSA has experienced considerable growth since 1990, with most of that growth occurring in the Hispanic population. This ethnicity has seen exponential growth since 1990, swelling from just over 525,000 in the region in 1990 to 1.7 million in 2010, a robust growth rate of 234 percent. The regional White population has

declined, in terms of overall makeup of the population, from nearly three-quarters in 1990 to half the regional population in 2010, but is still the largest ethnic group in the region by far with over 3.2 million residents.

Perhaps corresponding the large Hispanic growth in the region, the percentage of foreign-born residents has also grown since 1990 (although not nearly as markedly as the Hispanic population). This population has doubled from nearly 8 percent to nearly 18 percent in 2010. The regional Limited English Proficiency population has followed a similar trend over this time period.

Economics

Households with incomes on the upper end and the lower end both grew for City residents from 2000 through 2010-2014, as measured in nominal dollars.⁵ As shown in Table IV.10, the share of households with incomes of \$100,000 per year or more grew by 7.8 percentage points. Households with incomes between \$25,000 and \$75,000 fell as a percentage of the population. At the same time, households with incomes between \$15,000 and \$25,000 grew as a proportion of the population.

Table IV.10
Households by Income

City of Lewisville
2000 Census SF3 & 2014 Five-Year ACS Data

Income	2000 Census		2014 Five-Year ACS	
	Households	% of Total	Households	% of Total
Less than \$15,000	2,029	6.7%	1,906	5.0%
\$15,000 to \$19,999	976	3.2%	2,026	5.3%
\$20,000 to \$24,999	1,374	4.6%	1,804	4.7%
\$25,000 to \$34,999	3,589	11.9%	4,367	11.4%
\$35,000 to \$49,999	5,253	17.4%	5,699	14.9%
\$50,000 to \$74,999	7,629	25.3%	8,926	23.3%
\$75,000 to \$99,999	4,710	15.6%	4,780	12.5%
\$100,000 or More	4,559	15.1%	8,764	22.9%
Total	30,119	100.0%	38,272	100.0%

In spite of the fact that a larger percentage of households were earning \$100,000 or more in 2010-2014 than were in 2000, the poverty rate rose from 6.0 to 10.6 percent over that same time period. As shown in Table IV.11, a majority of those living in poverty were aged 18 to 64 at both points in time.

Table IV.11
Poverty by Age

City of Lewisville
2000 Census SF3 & 2014 Five-Year ACS Data

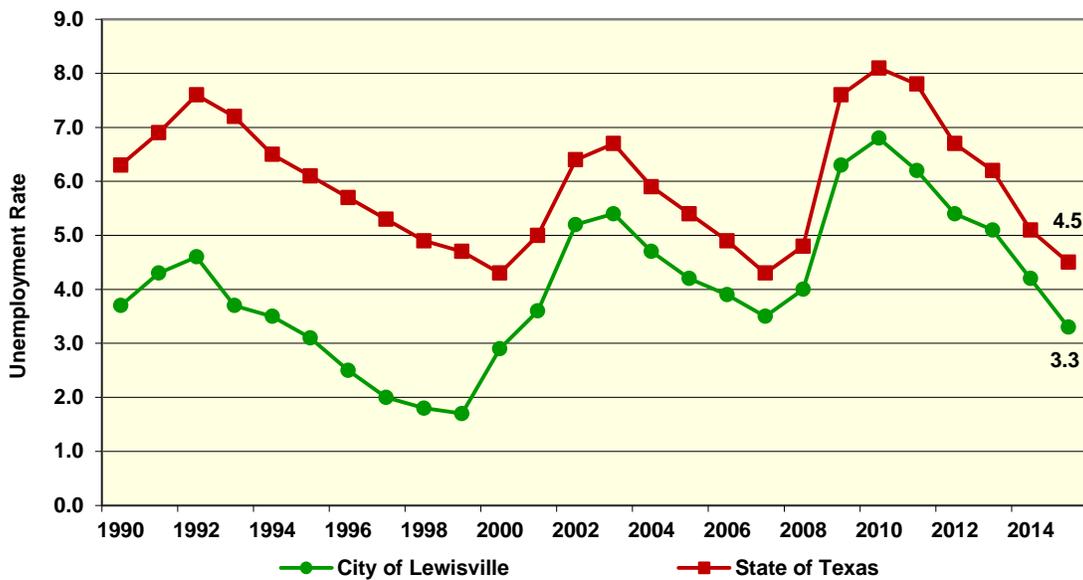
Age	2000 Census		2014 Five-Year ACS	
	Persons in Poverty	% of Total	Persons in Poverty	% of Total
Under 6	576	12.4%	1,935	18.6%
6 to 17	841	18.2%	2,538	24.4%
18 to 64	2,913	62.9%	5,563	53.5%
65 or Older	299	6.5%	359	3.5%
Total	4,629	100.0%	10,395	100.0%
Poverty Rate	6.0%	.	10.6%	.

⁵ Nominal dollars, unlike real dollars, have not been adjusted for inflation.

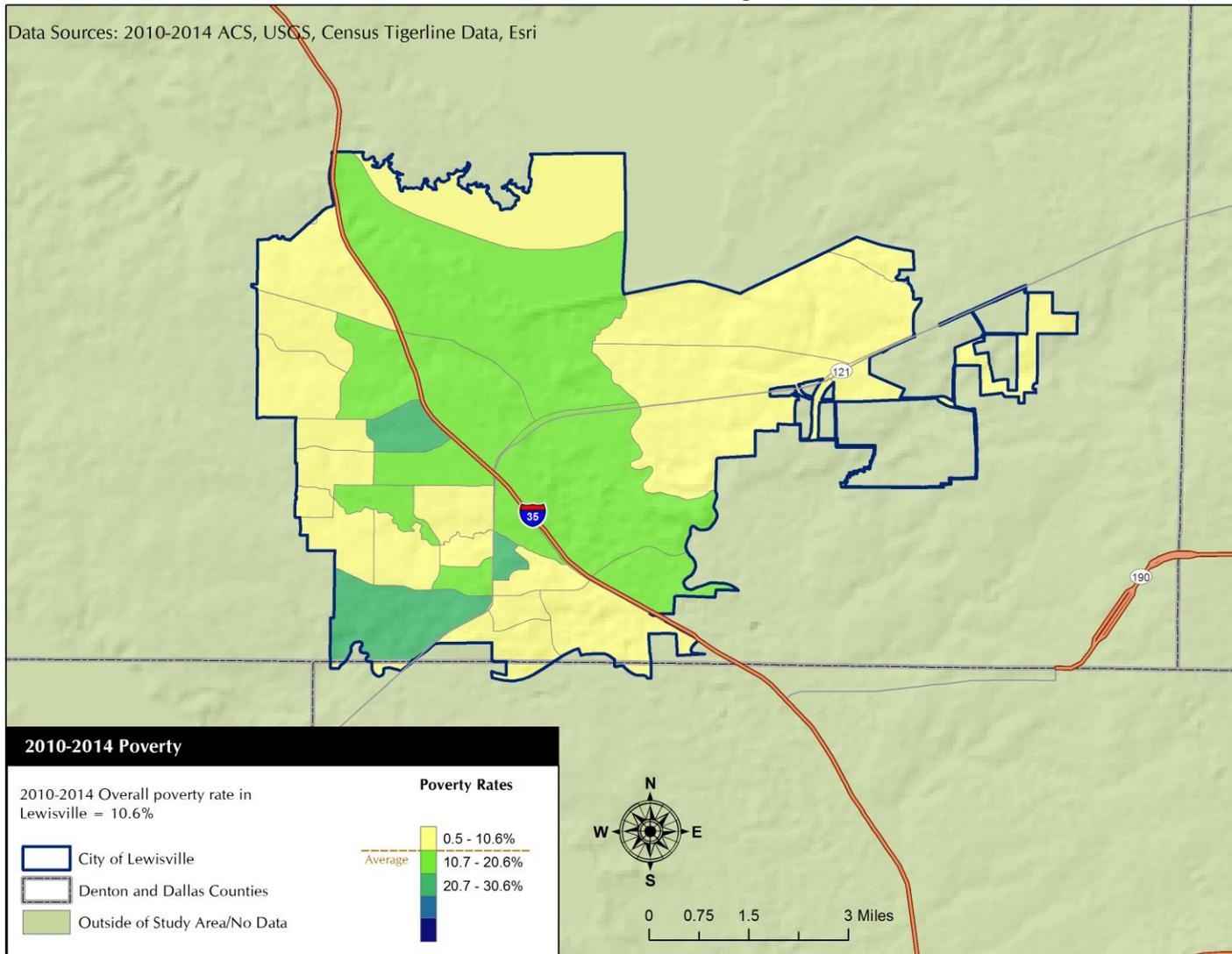
In Lewisville, poverty is indeed concentrated in selected areas of the City, as seen in Map IV.3. Areas with the highest concentrations of poverty are located in the central and southern portions of the City.

From 1990 through 2008, growth in the number of employed generally kept pace with changes in the size of the labor force. Employment dropped off after 2008 by over 3,400 by 2010. By 2015, however, employment had grown to 59,783. The result, as shown in Diagram IV.1, was an increase in the unemployment rate, which topped 6.8 percent in 2010. Since that time, the gap between the number of employed and the number in the labor force has narrowed, contributing to a steady decline in unemployment. By 2015, the unemployment rate in the City had declined to 3.3 percent. The City followed similar unemployment trends to the State of Texas, but remained below state levels; the state's unemployment level in 2015 was 4.5 percent.

Diagram IV.1
Unemployment Rate
 City of Lewisville vs. State of Texas
 1990 - 2015 BLS Data



Map IV.3
Concentrations of Poverty
 Lewisville, Texas
 2010-2014 ACS, USGS, Census Tigerline



HOUSING AND HOUSEHOLDS

An estimated 47.5 percent of housing units were single family units in 2014. Apartments accounted for 46.5 percent in 2014, and mobile homes accounted for 4.3 percent of units.

Table IV.12
Housing Units by Type

City of Lewisville
2000 Census SF3 & 2014 Five-Year ACS Data

Unit Type	2000 Census		2014 Five-Year ACS	
	Units	% of Total	Units	% of Total
Single-Family	16,841	53.1%	19,698	47.5%
Duplex	134	.4%	176	.4%
Tri- or Four-Plex	778	2.5%	433	1.0%
Apartment	12,090	38.1%	19,284	46.5%
Mobile Home	1,819	5.7%	1,793	4.3%
Boat, RV, Van, Etc.	58	.2%	44	0.1%
Total	31,720	100.0%	41,428	100.0%

An estimated 54.6 percent of the white population lived in single-family housing units in 2014, as shown in Table IV.13 while 39.5 percent lived in apartments. On the other hand, some 27.4 percent of black households lived in single family homes, while over twice as many blacks lived in apartments, over 71 percent of black residents.

Table IV.13
Distribution of Units in Structure by Race

City of Lewisville
2014 Five-Year ACS Data

Unit Type	White	Black	American Indian	Asian	Native Hawaiian/Pacific Islanders	Other	Two or More Races
Single-Family	54.6%	27.4%	36.8%	46.8%	100.0%	30.9%	32.8%
Duplex	.5%	.4%	13.2%	.8%	.0%	.0%	.0%
Tri- or Four-Plex	1.0%	1.2%	.0%	1.7%	.0%	1.4%	1.0%
Apartment	39.5%	71.1%	50.0%	48.9%	.0%	41.3%	62.7%
Mobile Home	4.4%	.0%	.0%	1.8%	.0%	26.3%	2.6%
Boat, RV, Van, Etc.	.1%	.0%	.0%	.0%	.0%	.0%	.8%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

More than 94 percent of housing units in Lewisville were occupied in 2000, but this decline to 93.8 percent in 2010, as shown in Table IV.14. The composition of owner and renter occupied housing units changed between 2000 and 2010, with an 8.2 percentage point decline in owner occupied housing. Vacant housing units grew from 5.4 percent of units in 2000 to 6.2 percent in 2014. A majority of vacant housing units were available for sale or for rent in 2000 and 2010, as shown in Table IV.15. Around nine percent of vacant units were classified as “other vacant” in 2010.

Table IV.14
Housing Units by Tenure
 City of Lewisville
 2000 & 2010 Census SF1 Data

Tenure	2000 Census		2010 Census		% Change 00–10
	Units	% of Total	Units	% of Total	
Occupied Housing Units	30,043	94.6%	37,496	93.8%	24.8%
Owner-Occupied	16,184	53.9%	17,152	45.7%	6.0%
Renter-Occupied	13,859	46.1%	20,344	54.3%	46.8%
Vacant Housing Units	1,721	5.4%	2,471	6.2%	43.6%
Total Housing Units	31,764	100.0%	39,967	100.0%	25.8%

By 2014, owner-occupied housing units accounted for 44.6 percent of housing units. Renter-occupied housing units grew to account for 55.4 percent of units. The housing stock as a whole grew by around 25.8 percent over the decade, as noted in Table IV.14, above.

Table IV.15
Housing Units by Tenure
 City of Lewisville
 2010 Census & 2014 Five-Year ACS Data

Tenure	2010 Census		2014 Five-Year ACS	
	Units	% of Total	Units	% of Total
Occupied Housing Units	37,496	93.8%	38,272	92.4%
Owner-Occupied	17,152	45.7%	17,060	44.6%
Renter-Occupied	20,344	54.3%	21,212	55.4%
Vacant Housing Units	2,471	6.2%	3,156	7.6%
Total Housing Units	39,967	100.0%	41,428	100.0%

According to recent estimates from the 2010-2014 ACS, the percentage of vacant units in the City has grown since 2010. “Other” vacant units also grew as a proportion of vacant housing units by 2014. “Other vacant” units can present more of a problem than other types of vacant housing units, as they are often not available to the market place. Without regular maintenance, they may fall into dilapidation and contribute to blight in areas where they are highly concentrated. In 2014, there were an estimated 3,156 vacant units, some 959 of which were classified as “other” vacant, accounting for 30.4 percent of vacant units in 2014, as noted in Table IV.16, below.

Table IV.16
Disposition of Vacant Housing Units
 City of Lewisville
 2010 Census & 2014 Five-Year ACS Data

Disposition	2010 Census		2014 Five-Year ACS	
	Units	% of Total	Units	% of Total
For Rent	1,729	70.0%	1,283	40.7%
For Sale	276	11.2%	165	5.2%
Rented or Sold, Not Occupied	125	5.1%	521	16.5%
For Seasonal, Recreational, or Occasional Use	105	4.2%	228	7.2%
For Migrant Workers	0	0.0%	0	.0%
Other Vacant	236	9.6%	959	30.4%
Total	2,471	100.0%	3,156	100.0%

Households with five or more persons grew as a percentage of households between 2000 and 2010, with households having six or seven or more persons expanding far more rapidly than

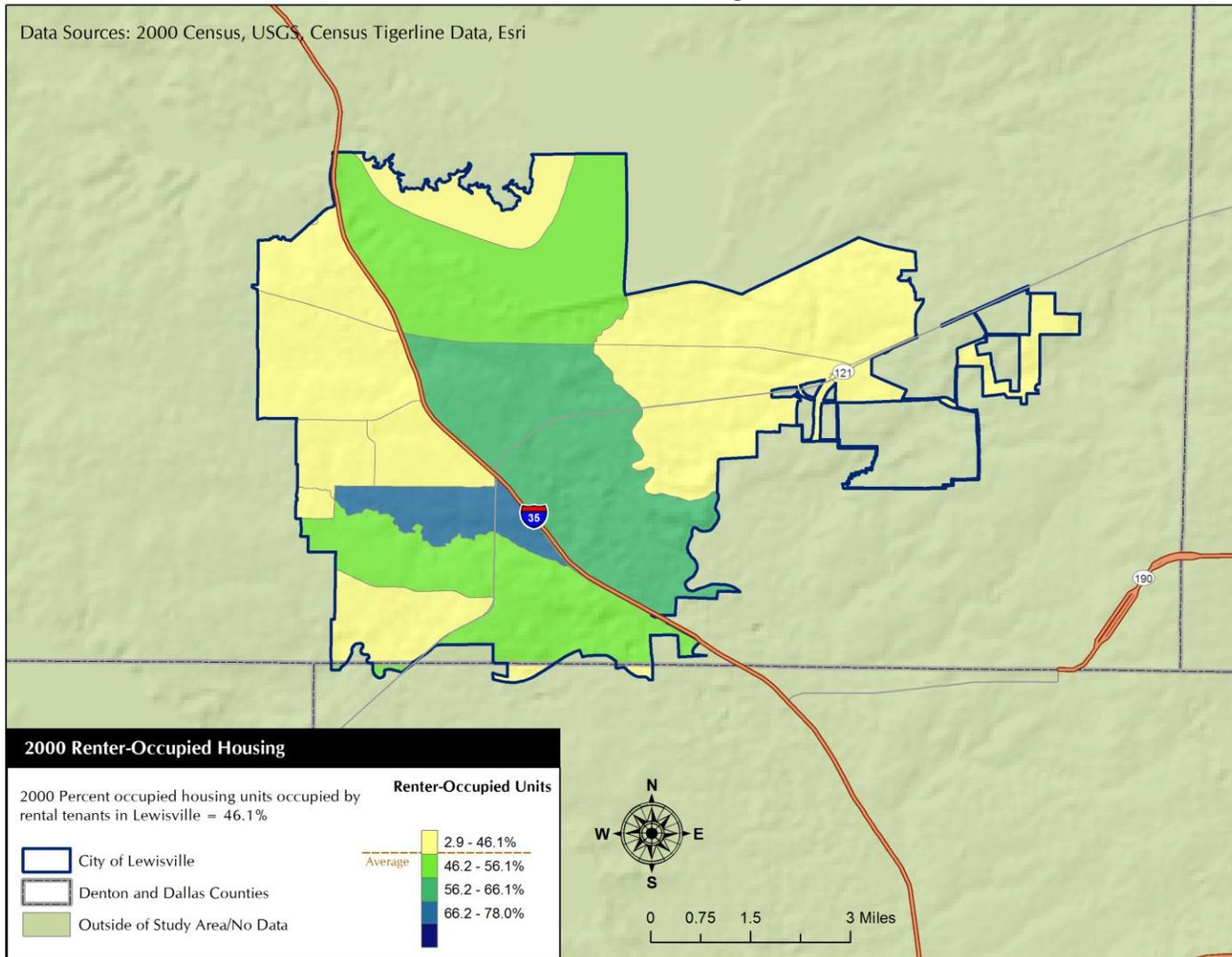
the average, rising some 63 and 59 percent over the time period. Households with two to four persons fell as a proportion of households, as seen in Table IV.17.

Table IV.17
Households by Household Size
City of Lewisville
2000 & 2010 Census SF1 Data

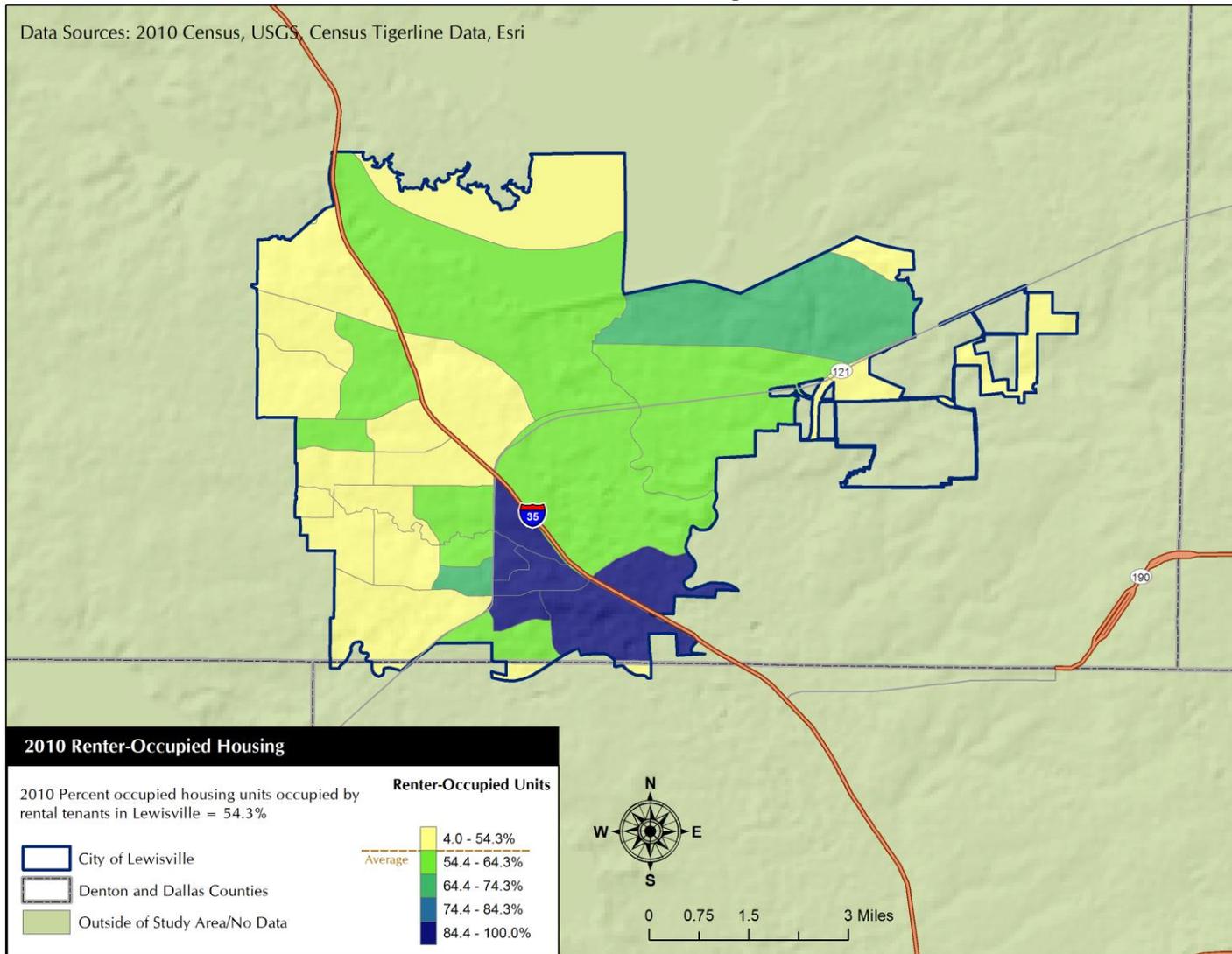
Size	2000 Census		2010 Census		% Change 00-10
	Households	% of Total	Households	% of Total	
One Person	7,581	25.2%	11,292	30.1%	49.0%
Two Persons	9,928	33.0%	11,359	30.3%	14.4%
Three Persons	5,255	17.5%	5,994	16.0%	14.1%
Four Persons	4,421	14.7%	4,756	12.7%	7.6%
Five Persons	1,753	5.8%	2,308	6.2%	31.7%
Six Persons	611	2.0%	998	2.7%	63.3%
Seven Persons or More	494	1.6%	789	2.1%	59.7%
Total	30,043	100.0%	37,496	100.0%	24.8%

Renter-occupied housing has been largely concentrated in central areas of the city since 2000, when 46.1 percent of occupied units throughout the city were occupied by rental tenants. By 2010, higher concentrations of renter-occupied units were found on the southern end of the city, as seen in Map IV.5. By contrast, owner-occupied units tended to be concentrated in the outer areas of the city, as shown in Maps IV.6 and IV.7.

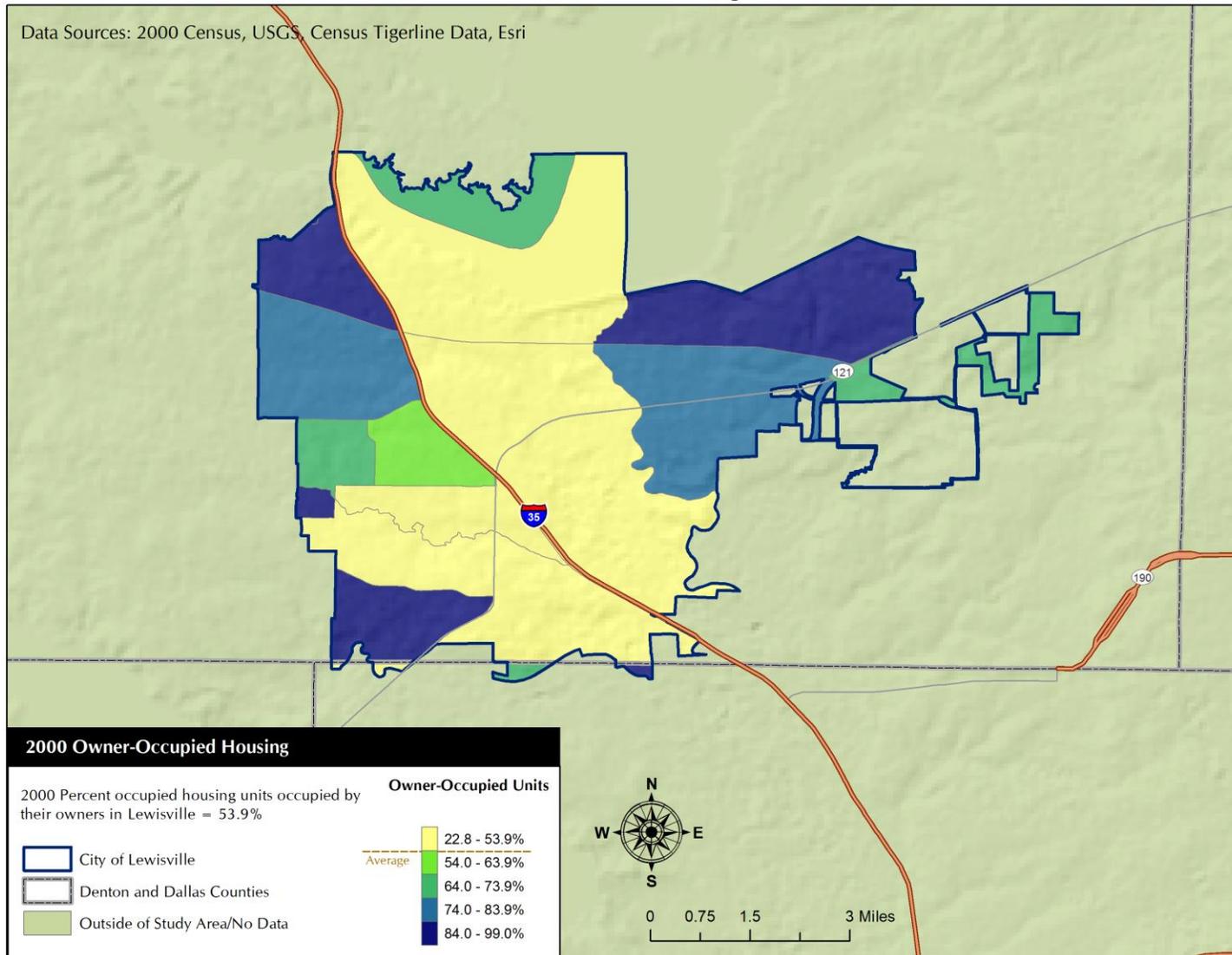
Map IV.4
2000 Renter Occupied Housing
 Lewisville, Texas
 2010 Census, USGS, Census Tigerline



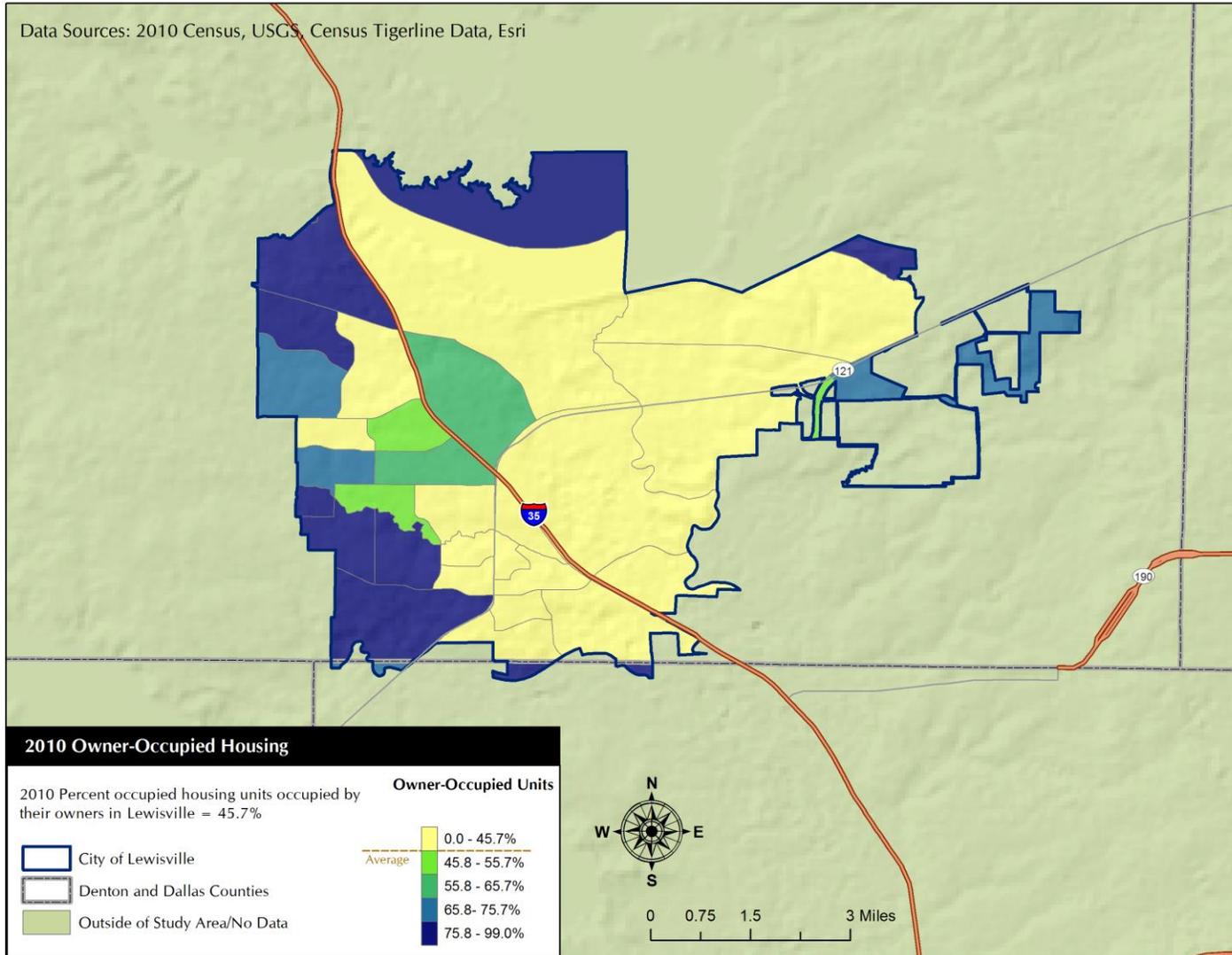
Map IV.5
2010 Renter Occupied Housing
 Lewisville, Texas
 2010 Census, USGS, Census Tigerline



Map IV.6
2000 Owner Occupied Housing
 Lewisville, Texas
 2010 Census, USGS, Census Tigerline



Map IV.7
2010 Owner Occupied Housing
 Lewisville, Texas
 2010 Census, USGS, Census Tigerline



B. SEGREGATION AND CONCENTRATIONS OF POVERTY

SEGREGATION/INTEGRATION

The “dissimilarity index” provides a quantitative measure of segregation in an area, based on the demographic composition of smaller geographic units within that area. One way of understanding the index is that it indicates how evenly two demographic groups are distributed throughout an area: if the composition of both groups in each geographic unit (e.g., Census tract) is the same as in the area as a whole (e.g., city), then the dissimilarity index score for that city will be 0. By contrast; and again using Census tracts as an example; if one population is clustered entirely within one Census tract, the dissimilarity index score for the city will be 1. The higher the dissimilarity index value, the higher the level of segregation in an area.

A Technical Note on the Dissimilarity Index Methodology

The dissimilarity indices included in this study were calculated from data provided by the Census Bureau according to the following formula:

$$D_j^{WB} = 100 * \frac{1}{2} \sum_{i=1}^N \left| \frac{W_i}{W_j} - \frac{B_i}{B_j} \right|$$

Where i indexes a geographic unit, j is the j th jurisdiction, W is group one and B is group two, and N is the number of geographic units, starting with i , in jurisdiction j .⁶

This is the formula that HUD uses to calculate dissimilarity index values. In most respects (including the use of tract-level data available through the Brown Longitudinal Tract Database), the methodology employed in this study exactly duplicates HUD’s methodology for calculating the index of dissimilarity.

The principle exception was the decision to use Census tract-level data to calculate dissimilarity index values through 2010. While HUD uses tract level data in 1990 and 2000, HUD uses block group-level data in 2010. The decision to use tract-level data in all years included in this study was motivated by the fact that the dissimilarity index is sensitive to the geographic base unit from which it is calculated. Concretely, use of smaller geographic units produces dissimilarity index values that tend to be higher than those calculated from larger geographic units.⁷

As a general rule, HUD considers the thresholds appearing in Table IV.18 to indicate low, moderate, and high levels of segregation:

⁶ Affirmatively Furthering Fair Housing Data Documentation. HUD. December 2015.

⁷ Wong, David S. “Spatial Decomposition of Segregation Indices: A Framework Toward Measuring Segregation at Multiple Levels.” *Geographical Analyses*, 35:3. The Ohio State University. July 2003. P. 179.

Table IV.18
Dissimilarity Index Values

Measure	Values	Description
Dissimilarity Index	<40	Low Segregation
[range 0-100]	40-54	Moderate Segregation
	>55	High Segregation

Segregation Levels

City of Lewisville has historically experienced low levels of segregation between white and non-white residents, and between white and black residents, as measured by the index of dissimilarity. As shown in Table IV.19, the dissimilarity index for non-white and white residents was 26.9 in 2010. The index between Hispanic and white was slightly higher at 37.8 percent, but still representing a low level of segregation. Lower degrees of segregation were observed between white residents and Black, Asian Pacific, or American Indian residents.

Table IV.19
AFFH Table 3 – Racial/Ethnic Dissimilarity Trends

City of Lewisville, Texas
2016 HUD AFFH Data

Racial/Ethnic Dissimilarity Index	Lewisville		
	1990	2000	2010
Non-White/White	17.41	20.04	26.87
Black/White	23.36	19.72	30.57
Hispanic/White	19.68	31.86	37.82
Asian or Pacific Islander/White	26.36	25.42	36.12

Note 1: Data Sources: Decennial Census

Note 2: Refer to the Data Documentation for details (www.hudexchange.info).

Observed levels of segregation between white residents and other racial/ethnic groups grew between 1990 and 2010, without exception, although some dropped during 2000. The Hispanic/White dissimilarity index grew at the greatest rate between 1990 and 2010, from 19.68 to 37.82. As noted above, this is the only index that indicated a moderate level of segregation. While the non-white and white index increased from 17.41 in 1990 to 26.87 on 2010, this is still considered low segregation. Black and white segregation levels did not experience as much growth, according to the index between 1990 and 2010, growing from 23.36 to 30.57.

The distribution of city residents by race and ethnicity in 2010 is presented in Map IV.8. As shown, Hispanic residents tended to be concentrated in Census tracts on the west side of the city. The same pattern was true for foreign born or LEP residents, who had slightly more concentration on the west side of the city. These are shown in Maps IV.9 and IV.10.

The following table shows the dissimilarity index of the Dallas-Ft Worth-Arlington CBSA. The index shows much higher values of segregation across all ethnic categories for the region. Black residents experienced the highest levels of segregation in 1990, although those values have fallen somewhat as of 2010. By a small margin, white residents were the least segregated in 2010, followed by Asian or Pacific Islander and then Hispanic residents. These latter two ethnicities have risen somewhat in segregation since the 1990 Census.

Table IV.20
Racial/Ethnic Dissimilarity Trends – Regional Compare
 Dallas-Ft Worth-Arlington CBSA
 Decennial Census

Racial/Ethnic Dissimilarity Index	Dallas-Ft Worth-Arlington CBSA		
	1990	2000	2010
Non-White/White	49.47	48.08	49.51
Black/White	63.00	59.30	59.85
Hispanic/White	48.71	52.27	53.14
Asian or Pacific Islander/White	42.08	44.31	50.11

Note 1: Data Sources: Decennial Census

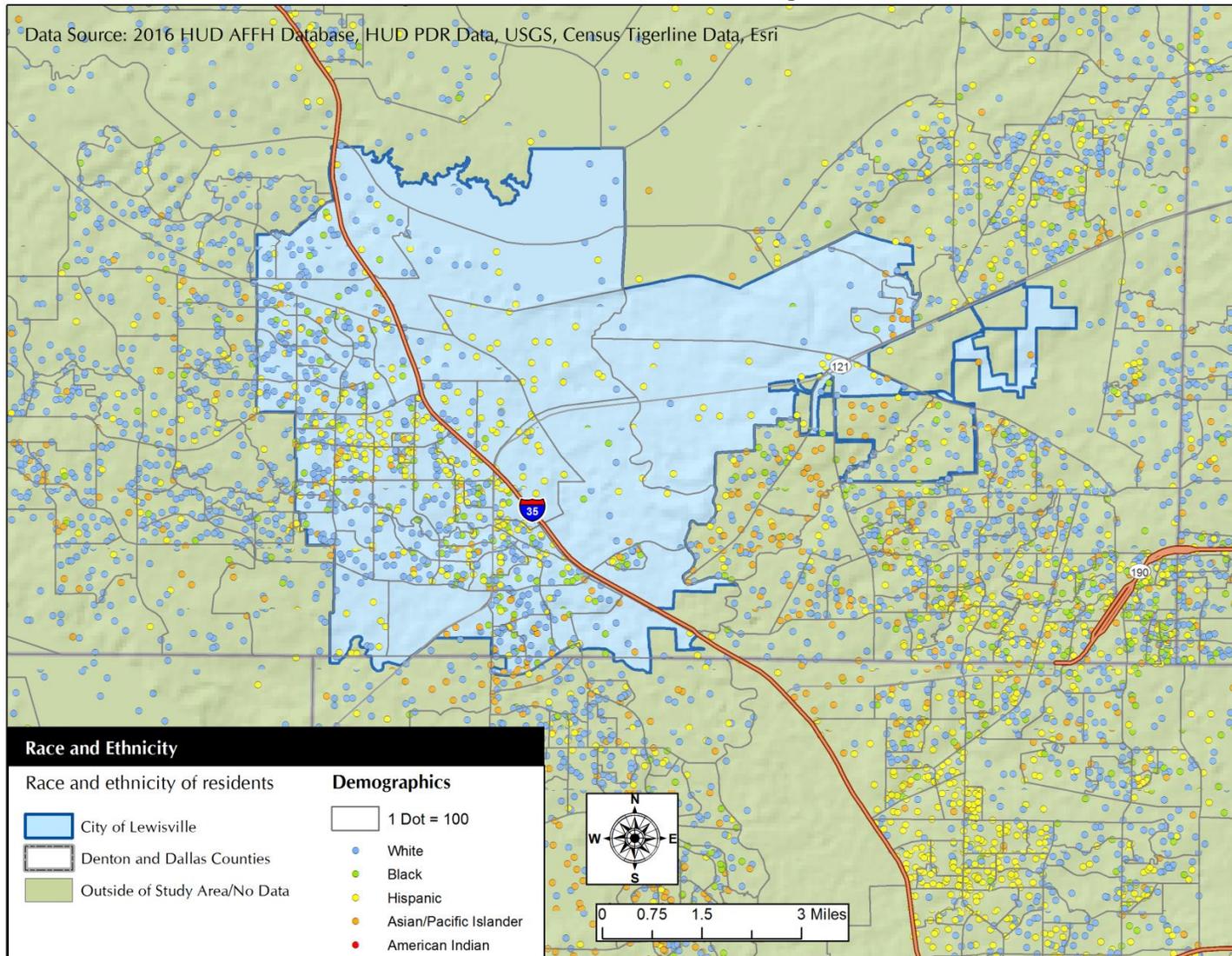
Note 2: Refer to the Data Documentation for details (www.hudexchange.info).

Housing Segregation and Patterns of Segregation over Time

Renter-occupied housing units were largely concentrated in the southern part of the city. As discussed later in this section, there are no R/ECAPs in the City. Conversely, owner-occupied housing was concentrated on the western and northern ends of the city.

As discussed previously, no racial/ethnic groups had moderate or higher levels of segregation.

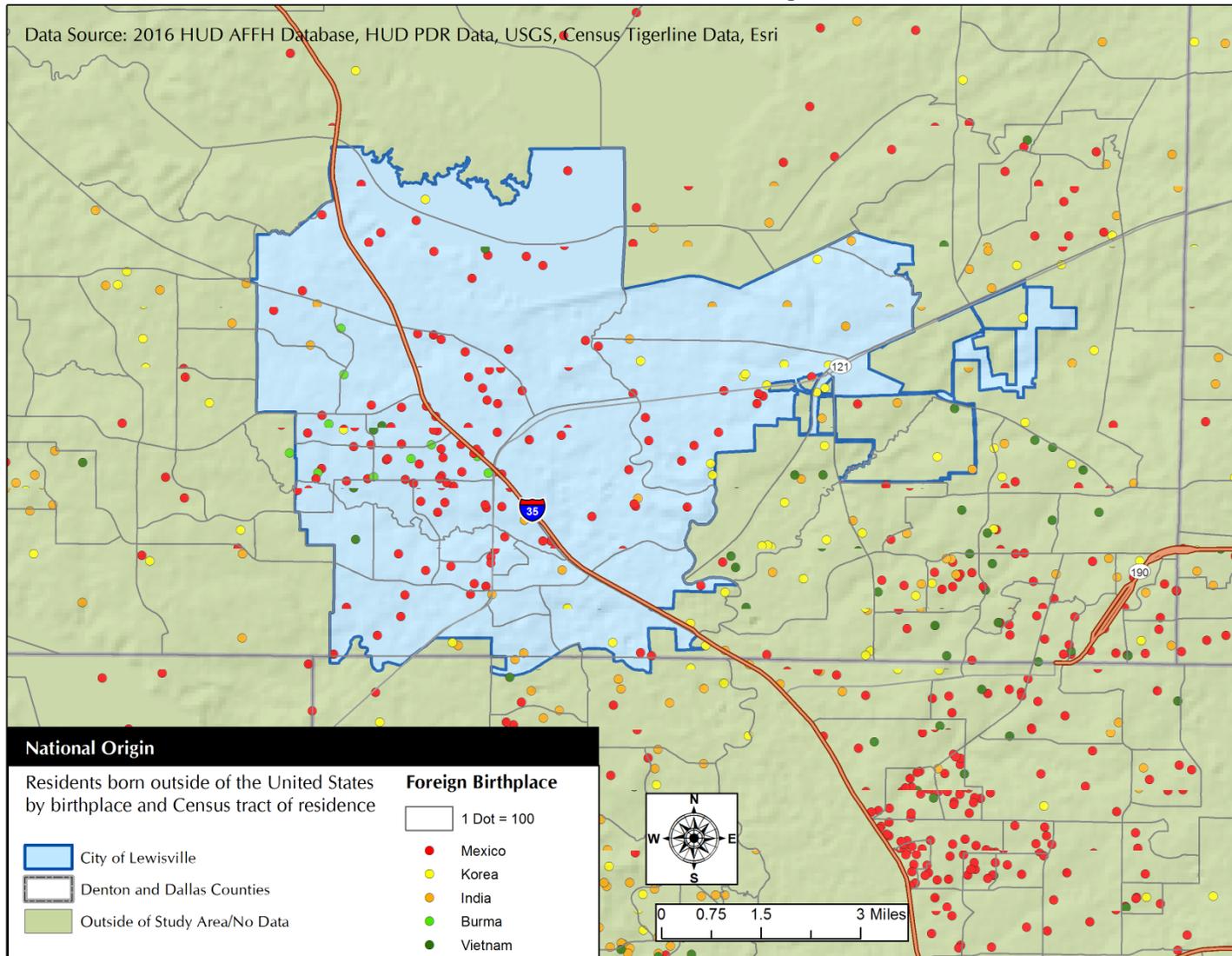
Map IV.8
AFFH Map 1 – Race and Ethnicity
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



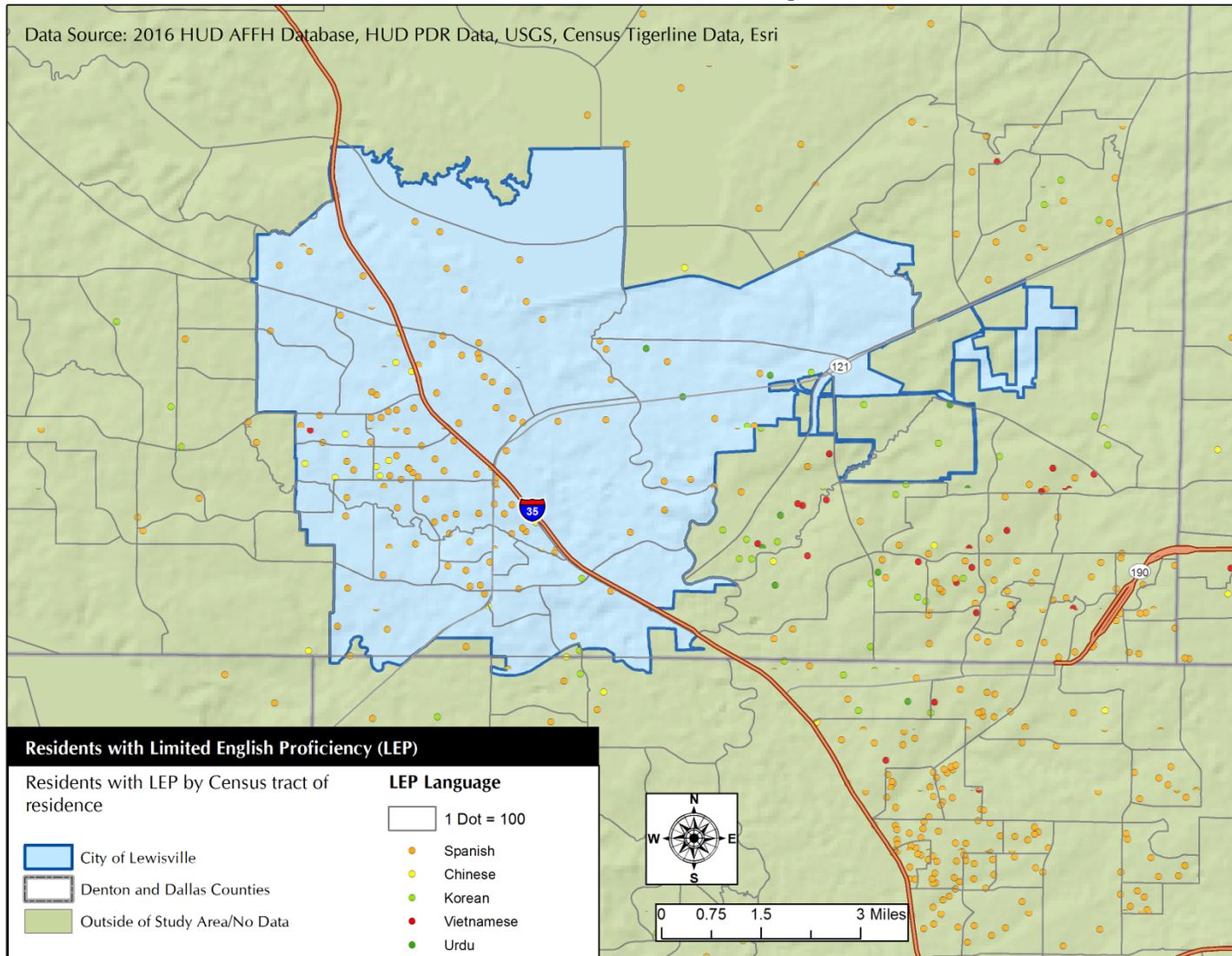
Map IV.9
AFFH Map 3 – National Origin

Lewisville, Texas

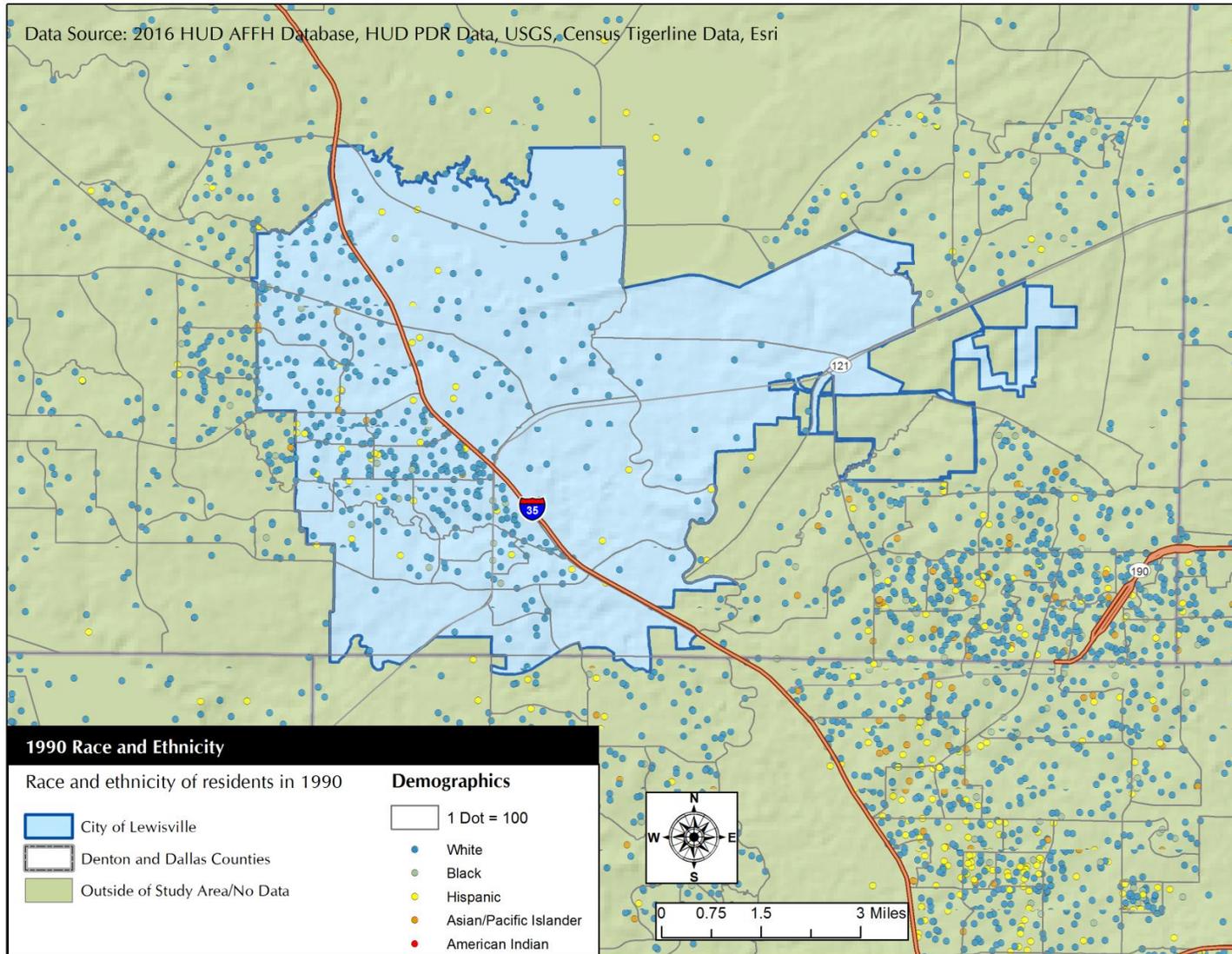
2016 HUD AFFH Database, USGS, Census Tigerline



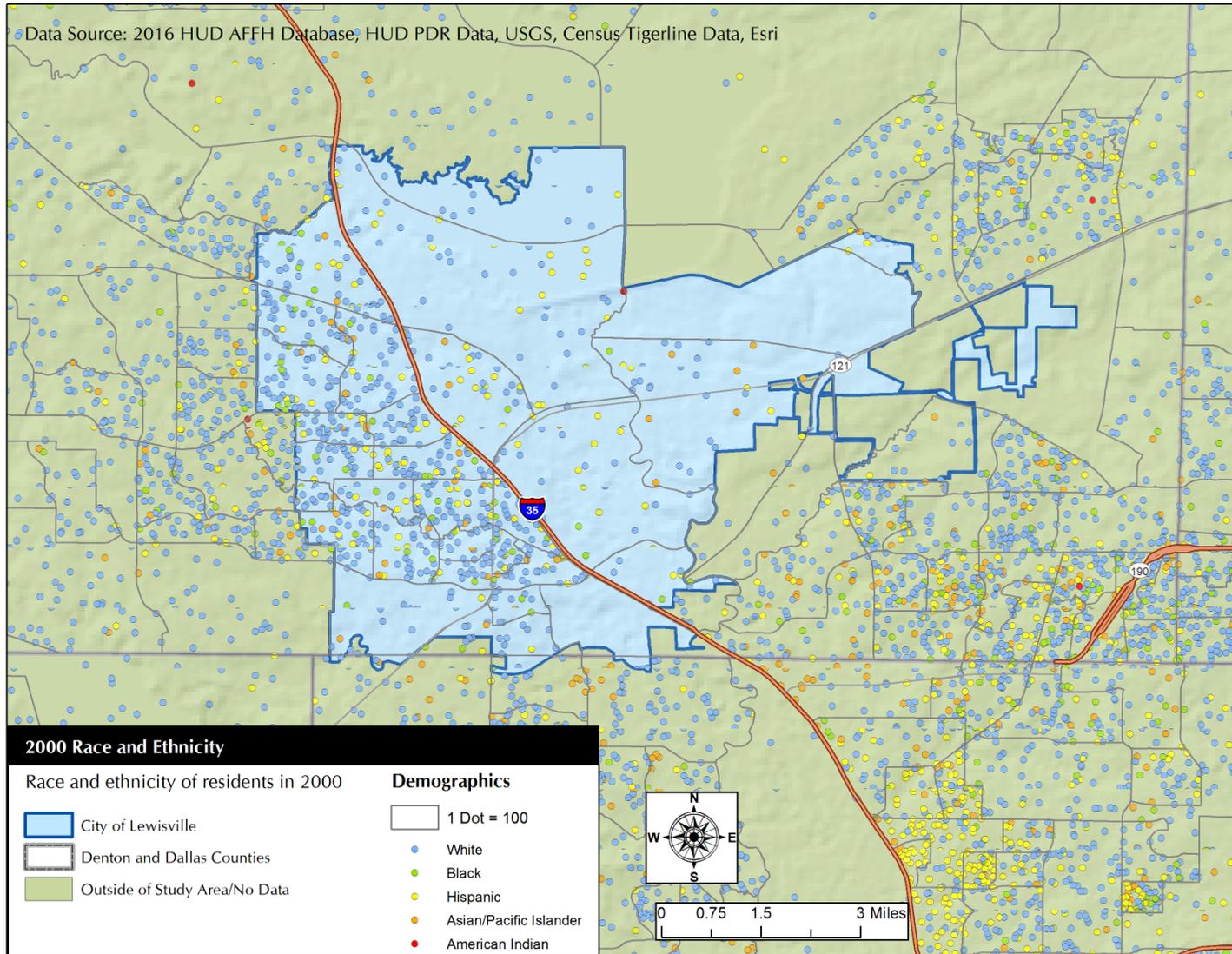
Map IV.10
AFFH Map 4 – Limited English Proficiency
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



Map IV.11
AFFH Map 2 – Race and Ethnicity 1990
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



Map IV.12
AFFH Map 2 – Race and Ethnicity 2000
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



OTHER FACTORS CONTRIBUTING TO SEGREGATION/INTEGRATION

Home Mortgage Disclosure Act Data

Since the late 1960s, the federal government has enacted several laws aimed at promoting fair lending practices in the banking and financial services industries. A brief description of selected federal laws aimed at promoting fair lending follows:

- The 1968 *Fair Housing Act* prohibits discrimination in housing based on race, color, religion, and national origin. Later amendments added sex, familial status, and disability. Under the Fair Housing Act, it is illegal to discriminate on the basis of any of those protected characteristics in the following types of residential real estate transactions: making loans to buy, build, or repair a dwelling; selling, brokering, or appraising residential real estate; and selling or renting a dwelling.
- The *Equal Credit Opportunity Act* was passed in 1974 and prohibits discrimination in lending based on race, color, religion, national origin, sex, marital status, age, receipt of public assistance, and the exercise of any right under the Consumer Credit Protection Act.
- The *Community Reinvestment Act* was enacted in 1977 and requires each federal financial supervisory agency to encourage financial institutions in order to help meet the credit needs of the entire community, including low- and moderate-income neighborhoods.
- Under the *Home Mortgage Disclosure Act (HMDA)*, enacted in 1975 and later amended, financial institutions are required to publicly disclose the race, sex, ethnicity, and household income of mortgage applicants by the Census tract in which the loan is proposed as well as outcome of the loan application.⁸ The analysis presented herein is from the HMDA data system.

Data collected under the HMDA provide a comprehensive portrait of home loan activity, including information pertaining to home purchase loans, home improvement loans, and refinancing.

Congress enacted the Home Mortgage Disclosure Act in 1975, permanently authorizing the law in 1988⁹. The Act requires both depository and non-depository lenders to collect and publicly disclose information about housing-related applications and loans. Under the HMDA, financial institutions are required to report the race, ethnicity, sex, loan amount, and income of mortgage applicants and borrowers by Census tract. Institutions must meet a set of reporting criteria. For depository institutions, these are as follows:

1. The institution must be a bank, credit union, or savings association;
2. The total assets must exceed the coverage threshold;¹⁰

⁸ *Closing the Gap: A Guide to Equal Opportunity Lending*, The Federal Reserve Bank of Boston, April 1993. <http://www.bos.frb.org/commdev/closing-the-gap/closingt.pdf>

⁹ Prior to that year, Congress had to periodically reauthorize the law.

¹⁰ Each December, the Federal Reserve announces the threshold for the following year. The asset threshold may change from year to year based on changes in the Consumer Price Index for Urban Wage Earners and Clerical Workers.

3. The institution must have had a home or branch office in a Metropolitan Statistical Area (MSA);
4. The institution must have originated or refinanced at least one home purchase loan secured by a first lien on a one- to four-family dwelling;
5. The institution must be federally insured or regulated; and
6. The mortgage loan must have been insured, guaranteed, or supplemented by a federal agency or intended for sale to Fannie Mae or Freddie Mac.

For other institutions, including non-depository institutions, the reporting criteria are:

1. The institution must be a for-profit organization;
2. The institution's home purchase loan originations must equal or exceed 10 percent of the institution's total loan originations, or more than \$25 million;
3. The institution must have had a home or branch office in an MSA or have received applications for, originated, or purchased five or more home purchase loans, home improvement loans, or refinancing on property located in an MSA in the preceding calendar year; and
4. The institution must have assets exceeding \$10 million or have originated 100 or more home purchases in the preceding calendar year.

In addition to reporting race and ethnicity data for loan applicants, the HMDA reporting requirements were modified in response to the Predatory Lending Consumer Protection Act of 2002 as well as the Home Owner Equity Protection Act (HOEPA). Consequently, loan originations are now flagged in the data system for three additional attributes:

1. If they are HOEPA loans;
2. Lien status, such as whether secured by a first lien, a subordinate lien, not secured by a lien, or not applicable (purchased loans); and
3. Presence of high-annual percentage rate loans (HALs), defined as more than three percentage points for purchases when contrasted with comparable treasury instruments or five percentage points for refinance loans.

For the purposes of this analysis, these flagged originations will be termed predatory, or at least predatory in nature. Overall, the data contained within the HMDA reporting guidelines represent the best and most complete set of information on home loan applications. This report includes HMDA data from 2008 through 2015, the most recent year for which these data are available. These data allow us to analyze patterns in home lending, and discover whether and how much lending application patterns differ according to residents' genders, levels of income, and race or ethnicity.

The detailed HMDA data is presented in the Appendices, with the following presenting a key summary of this information. So, while owner occupied white applicants are denied at an average rate of 12.3 percent, minority owner occupied households are denied at a much higher rate. Hispanic applicants are denied at a rate of 24.2 percent. Black and Asian applicants are denied at an average rate of 15.9 percent and 16.3 percent, respectively. This is shown below in Table IV.21. If loans continue to be denied to minority households, then segregation in the jurisdiction may continue, especially in areas with high concentrations of owner-occupied housing.

Table IV.21
Denial Rates by Race/Ethnicity of Applicant
 City of Lewisville
 2004–2015 HMDA Data

Race/Ethnicity	2008	2009	2010	2011	2012	2013	2014	2015	Average
American Indian	12.5%	28.6%	69.2%	20.0%	50.0%	33.3%	.0%	11.1%	36.2%
Asian	25.3%	12.8%	19.2%	16.2%	20.0%	9.8%	12.0%	8.9%	16.3%
Black	14.9%	12.7%	11.5%	21.2%	14.3%	21.3%	14.7%	13.8%	15.9%
White	13.0%	10.6%	15.3%	12.8%	12.9%	11.1%	10.4%	9.5%	12.3%
Not Available	20.7%	12.3%	19.6%	28.1%	32.2%	24.2%	13.9%	13.1%	21.9%
Not Applicable	%	0.0%	0%	%	%	%	%	%	.0%
Average	15.2%	11.2%	16.7%	15.7%	15.9%	12.9%	11.2%	10.1%	13.5%
Non-Hispanic	13.5%	8.6%	13.1%	12.1%	11.2%	10.1%	9.3%	8.9%	11.1%
Hispanic	20.6%	23.8%	28.1%	26.7%	26.4%	23.8%	20.5%	14.9%	24.2%

HMDA data for applicant by race and income shows that denial rates among minority populations is particularly pronounced at lower income levels. For example, 66.7 percent of black applicants with incomes between \$15,000 and \$30,000 are denied, compared to 32.2 percent of white applicants.

Table IV.22
Denial Rates of Loans by Race/Ethnicity and Income of Applicant
 City of Lewisville
 2008–2015 HMDA Data

Race	<= \$15K	\$15K–\$30K	\$30K–\$45K	\$45K–\$60K	\$60K–\$75K	Above \$75K	Data Missing	Average
American Indian	%	75.0%	27.3%	9.1%	22.2%	35.3%	%	36.2%
Asian	100.0%	34.1%	10.8%	13.1%	17.1%	14.8%	30.0%	16.3%
Black	100.0%	66.7%	25.4%	14.0%	10.0%	10.7%	20.0%	15.9%
White	66.7%	32.2%	18.2%	11.8%	8.1%	7.4%	13.4%	12.3%
Not Available	71.4%	63.6%	38.2%	15.3%	20.0%	12.6%	44.4%	21.9%
Not Applicable	%	%	%	%	%	%	.0%	.0%
Average	72.7%	36.6%	19.1%	12.5%	10.8%	9.3%	22.7%	13.5%
Non-Hispanic	76.5%	32.5%	14.2%	10.8%	9.0%	8.8%	12.7%	11.1%
Hispanic	66.7%	35.7%	27.7%	19.1%	13.6%	9.7%	46.2%	24.2%

Fair Housing Complaints

HUD maintains records of complaints that represent potential and actual violations of federal housing law. Over the 2008 through 2016 study period, the agency received a total of 28 complaints alleging discrimination in Lewisville. Some 15 of these complaints cited perceived discrimination based on disability, as shown in Table V.19a on the following page. In addition, between 2009 and 2016, some 12 fair housing complaints were received on the basis of race.

Table IV.23a
Fair Housing Complaints by Basis of Complaint
 City of Lewisville
 2008-2016 HUD Data

Basis	2008	2009	2010	2011	2012	2013	2014	2015	2016	Total
Disability	2	.	2	2	1	1	3	.	4	15
Race	6	2	1				2	1		12
Sex	1						1	1		3
Family Status	1			1						2
National Origin			1							1
Retaliation	1									1
Total	11	2	4	3	1	1	6	2	4	34
Total Complaints	8	2	3	3	1	1	4	2	4	28

Those who file fair housing complaints with the Department of Housing and Urban Development may include more than one discriminatory action, or *issue*, in those complaints. Fair housing complaints from the City of Lewisville cited 48 issues total, with the most common being discriminatory terms, conditions, privileges, or services and facilities in first place, with discrimination in terms, conditions, privileges relating to rental and failure to make reasonable accommodation second-most, as shown in Table IV.23b below.

Table IV.23b
Fair Housing Complaints by Issue of Complaint
 City of Lewisville
 2008-2016 HUD Data

Basis	2008	2009	2010	2011	2012	2013	2014	2015	2016	Total
Discriminatory terms, conditions, privileges, or services and facilities	4	1	2	2	0	1	4	0	3	17
Discrimination in terms/conditions/privileges relating to rental	3	1	0	1	1	0	0	1	0	7
Failure to make reasonable accommodation	0	0	0	1	1	1	1	0	3	7
Discriminatory refusal to rent	3	1	0	1	0	0	0	0	1	6
Discriminatory acts under Section 818 (coercion, Etc.)	2	0	0	0	0	0	1	1	1	5
Discriminatory financing (includes real estate transactions)	1	0	1	0	0	0	0	0	0	2
Discriminatory refusal to rent and negotiate for rental	0	1	0	0	0	0	0	0	1	2
Discriminatory refusal to negotiate for rental	0	0	0	0	0	0	1	0	0	1
False denial or representation of availability - rental	0	0	0	0	0	0	0	0	1	1
Total Issues	13	4	3	5	2	2	7	2	10	48
Total Complaints	8	2	3	3	1	1	4	2	4	28

RACIALLY OR ETHNICALLY CONCENTRATED AREAS OF POVERTY

Racially or ethnically concentrated areas of poverty (R/ECAPs) are Census tracts with relatively high concentrations of non-white residents and these residents living in poverty. Formally, an area is designated an R/ECAP if two conditions are satisfied: first, the non-white population, whether Hispanic or non-Hispanic, must account for at least 50 percent of the Census tract population. Second, the poverty rate in that Census must exceed a certain threshold. That threshold is set at either 40 percent or three times the overall poverty rate, whichever is lower.

There were no Census tracts in Lewisville that met the definition of an R/ECAP in 2010.

Table IV. 24
HUD AFFH Table 4 – R/ECAP Demographics
 Lewisville, Texas
 2016 HUD AFFH Database

Lewisville		
R/ECAP Race/Ethnicity	#	%
Total Population in R/ECAPs	0	-
White, Non-Hispanic	0	
Black, Non-Hispanic	0	
Hispanic	0	
Asian or Pacific Islander, Non-Hispanic	0	
Native American, Non-Hispanic	0	
Other, Non-Hispanic	0	0
R/ECAP Family Type		
Total Families in R/ECAPs	0	-
Families with children	0	
R/ECAP National Origin		
	Country	
Total Population in R/ECAPs	0	-
#1 country of origin	0	.00
#2 country of origin	0	.00
#3 country of origin	0	.00
#4 country of origin	0	.00
#5 country of origin	0	.00
#6 country of origin	0	.00
#7 country of origin	0	.00
#8 country of origin	0	.00
#9 country of origin	0	.00
#10 country of origin	0	.00

Note 1: 10 most populous groups at the jurisdiction level may not be the same as the 10 most populous at the Region level, and are thus labeled separately.

Note 2: Data Sources: Decennial Census; ACS

Note 3: Refer to the Data Documentation for details (www.hudexchange.info).

R/ECAPs Over Time

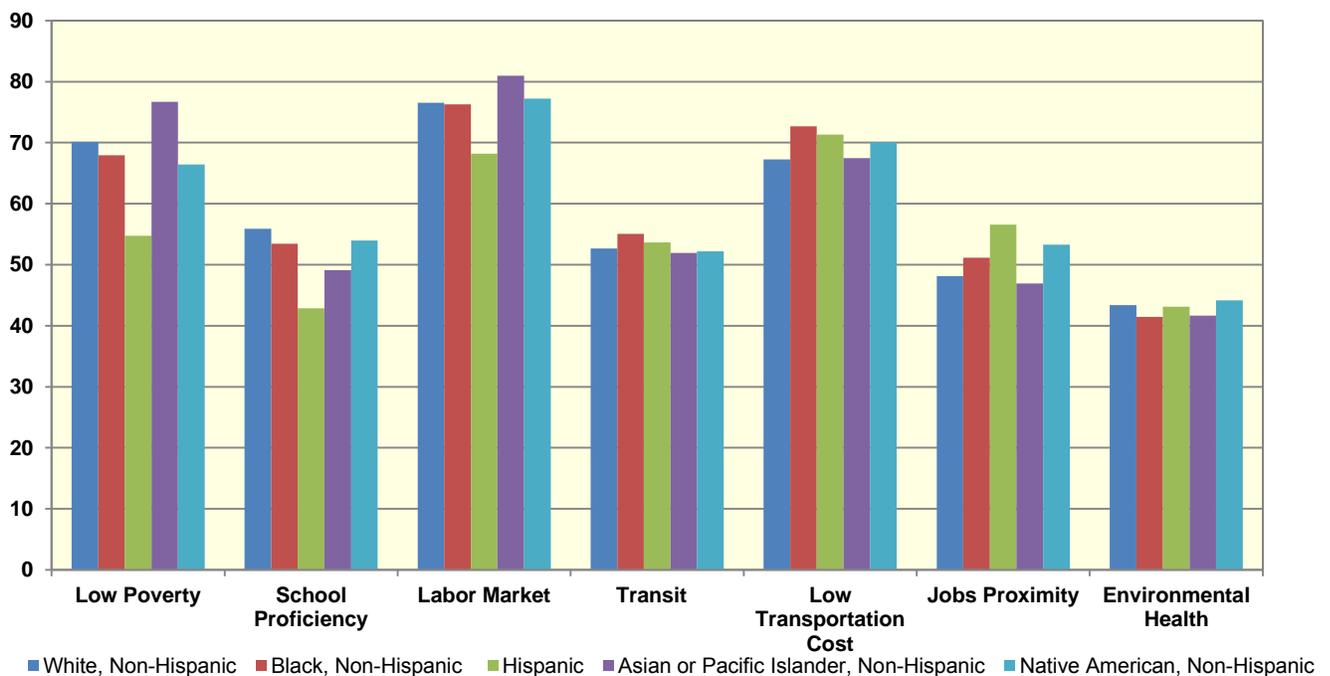
Since 1990, the City of Lewisville has not had any R/ECAPs.

C. DISPARITIES IN ACCESS TO OPPORTUNITY

The following section will describe the following opportunity indicator indices: Low Poverty; School Proficiency; Labor Market Engagement; Jobs Proximity; Low Transportation Costs; Transit Trips Index; and Environmental Health by race/ethnicity and households below the poverty line. A higher score on each of the indices would indicate: lower neighborhood poverty rates; higher levels of school proficiency; higher levels of labor engagement; closer proximity to jobs; lower transportation costs; closer access to public transportation; and greater neighborhood environmental quality (i.e., lower exposure rates to harmful toxins).

All the indices are presented in Diagram IV.6. As noted therein, four of the indices have little, if any, substantive differences by racial or ethnic classification, such as transit, transportation costs, jobs proximity, and environmental health. However, low poverty, school proficiency and the labor market all have substantive differences, especially between Hispanics and whites.

Diagram IV.6
Access to Opportunity by Race and Ethnicity
 City of Lewisville, Texas
 2010 Census, 2016 HUD AFFH Database



EDUCATIONAL OPPORTUNITIES

The School Proficiency Index measures the proficiency of elementary schools in the attendance area (where this information is available) of individuals sharing a protected characteristic or the proficiency of elementary schools within 1.5 miles of individuals with a protected characteristic where attendance boundary data are not available. The values for the School Proficiency Index are determined by the performance of 4th grade students on state exams.

As measured by the school proficiency index, urban block groups with the greatest proximity to high-performing elementary schools tend to be clustered in the north and south of the city. As shown in Map IV.13, the northern area has a higher concentration of white residents.

This relationship is further illustrated in Table IV.25, which shows that the school proficiency index for Hispanic residents is, at 42.8, below measures of school proficiency for other residents. White non-Hispanic measures were 55.9.

The degree to which access to high-performing schools differed by birthplace (i.e., within or outside of the United States) depended on residents' countries of birth. Mexican-born residents within the city limits tended to live in areas with relatively lower school proficiency index values, as shown in Map IV.14.

Most block groups in central areas of the city included 0 to 500 families with children, and within that range school proficiency index values did not differ markedly, as shown in Map IV.15.

Table IV.25
HUD AFFH Table 12 – Opportunity Indicators by Race/Ethnicity

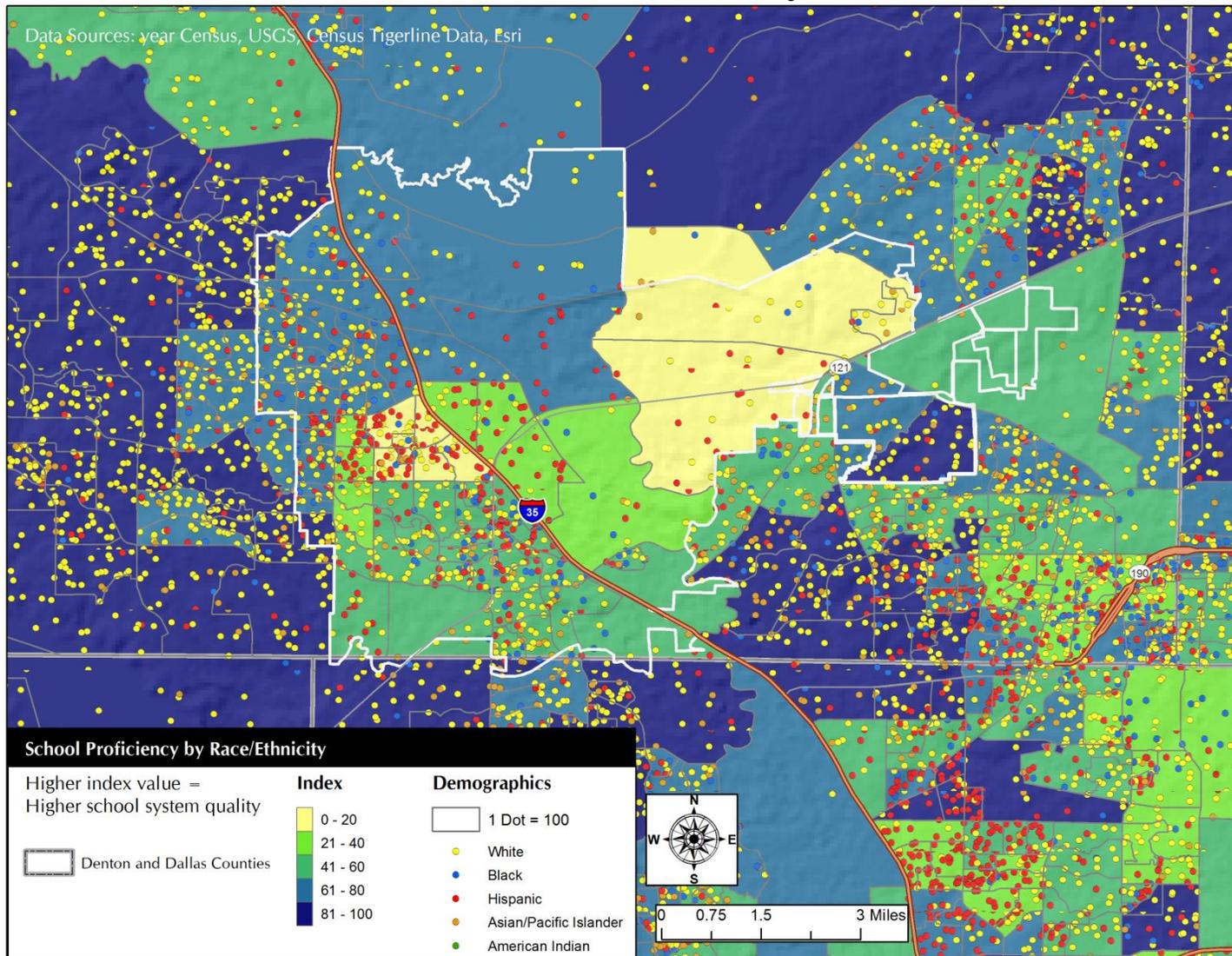
Lewisville, Texas
2016 HUD AFFH Database

Lewisville	Low Poverty Index	School Proficiency Index	Labor Market Index	Transit Index	Low Transportation Cost Index	Jobs Proximity Index	Environmental Health Index
Total Population							
White, Non-Hispanic	70.13	55.90	76.56	52.67	67.24	48.13	43.40
Black, Non-Hispanic	67.94	53.43	76.30	55.07	72.69	51.17	41.45
Hispanic	54.75	42.84	68.21	53.65	71.32	56.57	43.12
Asian or Pacific Islander, Non-Hispanic	76.69	49.10	80.98	51.94	67.44	46.93	41.65
Native American, Non-Hispanic	66.43	53.94	77.24	52.19	70.09	53.30	44.16
Population below federal poverty line							
White, Non-Hispanic	64.53	52.71	75.66	55.80	72.23	48.33	42.18
Black, Non-Hispanic	43.60	46.46	66.77	55.53	75.68	55.19	40.53
Hispanic	48.23	45.13	63.72	52.86	74.27	63.57	44.77
Asian or Pacific Islander, Non-Hispanic	62.97	46.94	73.05	59.09	76.26	48.00	41.52
Native American, Non-Hispanic	42.62	61.26	65.45	56.76	78.05	68.66	44.00

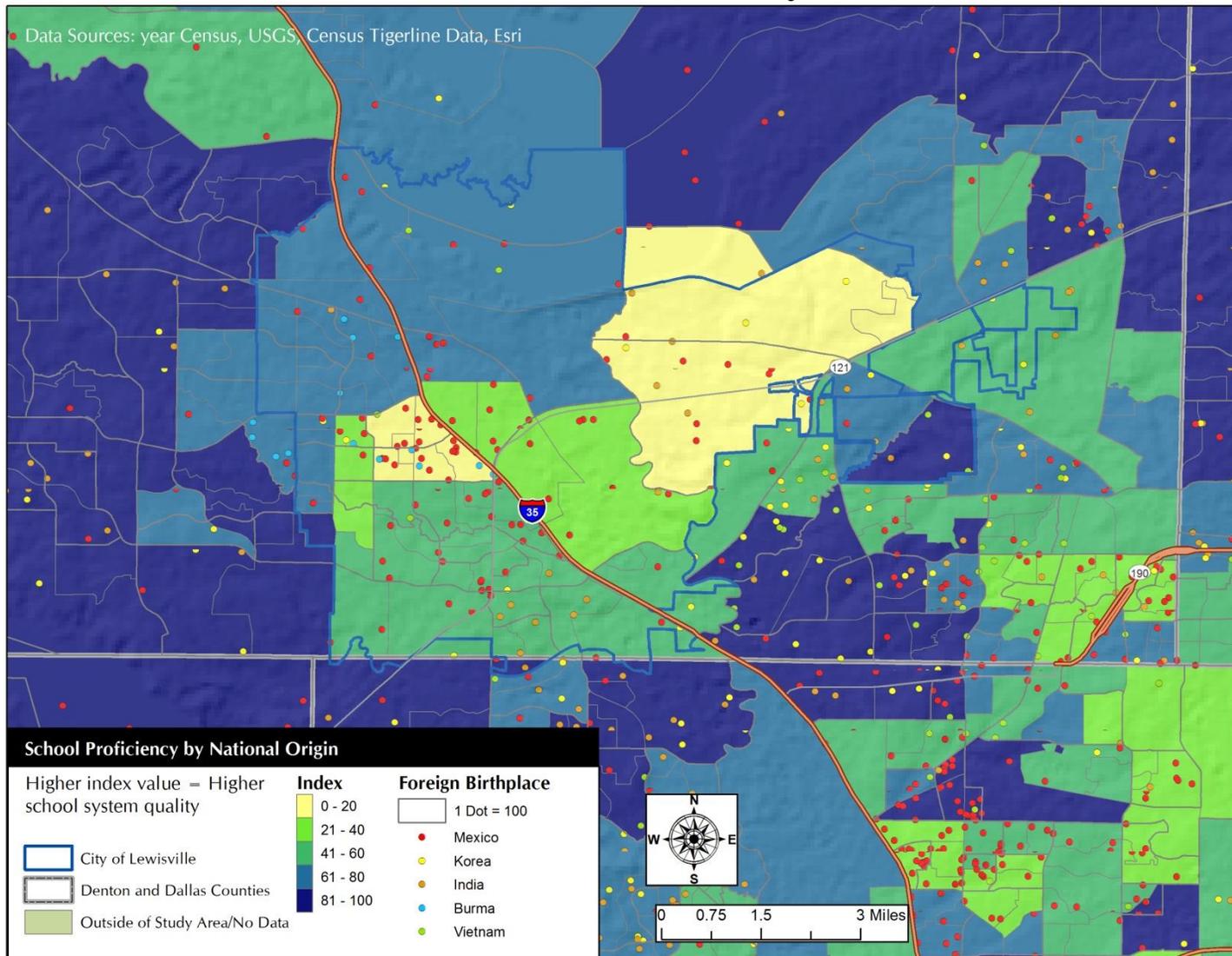
Note 1: Data Sources: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA

Note 2: Refer to the Data Documentation for details (www.hudexchange.info).

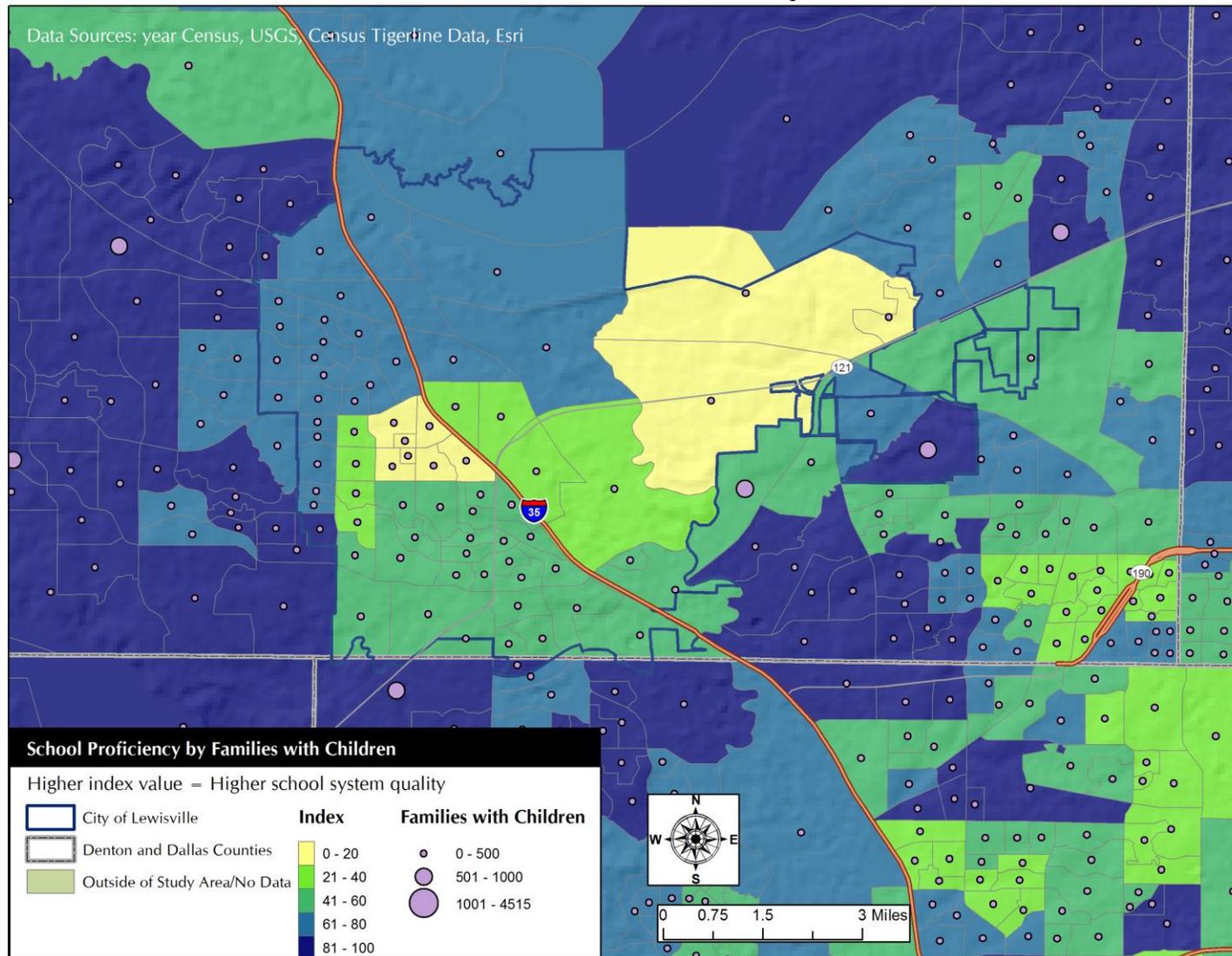
Map IV.13
AFFH Map 9 – School Proficiency by Race
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



Map IV.14
AFFH Map 9 – School Proficiency by National Origin
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



Map IV.15
AFFH Map 9 – School Proficiency by Families with Children
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



Residency Patterns and School Proficiency

Urban block groups with the greatest proximity to high-performing elementary schools tend to be clustered in areas with a relatively high concentration of white residents and comparatively low concentrations of black residents. In areas with higher concentrations of Hispanic residents, school proficiency index values tended to be lower.

Mexican-born residents within the city limits tended to live in areas with relatively lower school proficiency index values, as shown in Map IV.14.

There was no observed difference with the relationship between the number of families in a block group and access to high performing schools.

School Related Policies

The Lewisville Independent School District enrolls students based on residential locations within the city. This may limit access to high performing schools to residents living in other areas of the City.

EMPLOYMENT

The Jobs Proximity Index measures the physical distances between place of residence and jobs by race/ethnicity. The Labor Market Engagement Index provides a measure of unemployment rate, labor-force participation rate, and percent of the population ages 25 and above with at least a bachelor's degree, by neighborhood.

The job proximity index suggests that job opportunities in the city were generally concentrated east of I-35 in the City of Lewisville. As shown in Map IV.16 and Table IV.25, physical location had little impact on access to employment opportunities by race and ethnicity, with Hispanics showing slightly better access. The same was true of the city's largest foreign-born populations and families with children.

However, measures of labor market engagement did reveal a higher level of differences between residents of different races/ethnicities. The labor market engagement index is a combination of three factors: the unemployment rate, the labor force participation rate, and the share of the population that has attained a bachelor's degree or higher. As shown in Table IV.25, labor market engagement scores were highest among the city's white, black and Native American residents (greater than 76 in all three cases). The labor market engagement score was lowest among the city's Hispanic residents (68.21).

Residents born outside of the United States generally lived in Census tracts with relatively lower labor market engagement scores, as shown in Map IV.20. As noted previously, most block groups throughout the city included 0 to 500 families with children, and there was little geographic variation in labor market engagement by the number of families with children.

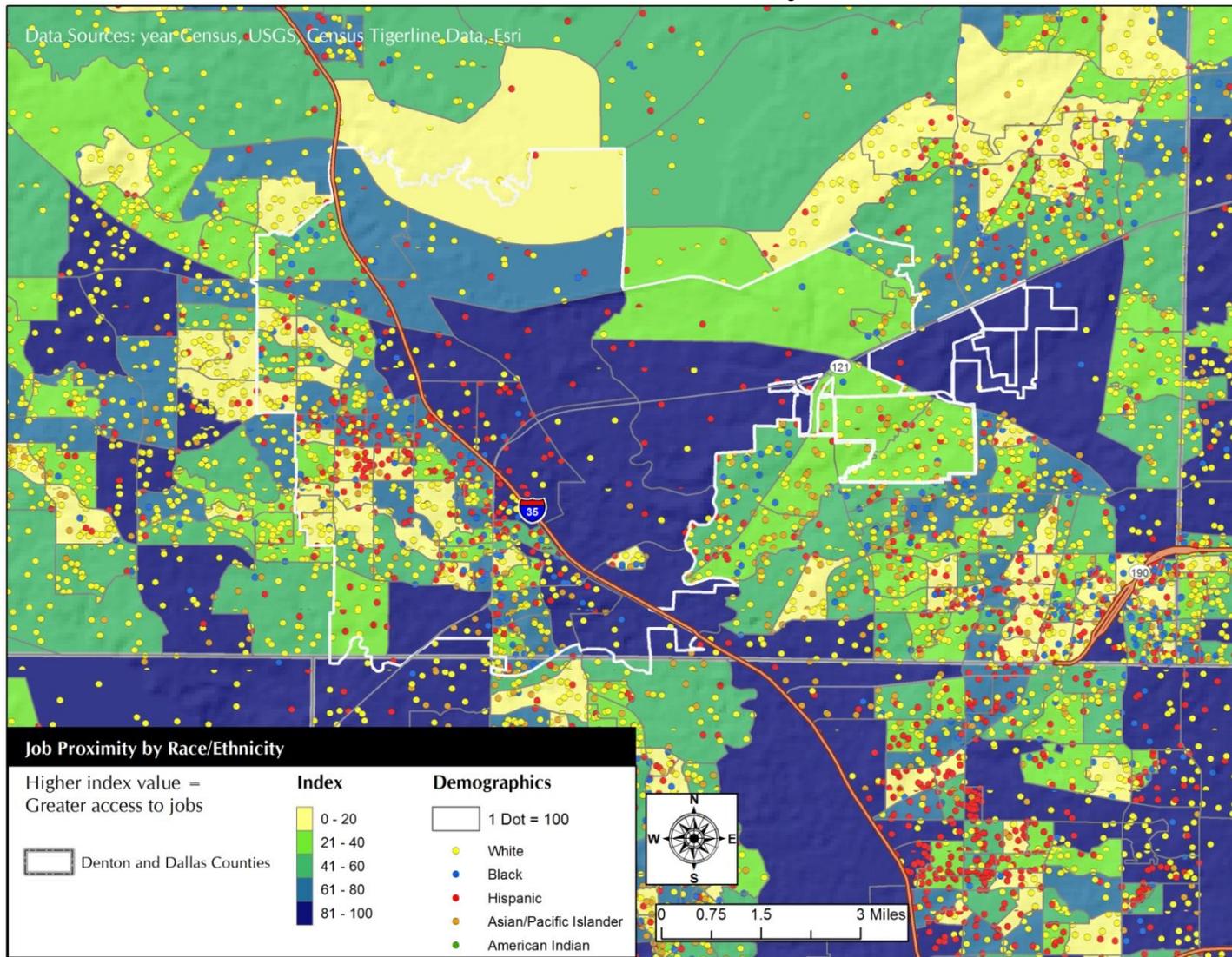
Residency and Job Access

As noted previously, the job proximity index suggests that job opportunities in the city, like the population as a whole, were generally concentrated on the east side of the City of Lewisville. Accordingly, residents of those areas had greater access to employment opportunities than residents in the surrounding city. As shown in Map IV.21 and Table IV.25, physical location had little impact on access to employment opportunities by race and ethnicity.

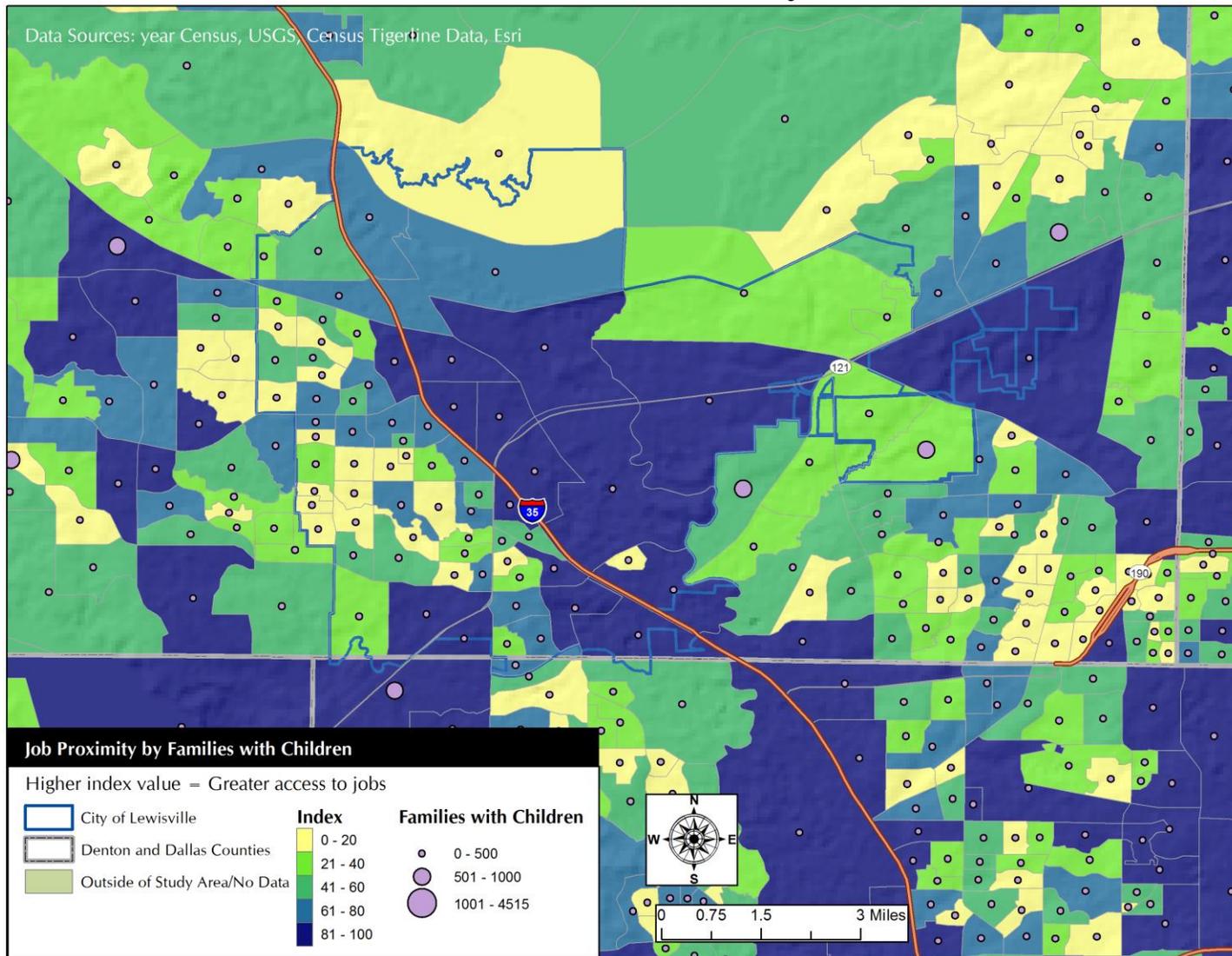
Groups with Little Job Access

As discussed above, physical location had little impact on access to employment opportunities by race and ethnicity or national origin. In addition, family status did not seem to impact access to employment opportunities.

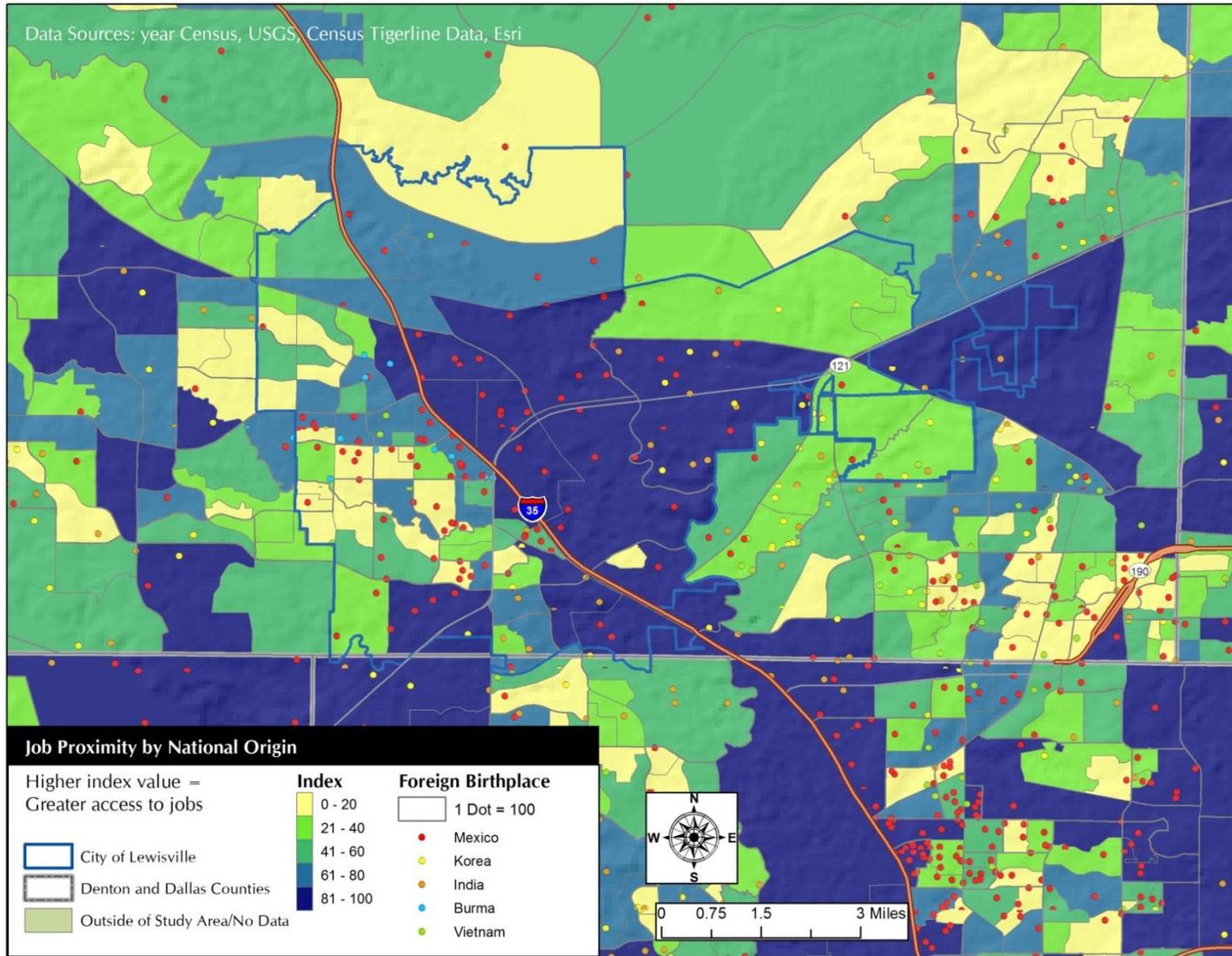
Map IV.16
AFFH Map 10 – Job Proximity by Race
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



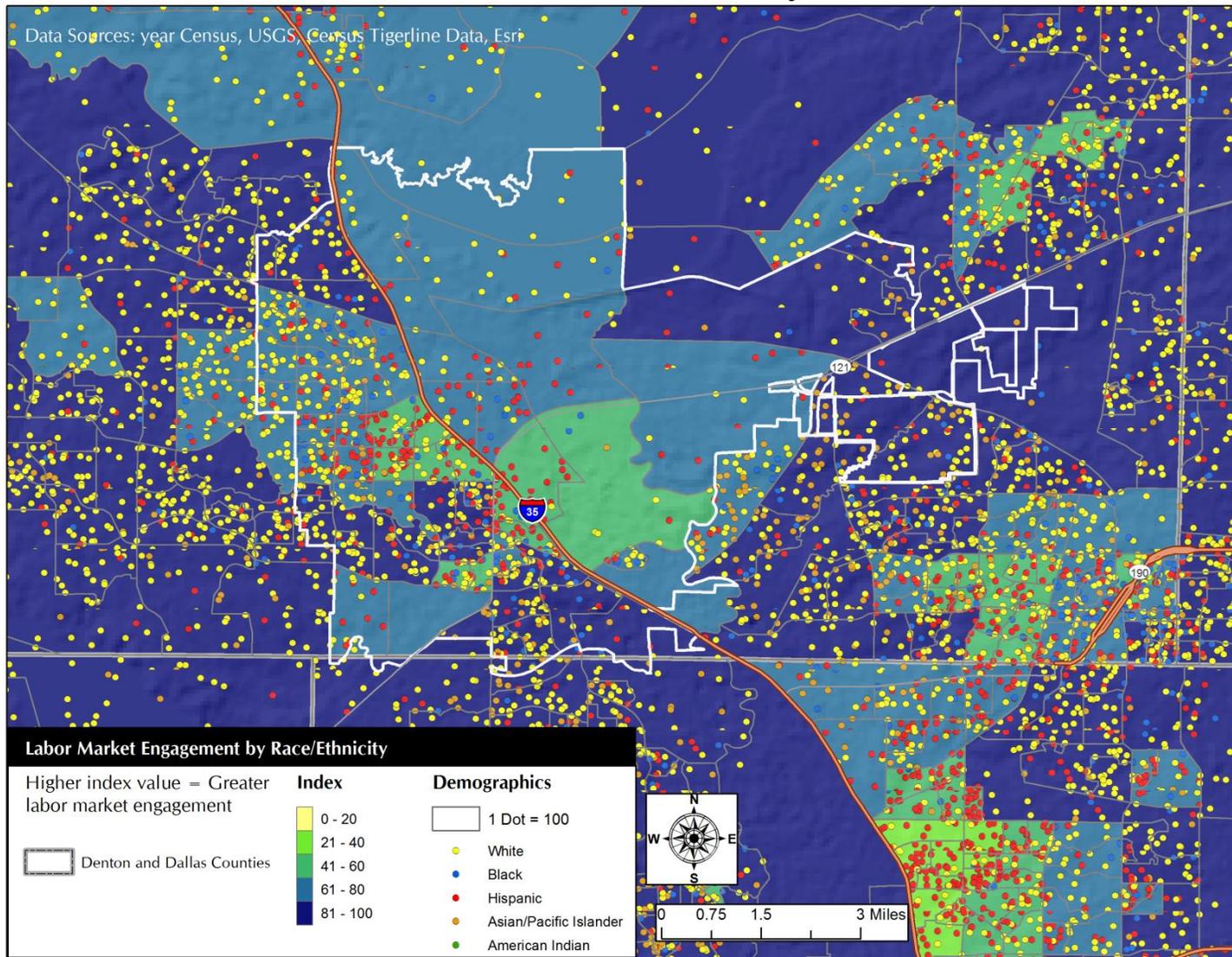
Map IV.17
AFFH Map 10 – Job Proximity by National Origin
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



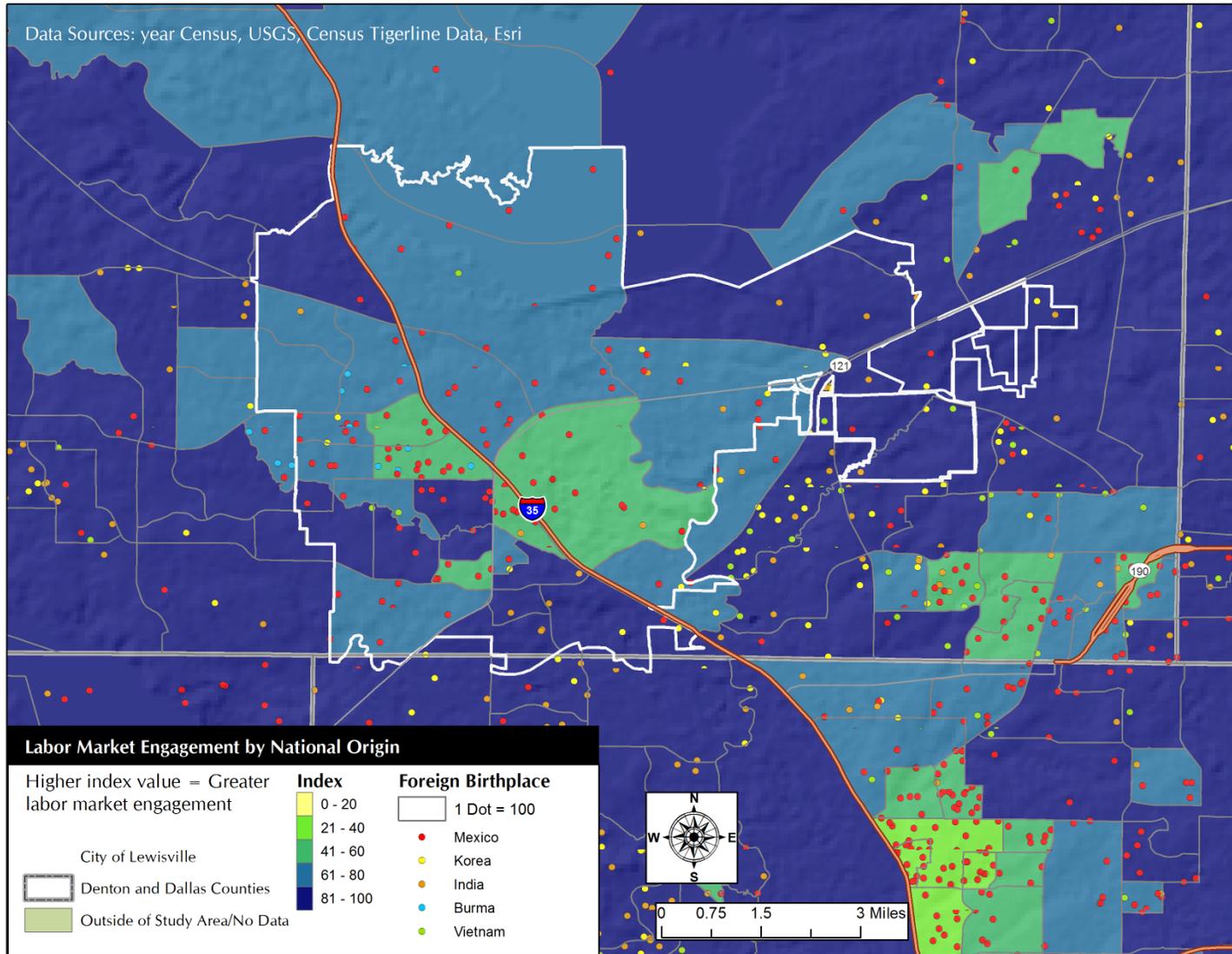
Map IV.18
AFFH Map 10 – Job Proximity by Families with Children
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



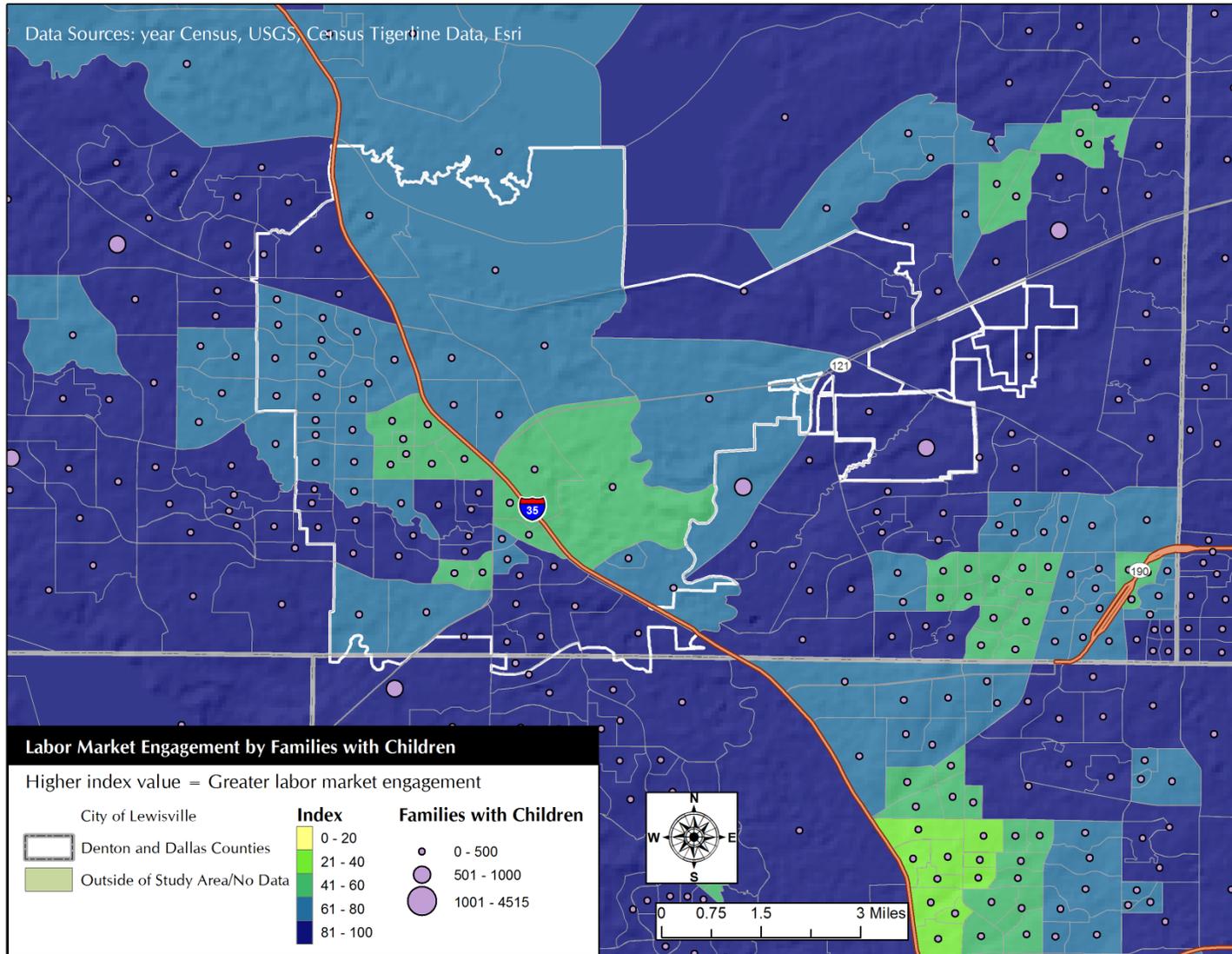
Map IV.19
AFFH Map 11 – Labor Market Engagement by Race/Ethnicity
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



Map IV.20
AFFH Map 11 – Labor Market by National Origin
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



Map IV.21
AFFH Map 11 – Labor Market by Families with Children
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



TRANSPORTATION

The Low Transportation Cost Index measures cost of transport and proximity to public transportation by neighborhood. The Transit Trips Index measures how often low-income families in a neighborhood use public transportation.

Based on the Transportation Cost and Transit Trips indices, access to transportation is greatest for residents who in the central areas of the city, particularly those adjacent to I-35. Residents to the center of the city center were more likely to use public transit than residents, in outlying areas of the city.

Similarly, transportation costs were observed to be lower within the central area of the city and adjacent to I-35, according to the Transportation Cost Index¹¹. By contrast, transportation costs were relatively high in outer areas of the city.

Groups Lacking Affordable Transit from Home to Work

Transportation use was fairly equally distributed among the various racial and ethnic groups represented in Table IV.25. Geographic maps comparing transit trip index values to the distribution of residents by national origin and family size likewise did not reveal major discrepancies in access to public transit or likelihood of public transit use by foreign birthplace or presence of children in the home.

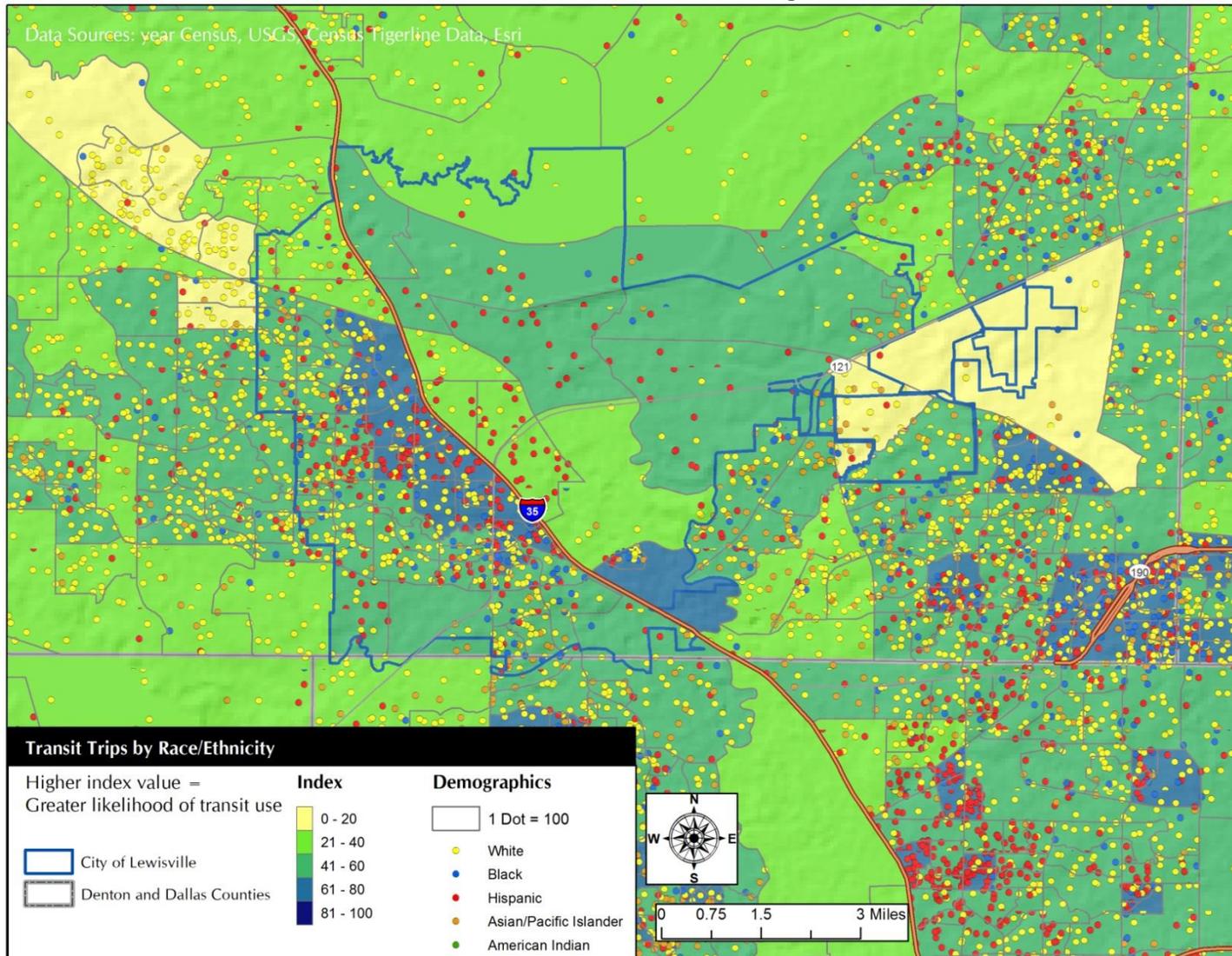
Similarly, there were no substantial differences in transportation costs by race or ethnicity revealed in a geographical analysis of those costs (Map IV.25) or citywide transportation cost figures reported in Table IV.25. Geographic analysis of transportation likewise did not reveal a marked difference in transportation costs by foreign birthplace (Map IV.26) or for families with children (Map IV.27).

Ability to Access Transportation Systems

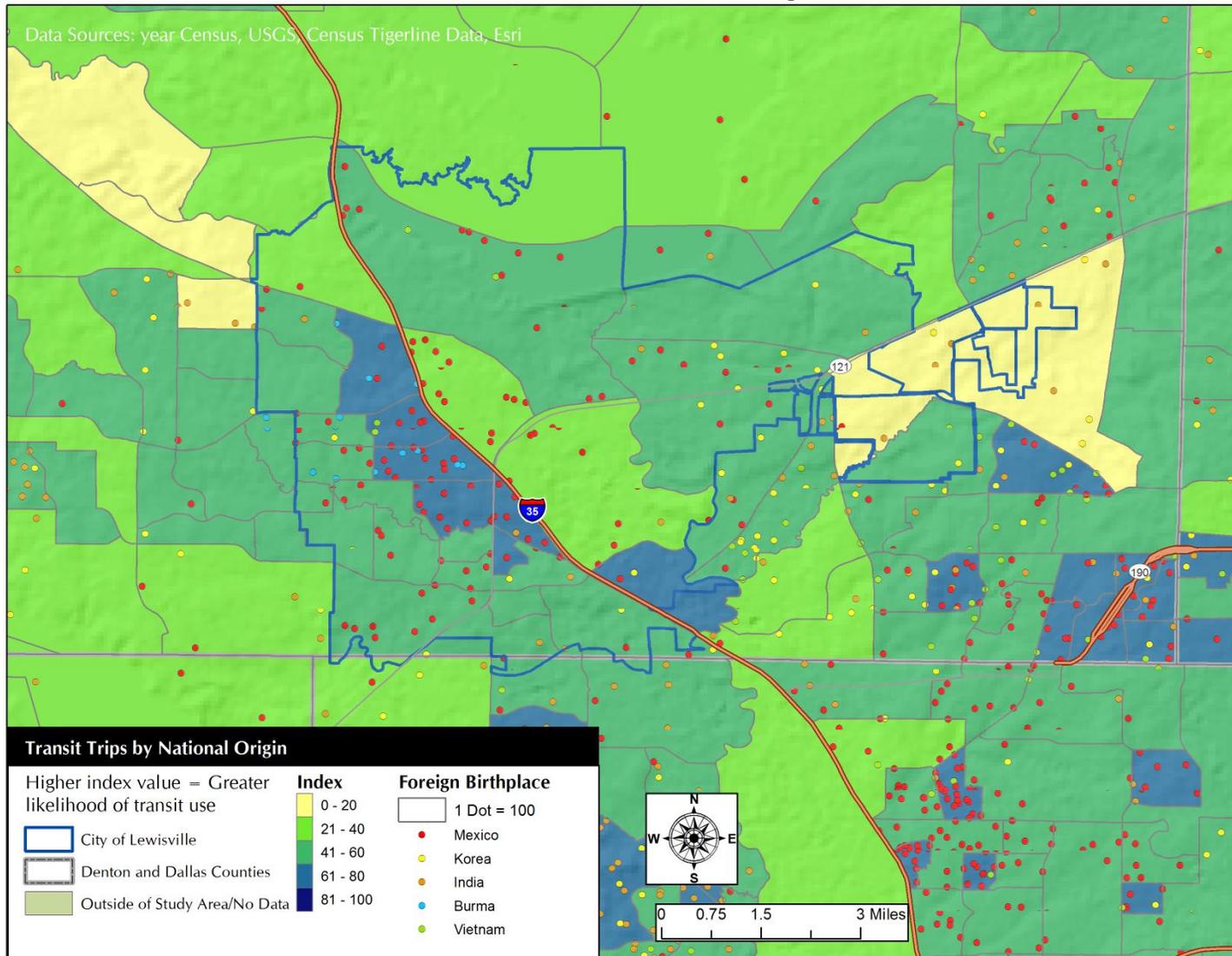
The availability of transit is concentrated within the center of the city. As such, these areas also have higher concentrations of racial/ethnic minorities. This enables the availability of transportation to these protected classes.

¹¹ Note that higher transportation cost index values indicate lower transportation costs.

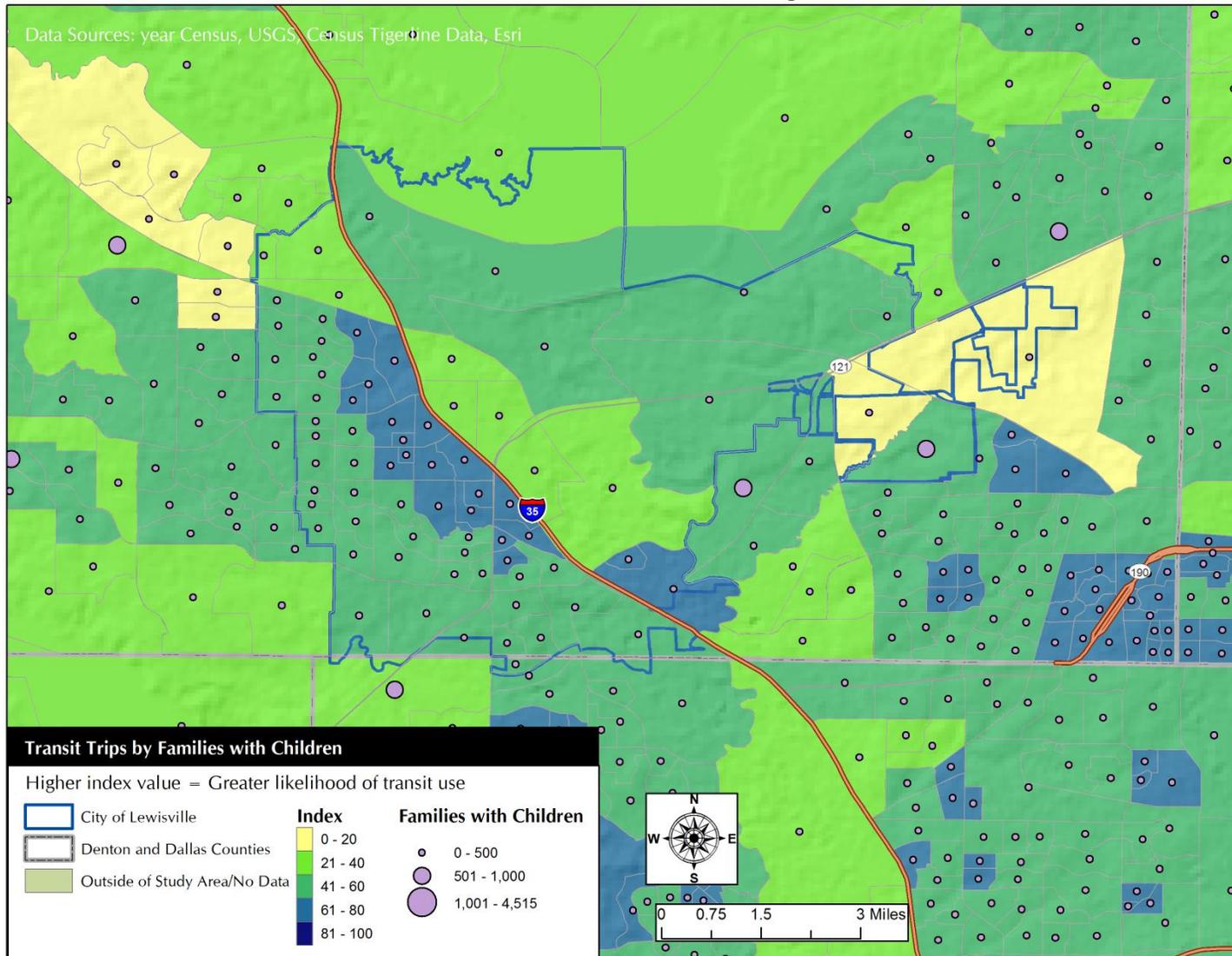
Map IV.22
AFFH Map 12 – Transit Trips by Race/Ethnicity
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



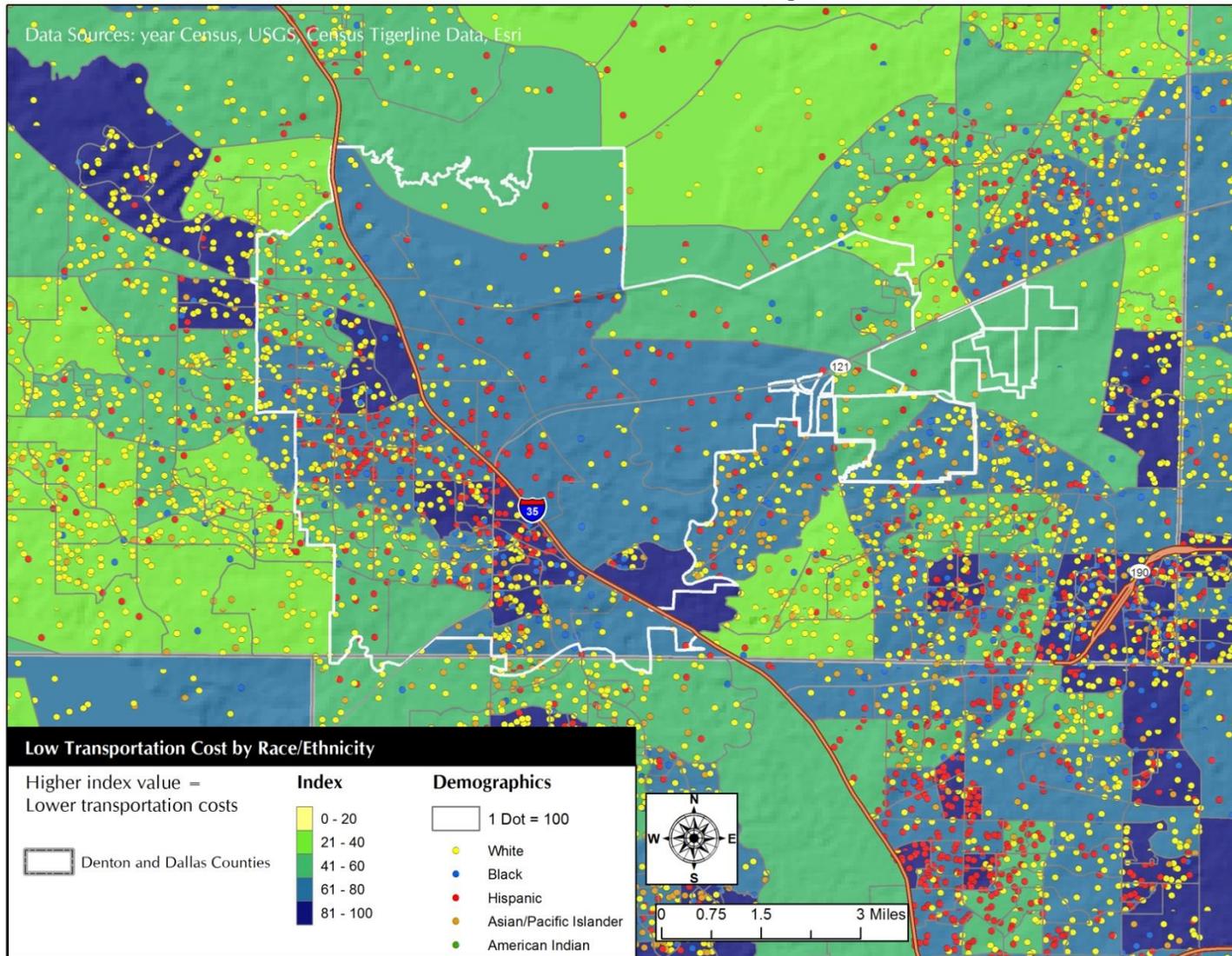
Map IV.23
AFFH Map 12 – Transit Trips by Race/Ethnicity
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



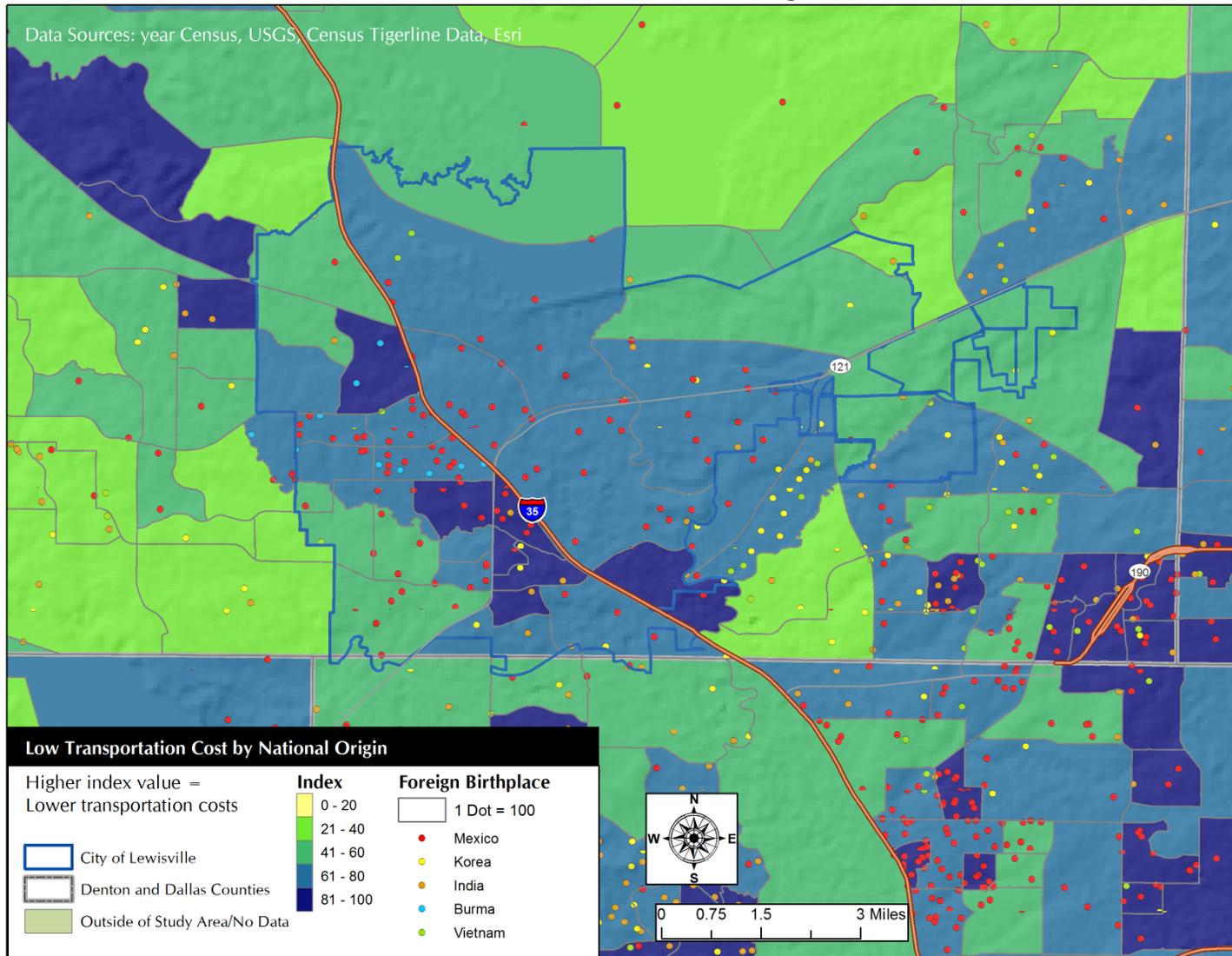
Map IV.24
AFFH Map 12 – Transit Trips by Families with Children
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



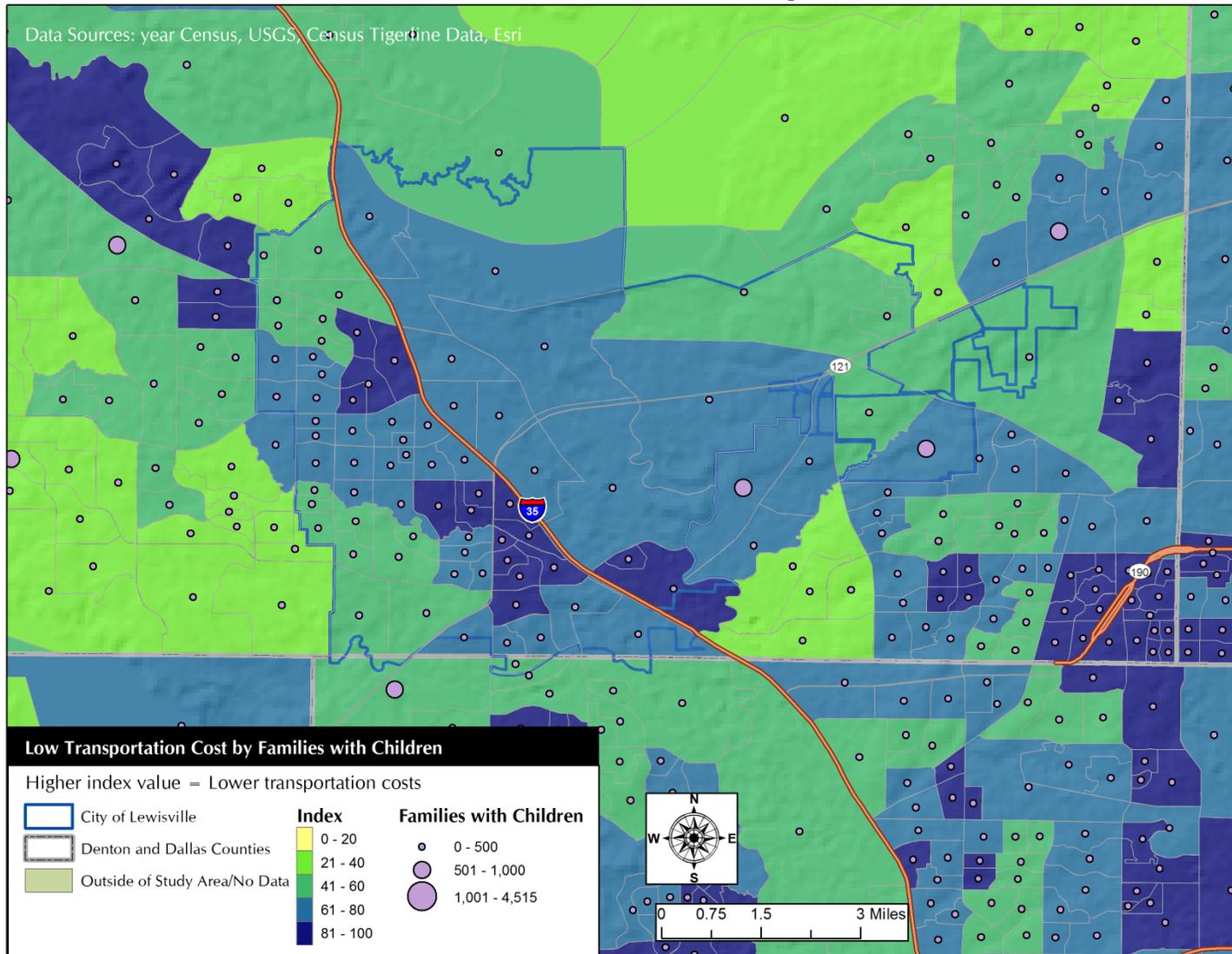
Map IV.25
AFFH Map 13 – Low Transportation Cost by Race/Ethnicity
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



Map IV.26
AFFH Map 13 – Low Transportation Cost by National Origin
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



Map IV.27
AFFH Map 13 – Low Transportation Cost by Families with Children
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



LOW POVERTY EXPOSURE OPPORTUNITIES

The Low Poverty Index uses rates of family poverty by household (based on the federal poverty line) to measure exposure to poverty by neighborhood. A higher score is more desirable, generally indicates less exposure to poverty at the neighborhood level.

In contrast to measures of transportation access discussed above, there were marked differences in exposure to poverty by race and ethnicity throughout the city. As shown in Table IV.25, white and Asian/Pacific Islander residents had the greatest access to low poverty areas. By contrast, Hispanic residents faced considerably higher levels of exposure to poverty.

These relationships are borne out in a geographic analysis of exposure to poverty by the distribution of residents of each racial/ethnic group. As shown in Map IV.28, areas with the greatest exposure to poverty in the city were located to the center of the city center, which held relatively high concentrations of Hispanic residents. Areas with higher concentrations of white and Asian residents ranked comparatively high in access to low poverty areas.

Geographic comparison of access to low poverty areas by national origin (i.e., foreign birthplace) and family status did not suggest that foreign-born residents or families with children were more likely to be exposed to poverty (Maps IV.29 and IV.30).

Place of Residence and Exposure to Poverty

As one might expect, residents to the north of the city center were more likely to be exposed to poverty than residents to the outside of the city center, as shown in Maps IV.28, IV.29, and IV.30.

Groups Most Affected by Poverty

As shown in Table IV.25, white and Asian/Pacific Islander residents had the greatest access to low poverty areas. By contrast, Hispanic residents faced considerably higher levels of exposure to poverty.

These relationships are borne out in a geographic analysis of exposure to poverty by the distribution of residents of each racial/ethnic group. As shown in Map IV.28, areas with the greatest exposure to poverty in the city were located to the north of the city center and east of I-35, which held relatively high concentrations of Hispanic residents. Areas with higher concentrations of white and Asian residents ranked comparatively high in access to low poverty areas.

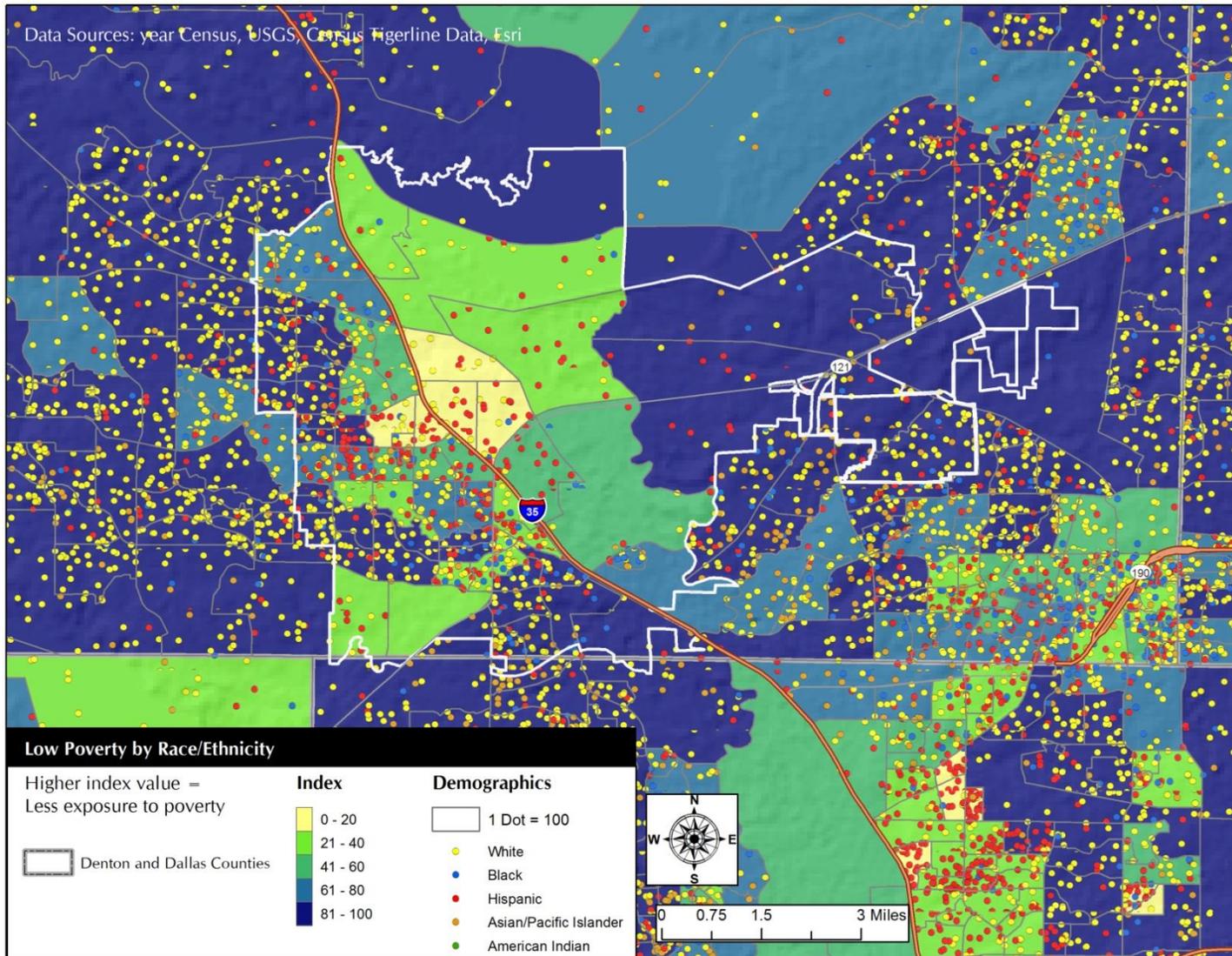
Geographic comparison of access to low poverty areas by national origin (i.e., foreign birthplace) and family status did not suggest that foreign-born residents or families with children were more likely to be exposed to poverty (Maps IV.29 and IV.30).

Jurisdiction's and region's policies effect on protected class groups' access low poverty areas

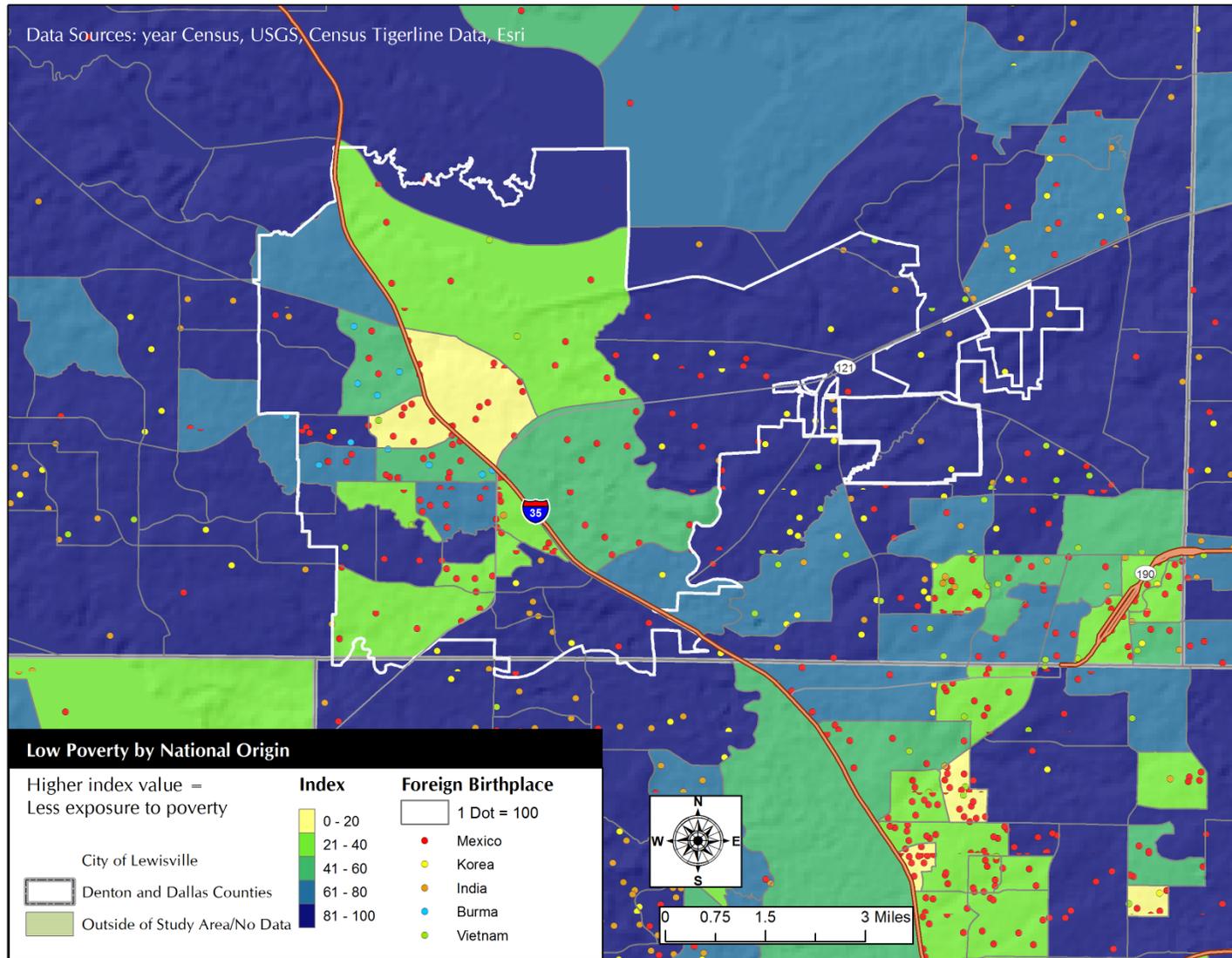
In general, areas that have lower density zoning also have less exposure to poverty. As seen in Maps IV.28-IV.30, racial/ethnic minorities tend to live in areas with higher exposure to poverty,

while areas with higher concentrations of families with children are in areas with lower exposure to poverty.

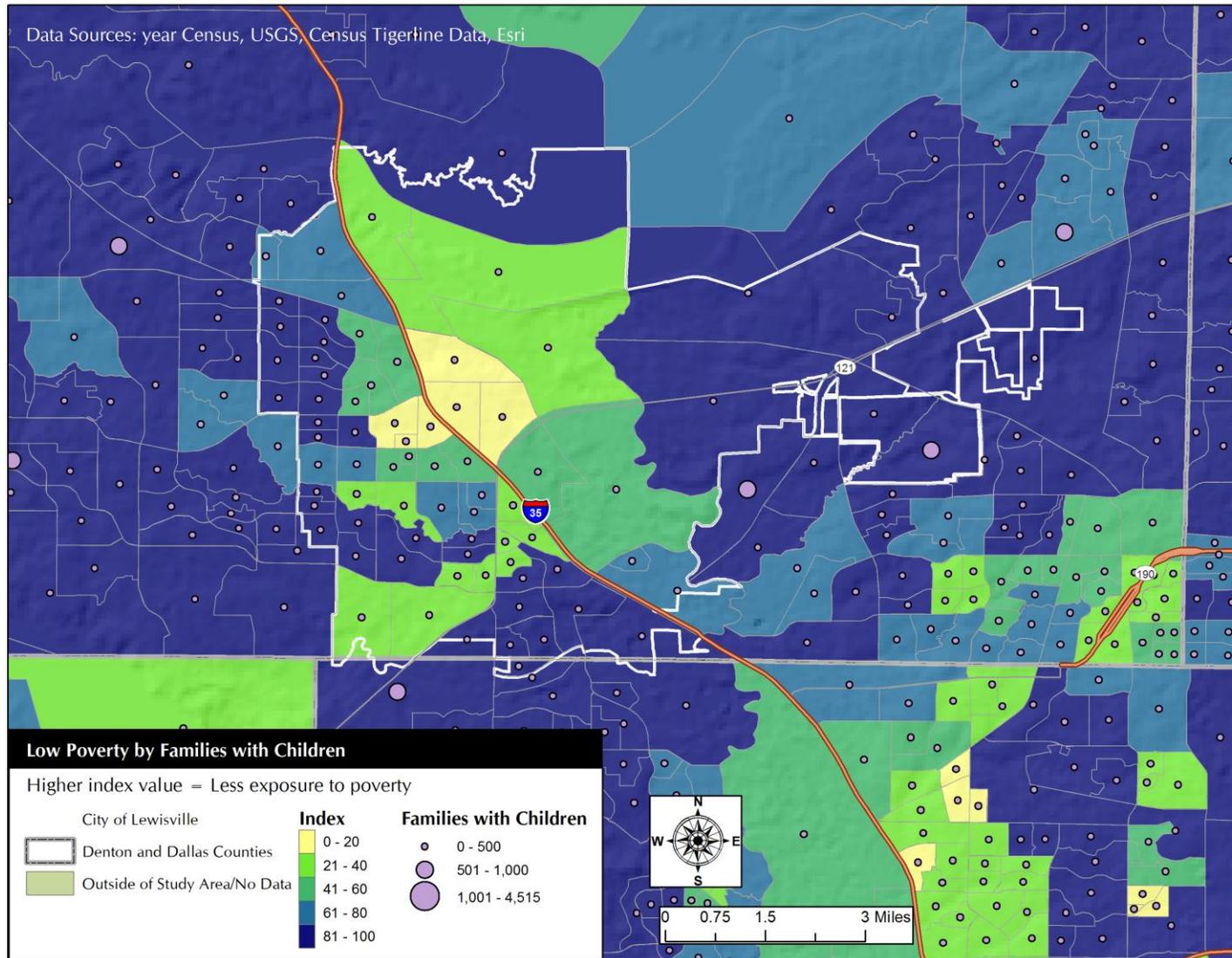
Map IV.28
AFFH Map 14 – Low Poverty by Race/Ethnicity
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



Map IV.29
AFFH Map 14 – Low Poverty by National Origin
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



Map IV.30
AFFH Map 14 – Low Poverty by Families with Children
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



ACCESS TO ENVIRONMENTALLY HEALTHY NEIGHBORHOODS

The Environmental Health Index measures exposure based on EPA estimates of air quality carcinogenic, respiratory and neurological toxins by neighborhood.

The environmental health index suggests that air quality in Lewisville in southern parts of the city: Census tracts further to the north experienced higher environmental quality. Neither Table IV.25 nor Map IV.31 suggests that different racial or ethnic groups experienced differing levels of air quality throughout the city. Similarly, there was little evidence that air quality that residents enjoyed differed markedly by foreign birthplace, as shown in Map IV.29. The same was true of families with children, as shown in Map IV.33.

Access to Healthy Neighborhoods

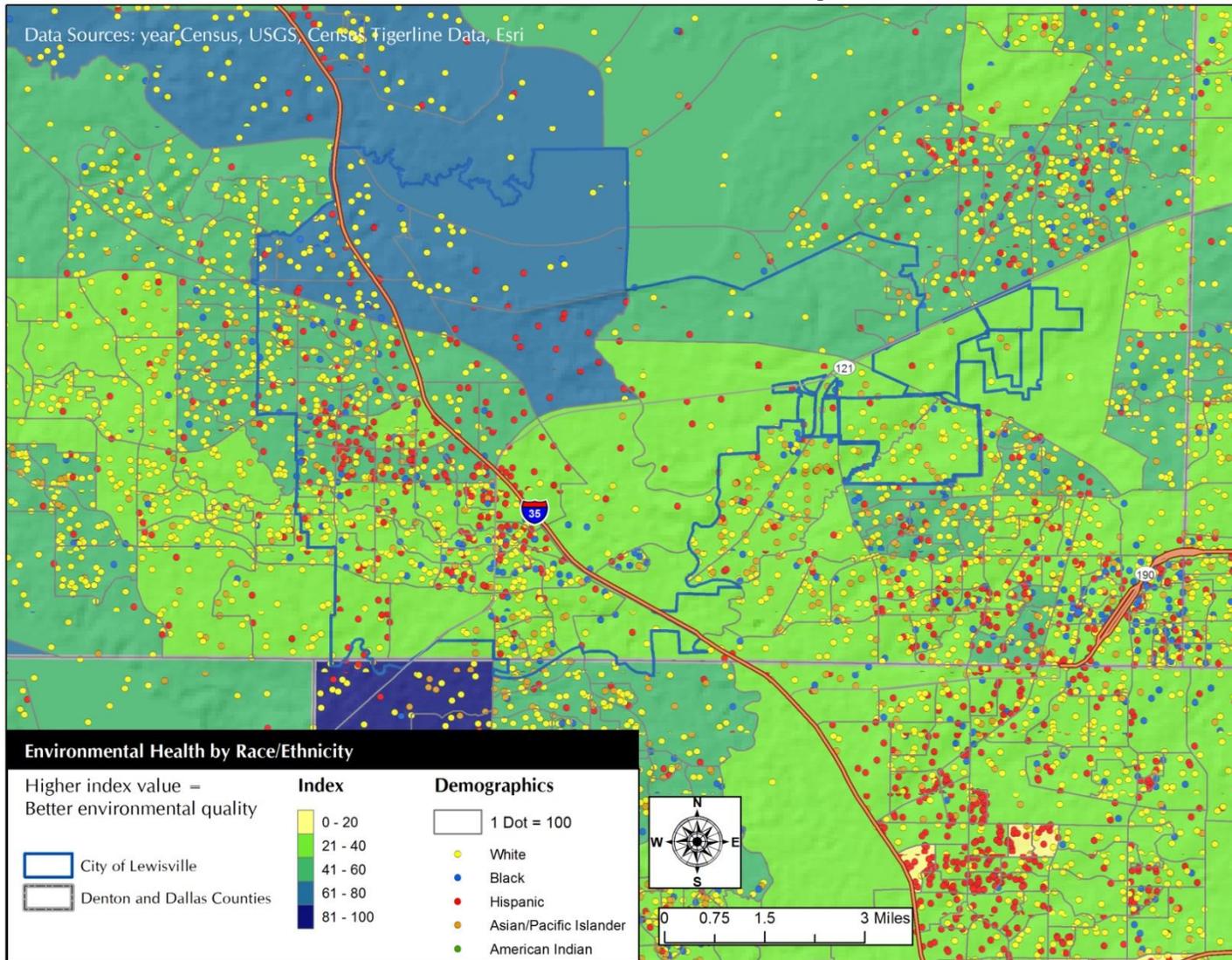
Neither Table IV.25 nor Map IV.31 suggests that different racial or ethnic groups experienced differing levels of air quality throughout the city. Similarly, there was little evidence that air quality that residents enjoyed differed markedly by foreign birthplace, as shown in Map IV.32. The same was true of families with children, as shown in Map IV.33.

PATTERNS IN DISPARITIES IN ACCESS TO OPPORTUNITY

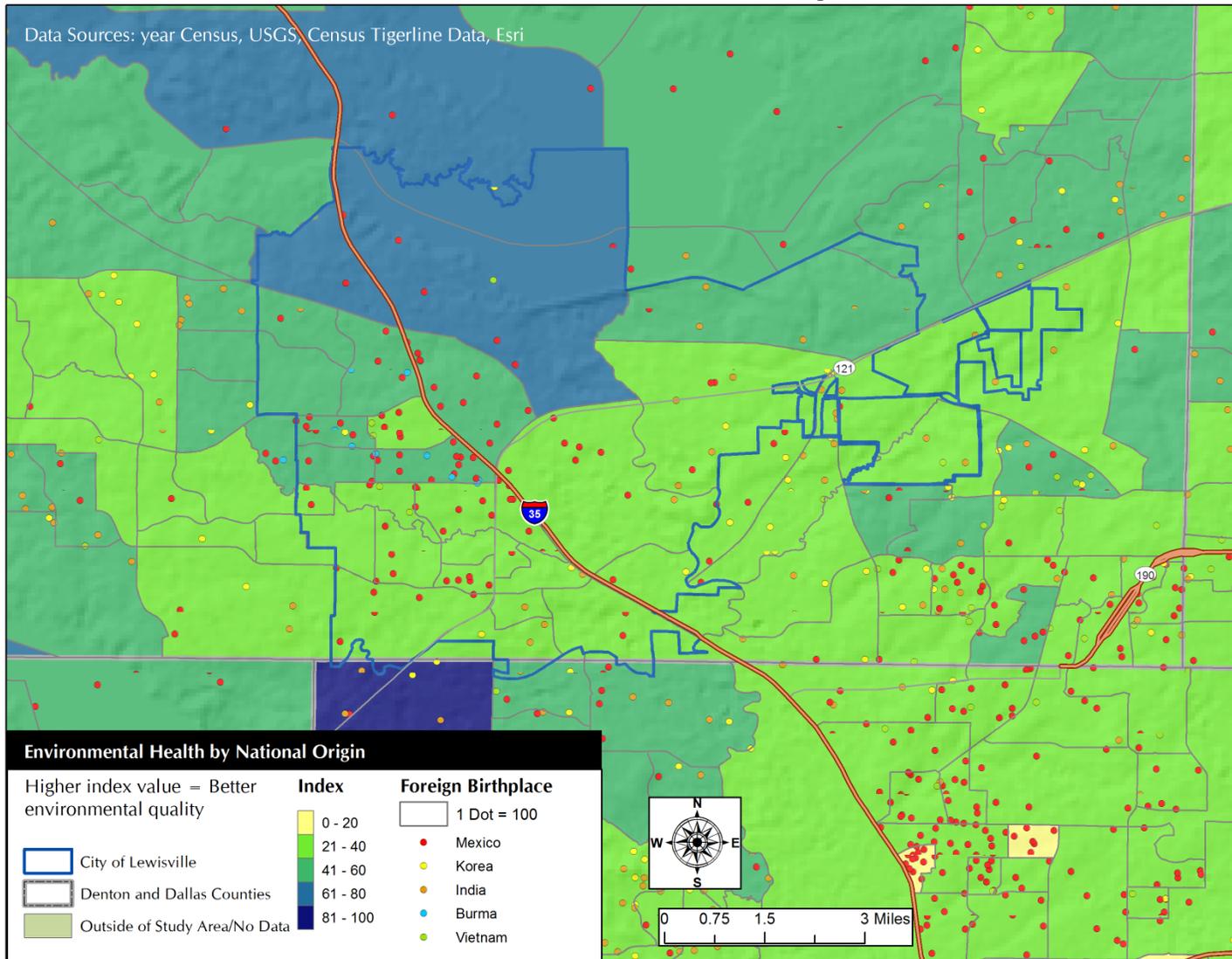
The degree to which residents had access to low poverty areas and proficient grade schools differed depending on their race or ethnicity. In both cases, Hispanic residents were observed to have considerably lower access to opportunity than residents of other racial/ethnic groups. Other measures of opportunity (use of public transit, transportation costs, and environmental quality) did not differ dramatically by race or ethnicity.

Analysis of access to opportunity by national origin or family size did not reveal such marked variations as was observed between racial/ethnic groups.

Map IV.31
AFFH Map 15 – Environmental Health by Race/Ethnicity
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline Data, Esri



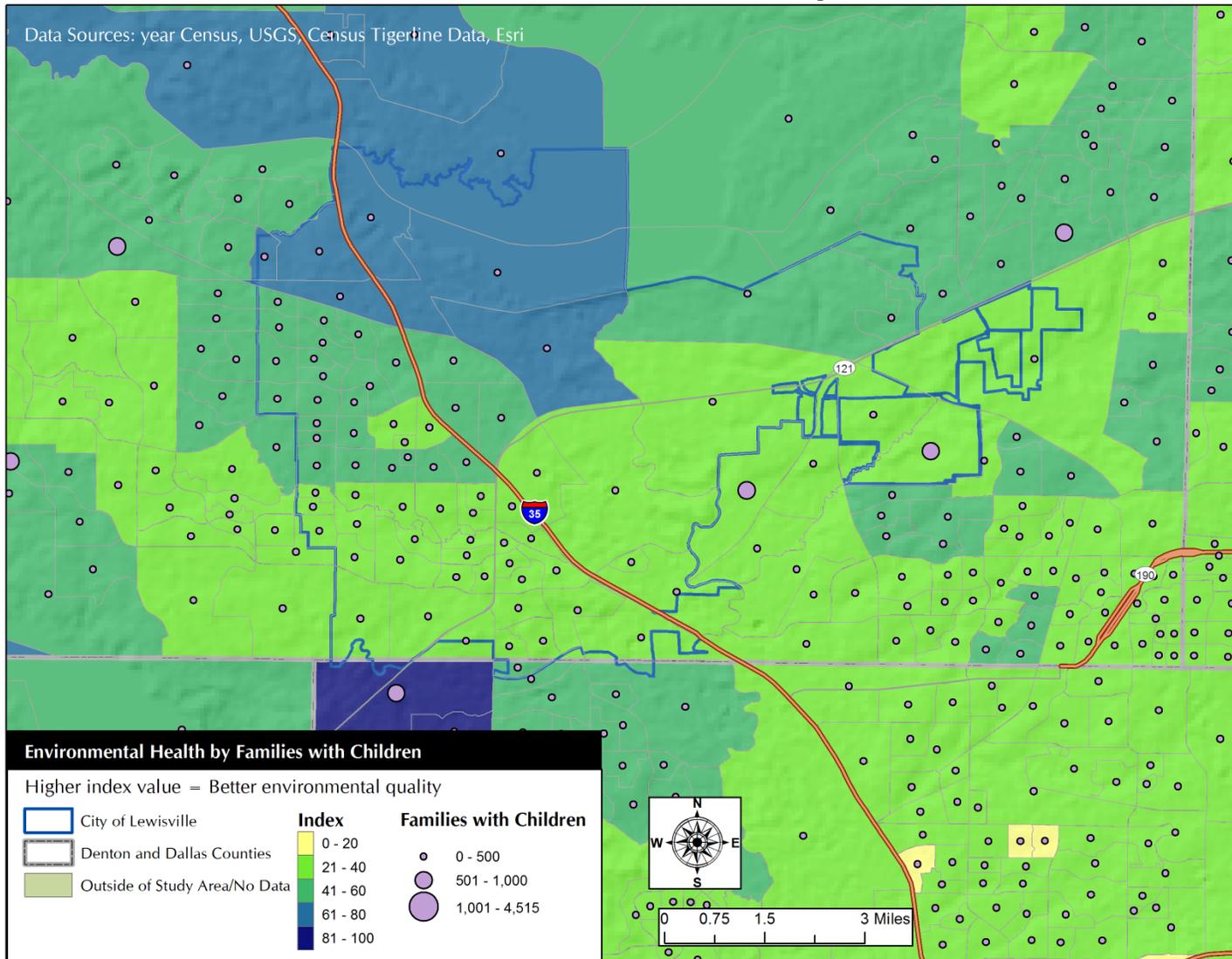
Map IV.32
AFFH Map 15 – Environmental Health by National Origin
 Lewisville, Texas
 2016 HUD AFFH Database, USGS, Census Tigerline



Map IV.33
AFFH Map 15 – Environmental Health by Families with Children

Lewisville, Texas

2016 HUD AFFH Database, USGS, Census Tigerline



Additional Information

The Fair Housing Act protects individuals on the basis of race, color, religion, sex, familial status, national origin, or having a disability or a particular type of disability. HUD has provided data for this section only on race/ethnicity, national origin, and family status. Information pertaining to sex can be evaluated in terms of home loan applications. The availability of information based HMDA data from 2008 to 2014 shows an average denial rate of loan applications that are almost two percentage points higher for females than males, although during 2011 and 2012 the denial rates for females was almost the same as that for males.

Table IV.26
Denial Rates by Gender of Applicant
 City of Lewisville
 2008–2015 HMDA Data

Year	Male	Female	Not Available	Not Applicable	Average
2008	13.3%	18.3%	17.1%	33.3%	15.2%
2009	10.6%	12.3%	10.8%	.0%	11.2%
2010	16.4%	16.6%	20.0%	%	16.7%
2011	15.4%	15.8%	18.3%	%	15.7%
2012	15.5%	14.6%	26.1%	%	15.9%
2013	11.1%	16.5%	14.3%	%	12.9%
2014	10.5%	12.4%	12.7%	%	11.2%
2015	9.4%	11.0%	12.8%	%	10.1%
Average	13.1%	15.3%	17.1%	25.0%	13.5%

D. DISPROPORTIONATE HOUSING NEEDS

The Census Bureau collects data on several topics that HUD has identified as “housing problems”. For the purposes of this report, housing problems include overcrowding, incomplete plumbing or kitchen facilities, and cost-burden.

A relatively small percentage of households were considered over-crowded in 2000, meaning that they include more than one resident per room but less than 1.5. The same was true of severely overcrowded households, which include 1.5 residents per room or more. As shown in Table IV.27 an estimated 3.2 percent of households were overcrowded in 2000. That figure rose slightly after 2000, to around 3.5 percent in 2010-2014. The percentage of severely overcrowded units fell from 2.7 percent to 0.6 percent over that same time period. Generally speaking, renter-occupied units were more likely than owner-occupied units to experience overcrowding. The City instituted a multi-family inspection program that may have impacted severe overcrowding. More recently the City expanded rental inspections to single family units.

Table IV.27
Overcrowding and Severe Overcrowding

City of Lewisville
2000 Census SF3 & 2014 Five-Year ACS Data

Data Source	No Overcrowding		Overcrowding		Severe Overcrowding		Total
	Households	% of Total	Households	% of Total	Households	% of Total	
Owner							
2000 Census	15,585	96.4%	362	2.2%	215	1.3%	16,162
2014 Five-Year ACS	16,562	97.1%	381	2.2%	117	.7%	17,060
Renter							
2000 Census	12,652	91.3%	613	4.4%	598	4.3%	13,863
2014 Five-Year ACS	20,173	95.1%	942	4.4%	97	0.5%	21,212
Total							
2000 Census	28,237	94.0%	975	3.2%	813	2.7%	30,025
2014 Five-Year ACS	36,735	96.0%	1,323	3.5%	214	.6%	38,272

An even smaller fraction of households were lacking complete plumbing facilities in 2000, and that share had only fallen by 2010-2014. Plumbing facilities are considered to be incomplete if a household is missing any of the following: a flush toilet, piped hot and cold running water, a bathtub, or a shower. As shown in Table IV.28, these features were missing from less than one percent of households in Lewisville.

Table IV.28
Households with Incomplete Plumbing Facilities

City of Lewisville
2000 Census SF3 & 2014 Five-Year ACS Data

Households	2000 Census	2014 Five-Year ACS
With Complete Plumbing Facilities	29,965	38,234
Lacking Complete Plumbing Facilities	60	38
Total Households	30,025	38,272
Percent Lacking	0.2%	0.1%

On the other hand, households lacking complete kitchen facilities became increased slightly after 2000, and these households represented more than one percent of households overall, as shown in Table IV.29. A household is considered to lack complete kitchen facilities when it does not have a range or cook top and oven, a sink with piped hot and cold running water, and a refrigerator.

Table IV.29
Households with Incomplete Kitchen Facilities

City of Lewisville
2000 Census SF3 & 2014 Five-Year ACS Data

Households	2000 Census	2014 Five-Year ACS
With Complete Kitchen Facilities	30,004	37,799
Lacking Complete Kitchen Facilities	21	473
Total Households	30,025	38,272
Percent Lacking	.1%	1.2%

Households experiencing a cost-burden, an increasingly common problem after 2000, affected a much larger share of households in the study area. A household is considered cost-burdened when between 30 and 50 percent of its income goes toward housing costs, and *severely* cost-burdened when housing costs consume more than 50 percent of a household's income. As

shown in Table IV.30, an estimated 16.6 percent of study area households were paying between 30 and 50 percent of their monthly income toward housing costs in 2000 and by 2014 that share had grown by 4.3 percentage points. Some 12.0 percent of households were severely cost-burdened in 2014, up from 8.0 percent in 2000. As was the case with overcrowding, renters were more likely to experience a cost burden or severe cost burden than homeowners, even those whose homes were still under mortgage.

Table IV.30
Cost Burden and Severe Cost Burden by Tenure

City of Lewisville
2000 Census & 2014 Five-Year ACS Data

Data Source	31%-50%		Above 50%		Total
	Households	% of Total	Households	% of Total	
Owner With a Mortgage					
2000 Census	1,616	12.90%	564	4.50%	12,533
2014 Five-Year ACS	2,325	17.20%	1,032	7.60%	13,534
Owner Without a Mortgage					
2000 Census	134	8.80%	72	4.70%	1,521
2014 Five-Year ACS	361	10.20%	125	3.50%	3,526
Renter					
2000 Census	2,872	20.70%	1,608	11.60%	13,844
2014 Five-Year ACS	5,295	25.00%	3,441	16.20%	21,212
Total					
2000 Census	4,622	16.60%	2,244	8.00%	27,898
2014 Five-Year ACS	7,981	20.90%	4,598	12.00%	38,272

Table IV.31
Demographics of Households with Severe Housing Cost Burden

City of Lewisville, Dallas-Ft Worth-Arlington CBSA
CHAS

Race/Ethnicity	Lewisville			Dallas-Ft Worth-Arlington		
	# with severe cost burden	# households	% with severe cost burden	# with severe cost burden	# households	% with severe cost burden
White, Non-Hispanic	1,985	21,729	9.14%	142,755	1,341,275	10.64%
Black, Non-Hispanic	510	3,770	13.53%	74,655	352,239	21.19%
Hispanic	1,180	8,045	14.67%	78,390	456,966	17.15%
Asian or Pacific Islander, Non-Hispanic	305	2,359	12.93%	15,163	110,736	13.69%
Native American, Non-Hispanic	40	120	33.33%	1,139	8,127	14.02%
Other, Non-Hispanic	210	1,099	19.11%	5,519	32,493	16.99%
Total	4,230	37,135	11.39%	317,621	2,301,880	13.80%
Household Type and Size						
Family households, <5 people	1,749	19,345	9.04%	146,518	1,319,470	11.10%
Family households, 5+ people	339	3,940	8.60%	34,600	278,549	12.42%
Non-family households	2,130	13,845	15.38%	136,574	703,879	19.40%

The table above shows housing cost burden as experienced demographically for the City of Lewisville as well as the region. Hispanic residents were shouldered with a much larger housing cost burden in the city than in the region, while the black population had a higher housing cost burden in the metro region than in the city.

Some 35.6 percent of Lewisville households experienced one or more housing problems in 2008-2012, as shown in Table IV.31, on the following page. The incidence of housing problems differed markedly by race or ethnicity: more than seventy percent of Native American households were experiencing housing problems during that time period, along with over 48.7 percent of Hispanic households. This is compared to 41.9 percent of black residents and 29.0 percent of white residents.

Housing problems were also more common among large family (5 or more people) households than small family households: 56.9 percent of large family households were living with one or more housing problem, well above the 35.6 percent average. The incidence of housing problems among small family households, by contrast, was below average: 29.3 percent for small families (i.e., less than five members). Non-family households faced housing problems at a rate of 38.5 percent.

An estimated 15.6 percent of city households experienced severe housing problems in 2008-2012. Native American and Hispanic households were more likely than other groups to experience severe housing problems.

Table IV.32
HUD AFFH Table 9 – Disproportionate Housing Needs
 Lewisville, Texas
 2016 HUD AFFH Database

Disproportionate Housing Needs		Lewisville	
Households experiencing any of 4 housing problems ¹	# with problems	# households	% with problems
Race/Ethnicity			
White, Non-Hispanic	6,305	21,729	29.02
Black, Non-Hispanic	1,580	3,770	41.91
Hispanic	3,920	8,045	48.73
Asian or Pacific Islander, Non-Hispanic	910	2,359	38.58
Native American, Non-Hispanic	85	120	70.83
Other, Non-Hispanic	440	1,099	40.04
Total	13,235	37,135	35.64
Household Type and Size			
Family households, <5 people	5,665	19,345	29.28
Family households, 5+ people	2,240	3,940	56.85
Non-family households	5,335	13,845	38.53
Households experiencing any of 4 Severe Housing Problems²		# with severe problems	% with severe problems
Race/Ethnicity			
White, Non-Hispanic	2,325	21,729	10.70
Black, Non-Hispanic	565	3,770	14.99
Hispanic	2,085	8,045	25.92
Asian or Pacific Islander, Non-Hispanic	540	2,359	22.89
Native American, Non-Hispanic	50	120	41.67
Other, Non-Hispanic	225	1,099	20.47
Total	5,800	37,135	15.62

1: The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30%. The four severe housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 50%.

2: All % represent a share of the total population within the jurisdiction or region, except household type and size, which is out of total households.

Data Sources: CHAS, refer to the Data Documentation for details (www.hudexchange.info).

Geographic Distribution of Housing Problems

Households that were experiencing housing problems accounted for 20 to 40 percent of all households in most Census tracts throughout the city, as shown in Map IV.34. Locations of census tracts with a greater incidence of housing problems were located around the city, as also seen in the map. In these areas, 40 to 60 percent of households were living with one or more housing problems.

Families and Available Housing Stock

There were approximately 3,900 households in the city that included five or more members. Around 2,200 of those households were experiencing one or more housing problems at that time, or around 56.9 percent. By this measure, families with children were more or less likely than the average household to experience housing problems.

Table IV.33
Disproportionate Housing Needs – Regional Compare
 Dallas-Ft Worth-Arlington CBSA
 2016 HUD AFFH Database

Disproportionate Housing Needs			
Dallas-Ft Worth-Arlington CBSA			
Households experiencing any of 4 housing problems¹	# with problems	# households	% with problems
Race/Ethnicity			
White, Non-Hispanic	363,455	1,341,275	27.10%
Black, Non-Hispanic	161,747	352,239	45.92%
Hispanic	230,215	456,966	50.38%
Asian or Pacific Islander, Non-Hispanic	36,753	110,736	33.19%
Native American, Non-Hispanic	2,571	8,127	31.64%
Other, Non-Hispanic	12,005	32,493	36.95%
Total	806,720	2,301,880	35.05%
Household Type and Size			
Family households, <5 people	377,380	1,319,470	28.60%
Family households, 5+ people	141,128	278,549	50.67%
Non-family households	288,235	703,879	40.95%
Households experiencing any of 4 Severe Housing Problems²			
	# with severe problems	# households	% with severe problems
Race/Ethnicity			
White, Non-Hispanic	164,434	1,341,275	12.26%
Black, Non-Hispanic	86,556	352,239	24.57%
Hispanic	138,014	456,966	30.20%
Asian or Pacific Islander, Non-Hispanic	20,888	110,736	18.86%
Native American, Non-Hispanic	1,470	8,127	18.09%
Other, Non-Hispanic	6,329	32,493	19.48%
Total	417,720	2,301,880	18.15%

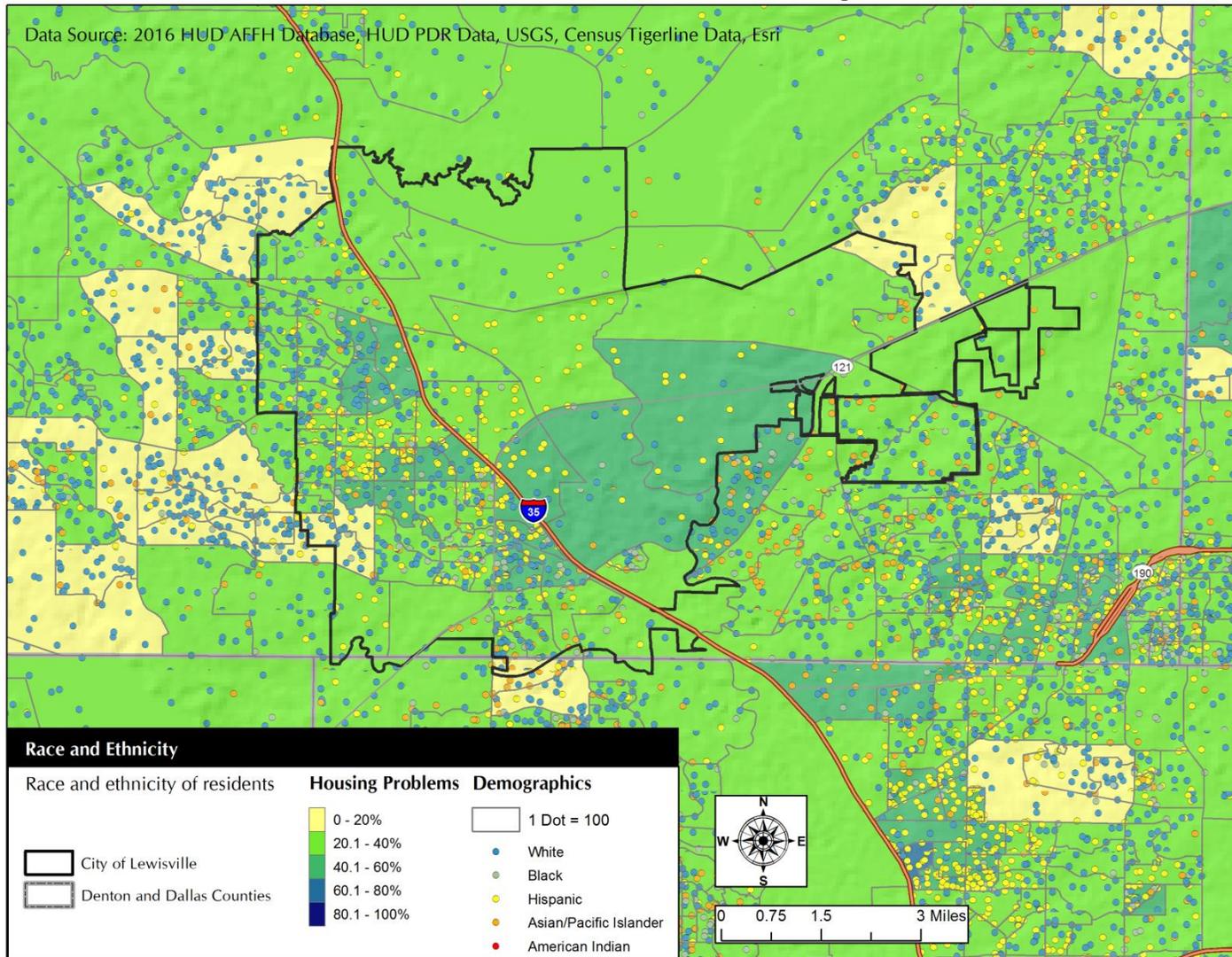
1: The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30%. The four severe housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 50%.

2: All % represent a share of the total population within the jurisdiction or region, except household type and size, which is out of total households.

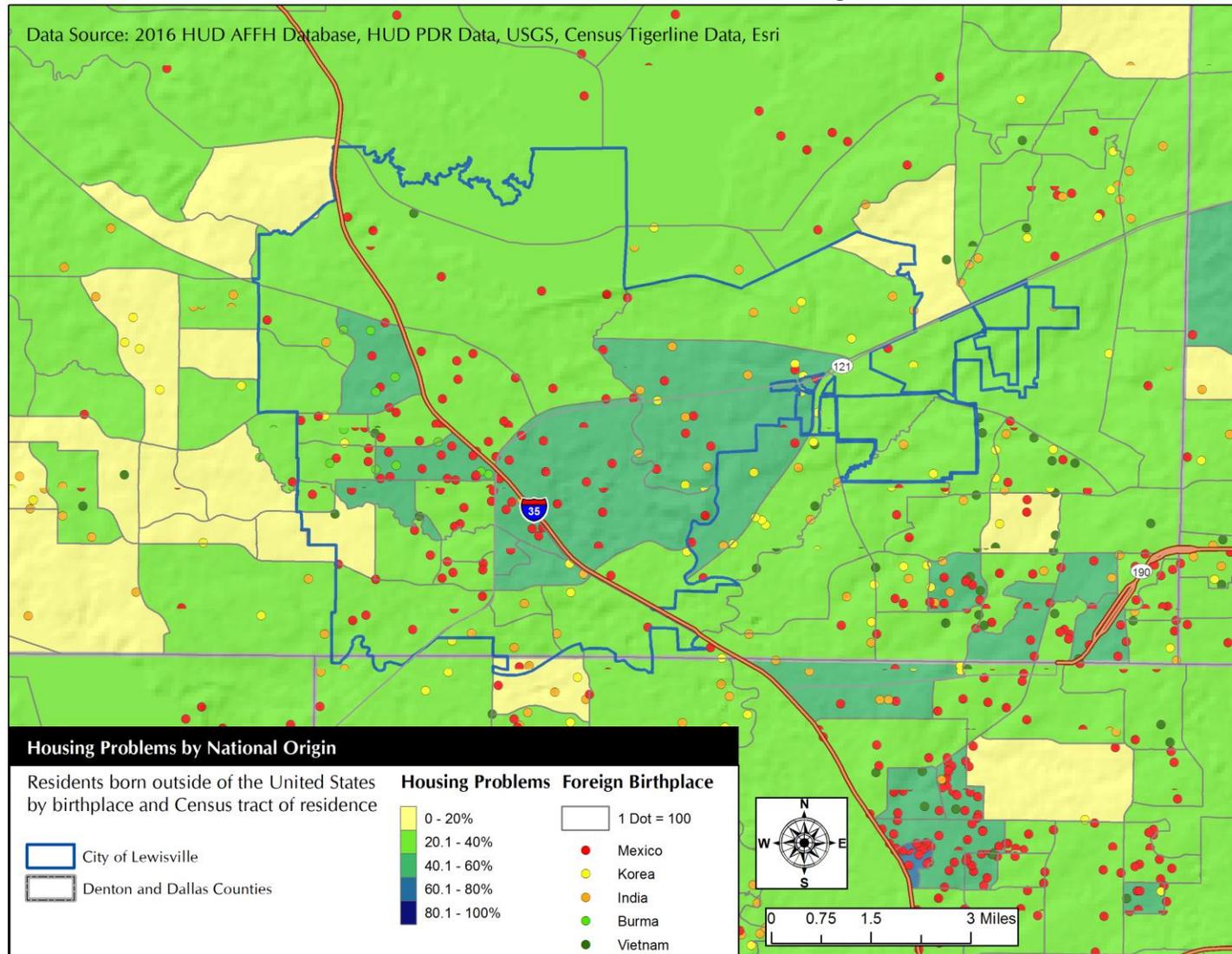
Data Sources: CHAS, refer to the Data Documentation for details (www.hudexchange.info).

The table above shows housing needs for the region. The largest ethnic groups to experience these needs are Hispanic and Blacks, with 50 percent and 45 percent, respectively, of households experiencing any of 4 housing problems. The ethnic groups follow a similar pattern for severe housing problems, with Hispanic and Black households experiencing the highest within the region.

Map IV.34
AFFH Map 7 – Housing Problems by Race/Ethnicity
 Lewisville, Texas
 2016 HUD AFFH Database, HUD PDR, USGD, Census Tigerline



Map IV.35
AFFH Map 8 – Housing Problems by National Origin
 Lewisville, Texas
 2016 HUD AFFH Database, HUD PDR, USGD, Census Tigerline



E. PUBLICLY SUPPORTED HOUSING ANALYSIS

PUBLICLY SUPPORTED HOUSING DEMOGRAPHICS

Black households were disproportionately represented among households living in most types of public-assisted housing: around 60 percent of households living in publicly supported Housing units. By comparison, black residents accounted for around 11.2 percent of the overall population in 2010. All other racial or ethnic groups were underrepresented among public-assisted housing units compared to their representation in the population as a whole.

Table IV. 34
HUD AFFH Table 6 – Publicly Supported Housing Residents by Race/Ethnicity
 Lewisville, Texas
 2016 HUD AFFH Database, 2010 Census

Table 6 - Publicly Supported Housing Residents by Race/Ethnicity

Lewisville	Race/Ethnicity							
	White		Black		Hispanic		Asian or Pacific Islander	
Housing Type	#	%	#	%	#	%	#	%
Public Housing								
Project-Based Section 8								
Other Multifamily								
HCV Program	76	21.78	209	59.89	52	14.90	12	3.44
0-30% of AMI	729	33.61	245	11.30	775	35.73	205	9.45
0-50% of AMI	2,234	35.78	660	10.57	2,200	35.23	535	8.57
0-80% of AMI	5,974	44.95	1,530	11.51	4,070	30.63	825	6.21
Lewisville	48,349	49.70	10,523	10.82	27,919	28.70	7,941	8.16

Note 1: Data Sources: Decennial Census; APSH; CHAS

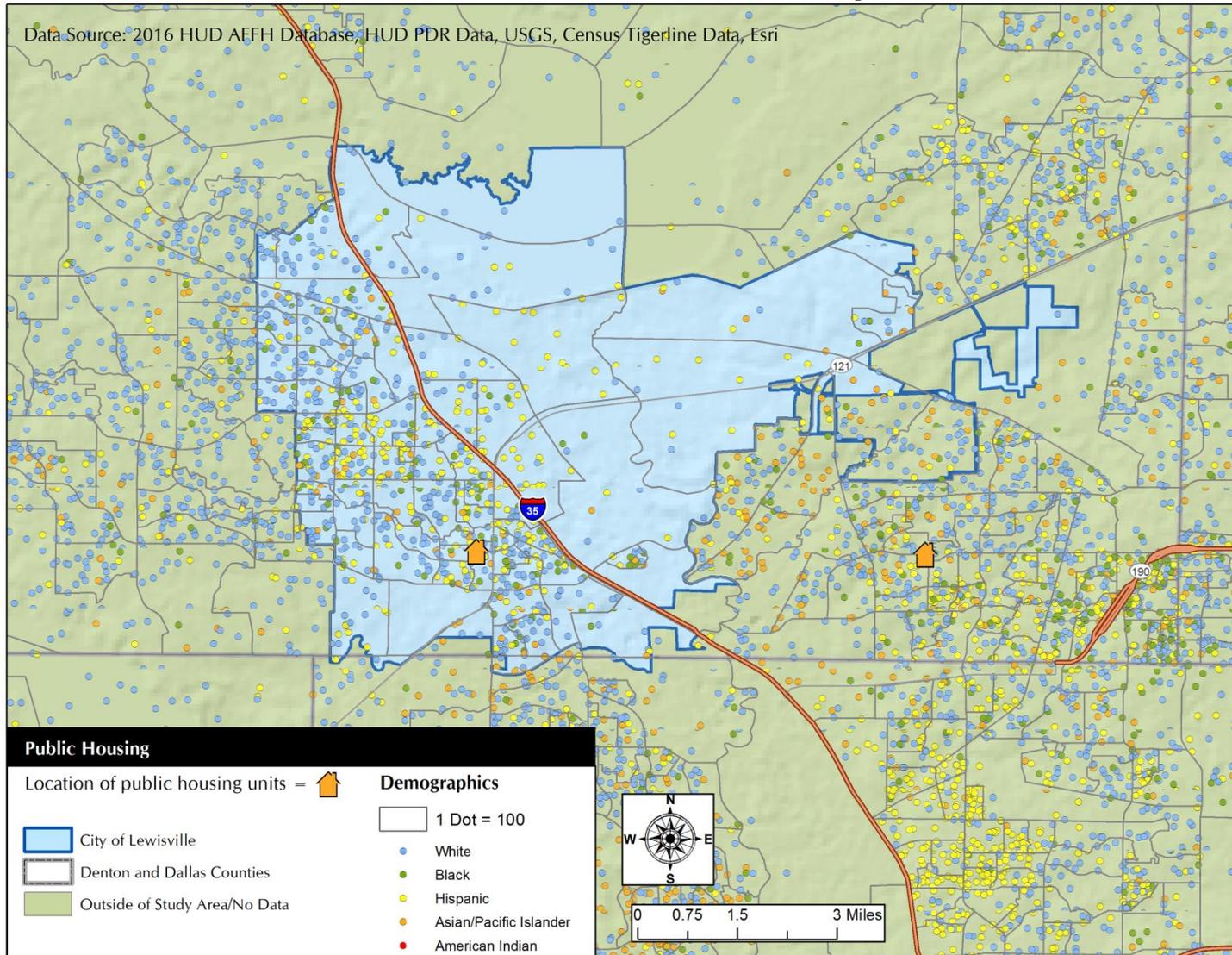
Note 2: #s presented are numbers of households not individuals.

Note 3: Refer to the Data Documentation for details (www.hudexchange.info).

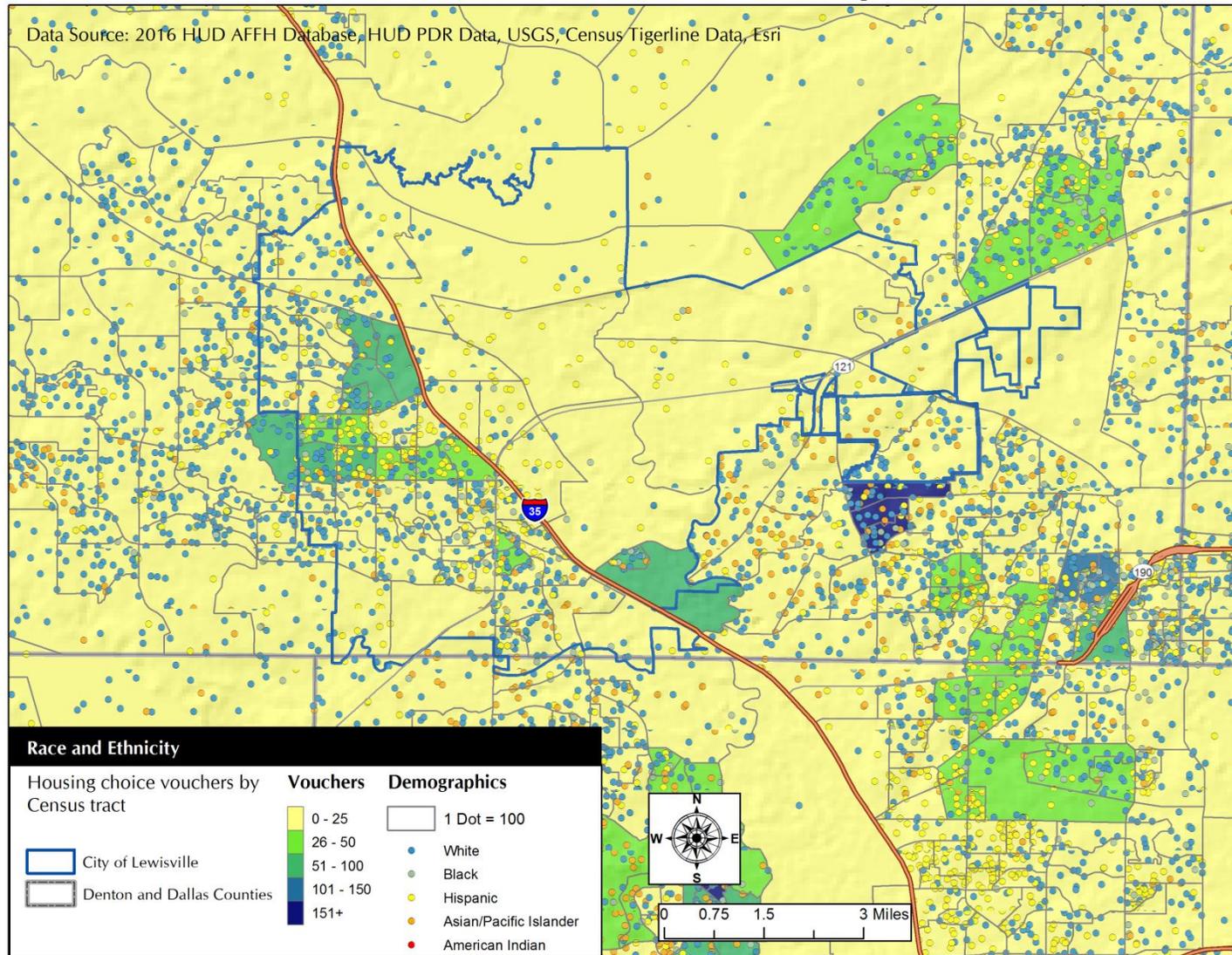
Publicly Supported Housing Location and Occupancy

The publicly supported housing units are located in the south part of the city, as seen in Map IV.36. This areas also have a disproportionate concentration of Black households, as seen in Map IV.5. A different pattern is found with Vouchers, as shown in Map IV.37. Higher voucher use is located on the west side of the city.

Map IV.36
HUD AFFH Map 5 - Location of Public Housing Units
 Lewisville, Texas
 2016 HUD AFFH Database, HUD PDR Data, USGS, Census Tigerline



Map IV.37
HUD AFFH Map 6 - Housing Choice Vouchers by Census Tract
 Lewisville, Texas
 2016 HUD AFFH Database, HUD PDR Data, USGS, Census Tigerline



Demographics of Publicly Assisted Housing Residents

Age and Disability

Some 18.9 percent of publicly supported housing unit occupants were elderly, compared to the 6.5 percent of the elderly population as a whole. Similarly, the rate of residents that were disabled was almost 19.7 percent, compared to the estimated 8.4 percent total disabled population in 2014.

Race and Ethnicity

As discussed previously, black residents reside in publicly supported housing at a rate higher than the jurisdiction average. All other racial and ethnic groups are underrepresented in publicly supported housing.

Families with Children

Some 56.1 percent of households in HVC program housing were families with children.

Table IV.35
HUD AFFH Table 7 – R/ECAP and Non-R/ECAP Demographics by PSH

Lewisville, Texas
2016 HUD AFFH Database

Table 7 - R/ECAP and Non-R/ECAP Demographics by Publicly Supported Housing Program Category

Lewisville	Total # units (occupied)	% Elderly	% with a disability*	% White	% Black	% Hispanic	% Asian or Pacific Islander	% Families with children
Public Housing								
R/ECAP tracts								
Non R/ECAP tracts								
Project-based Section 8								
R/ECAP tracts								
Non R/ECAP tracts								
Other HUD Multifamily								
R/ECAP tracts								
Non R/ECAP tracts	4							
HCV Program								
R/ECAP tracts								
Non R/ECAP tracts	384	18.87	19.68	22.06	59.60	14.90	3.44	56.06

Note 1: Disability information is often reported for heads of household or spouse/co-head only. Here, the data reflect information on all members of the household.

Note 2: Data Sources: APSH

Note 3: Refer to the Data Documentation for details (www.hudexchange.info).

Differences in Occupancy by Race and Ethnicity

Data concerning the demographic composition of developments funded through Low-Income Housing Tax Credits are not available through HUD's AFFH Raw data or Low-Income Housing Tax Credit databases.

As noted previously, black households occupied publicly supported housing units at a higher rate than the jurisdiction average. Otherwise, there is no data to provide to suggest any differences in occupancy based on race and ethnicity, as seen in Table IV.36.

Disparities in Access to Opportunity

The location of publicly supported housing units did not differ widely from other areas in access to opportunity.

Table IV.36
HUD AFFH Table 8
Demographics of Publicly Supported Housing Developments, by Program Category
 Lewisville, Texas
 2016 HUD AFFH Database

Public Housing							
Location	Development Name	# Units	White	Black	Hispanic	Asian	Households with Children
Lewisville	Community Options	6					

F. DISABILITY AND ACCESS ANALYSIS

Persons with hearing, vision and cognitive disabilities are more highly concentrated west of I-35, as seen in Map IV.35. This pattern is also true for persons with ambulatory, self-care and independent living disabilities, as seen in Map IV.36.

Table IV.37
HUD AFFH Table 13- Disability by Type
 Lewisville, Texas
 2016 HUD AFFH Database

Lewisville		
Disability Type	#	%
Hearing difficulty	2,152	2.40
Vision difficulty	921	1.03
Cognitive difficulty	3,148	3.52
Ambulatory difficulty	3,584	4.00
Self-care difficulty	1,443	1.61
Independent living difficulty	2,384	2.66

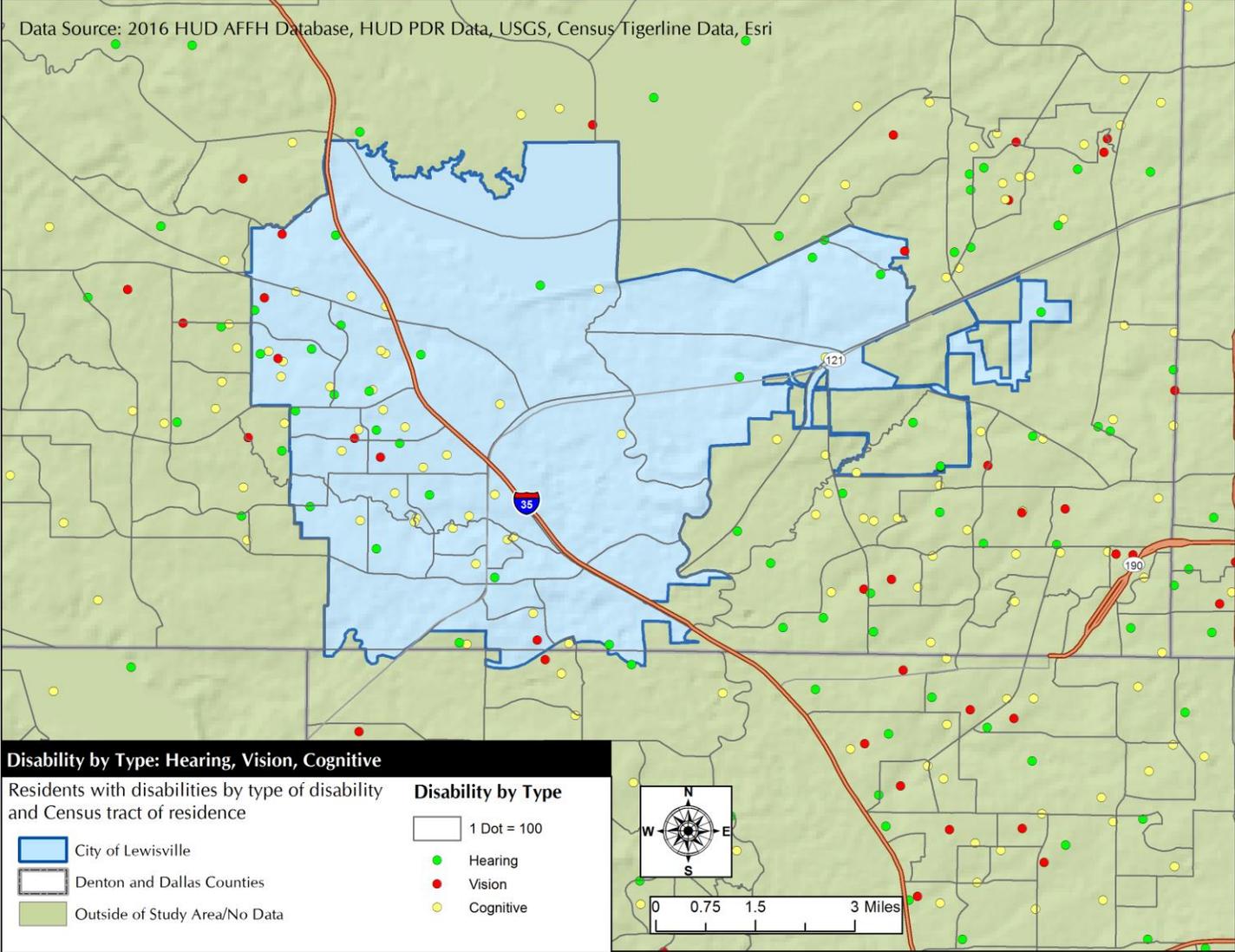
Note 1: All % represent a share of the total population within the jurisdiction or region.

Note 2: Data Sources: ACS

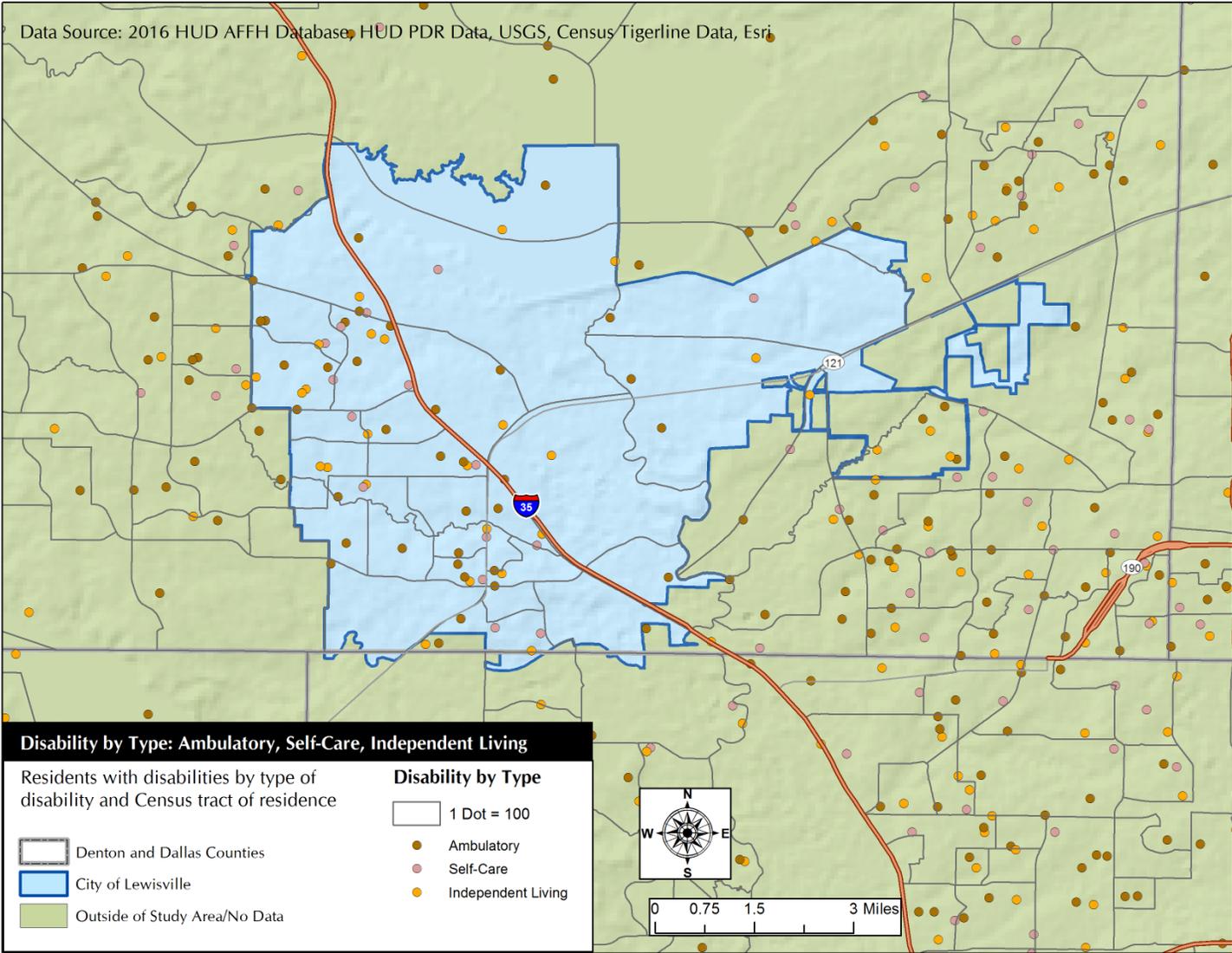
Note 3: Refer to the Data Documentation for details (www.hudexchange.info).

Persons with disabilities of all types are more heavily concentrated on the western and northern edges of the city, as seen in Map IV.38.

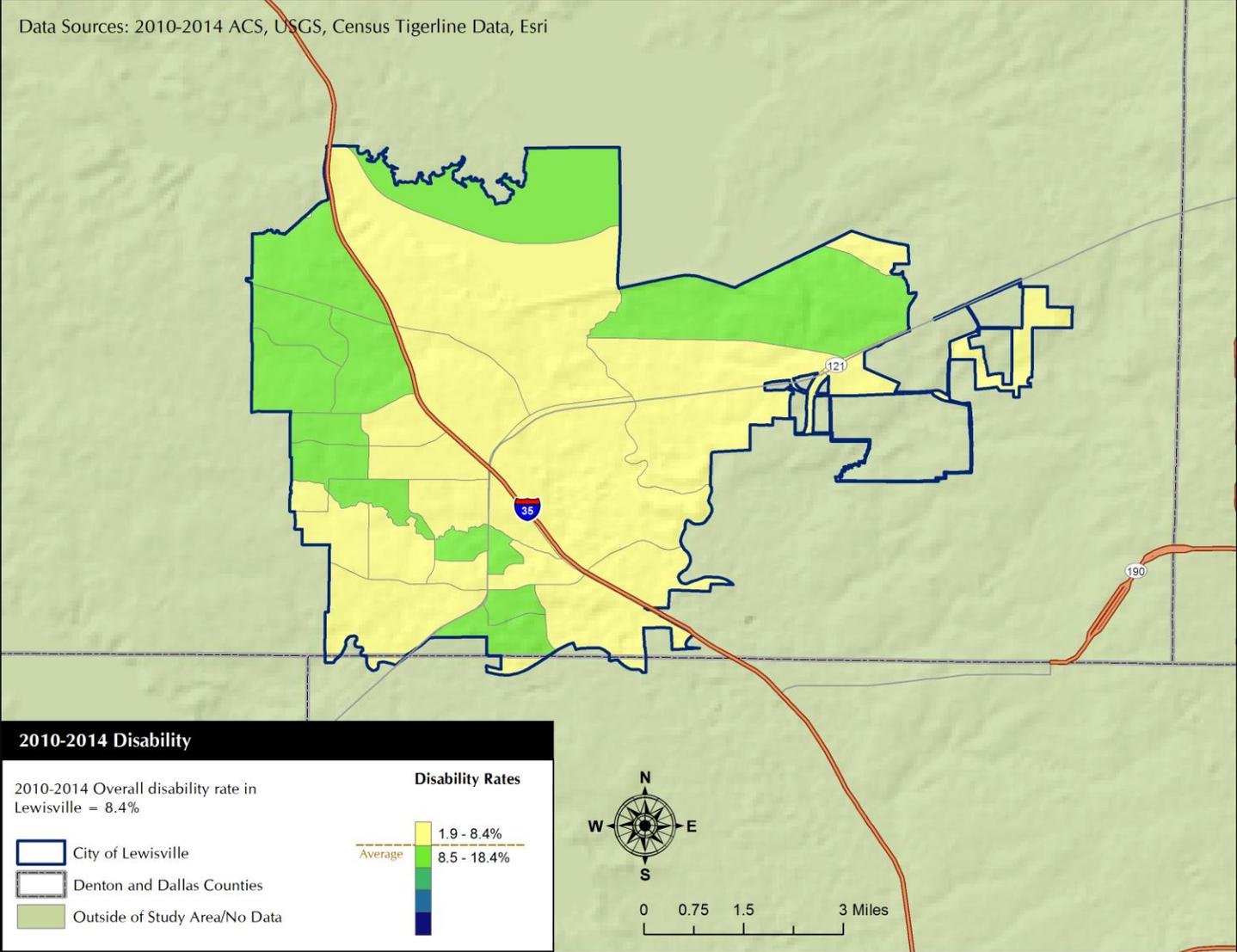
Map IV.38
HUD AFFH Map 16 - Disability by Type: Hearing, Vision, Cognitive
Lewisville, Texas
2010-2014 ACS, HUD PDR Data, USGS, Census Tigerline



Map IV.39
HUD AFFH Map 16 - Disability by Type: Ambulatory, Self-Care, Independent Living
Lewisville, Texas
2010-2014 ACS, HUD PDR Data, USGS, Census Tigerline



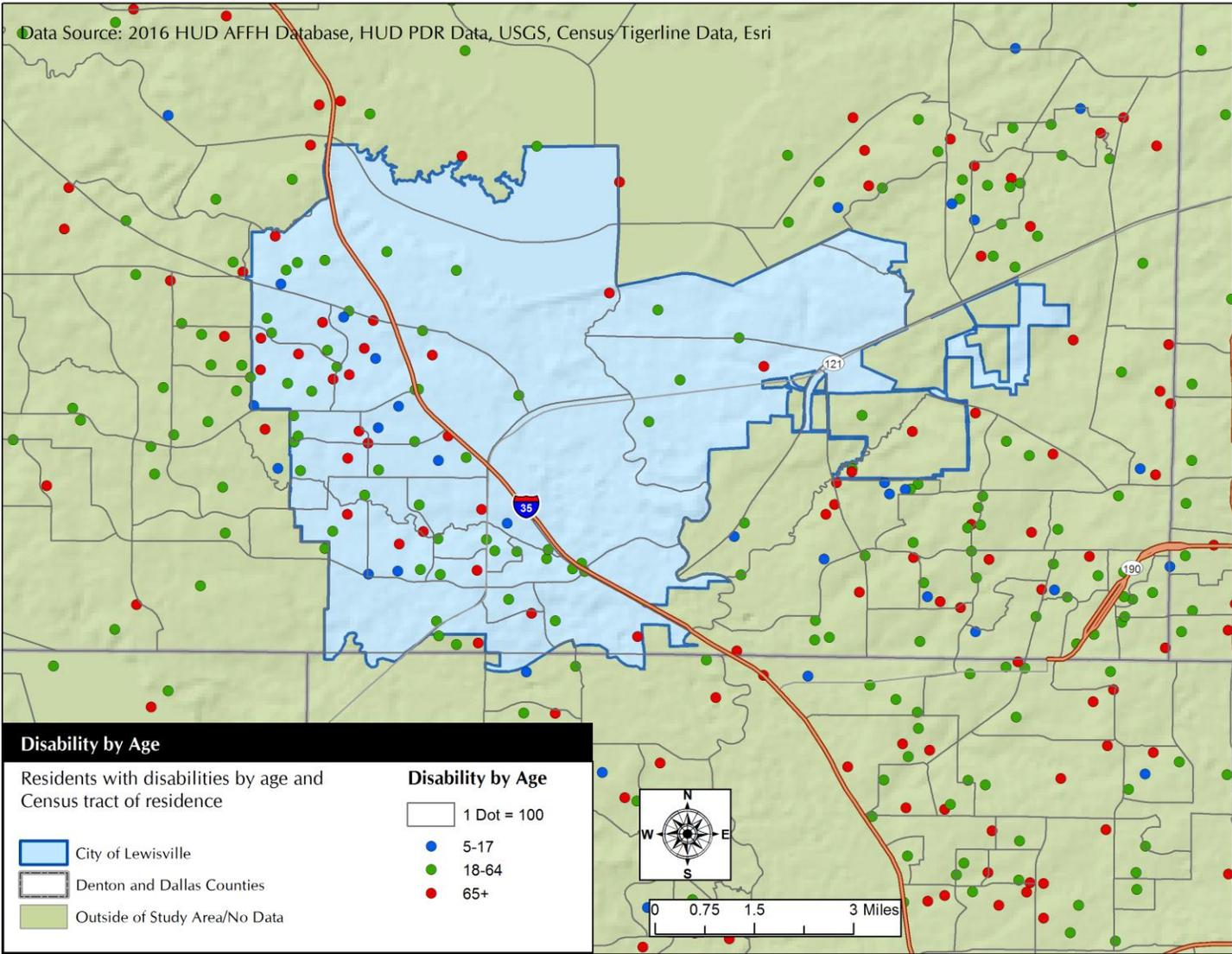
Map IV.40
2010-2014 Disability
Lewisville, Texas
2010-2014 ACS, USGS, Census Tigerline



Map IV.41 HUD AFFH Map 17 - Disability by Age

Lewisville, Texas

2010-2014 ACS, HUD PDR Data, USGS, Census Tigerline



HOUSING ACCESSIBILITY

Accessible housing units are located throughout the City. However, many newer housing units are located outside city center areas. These newer housing units are more likely to have the mandatory minimum accessibility features.

Within the city, over 19 percent of the housing units in HCV Program units are utilized by disabled households.

Table IV.38
HUD AFFH Table 15 – Disability by Publicly Supported Housing
 Lewisville, Texas
 2016 HUD AFFH Database

Table 15 - Disability by Publicly Supported Housing Program Category

Lewisville	People with a Disability*	
	#	%
Public Housing		
Project-Based Section 8		
Other Multifamily		
HCV Program	73	19.68

Note 1: The definition of "disability" used by the Census Bureau may not be comparable to reporting requirements under HUD programs.

Note 2: Data Sources: ACS

Note 3: Refer to the Data Documentation for details (www.hudexchange.info).

As seen in Map IV.38, seen above, the concentration of disabled households does not correlate with higher concentrations of racial and ethnic minority households in the City.

There are services and housing available to disabled households in the City of Lewisville, and public input did not indicate additional need for services and affordable housing.

Disparities in Access to Opportunity

Government services and facilities

Many government services and facilities are located within the city center. Access to these services is limited by the availability of public transportation. However, public transit use in these areas is higher than other parts of the city.

Public infrastructure (e.g., sidewalks, pedestrian crossings, pedestrian signals)

As previously discussed, the highest concentration of disabled households are on the outer edges of the city, which corresponds with lower levels of sidewalk and pedestrian signal access.

Transportation

As previously discussed, the highest concentration of disabled households are on the outer edges of the city, which corresponds with area of lower levels of transit use.

Proficient schools and educational programs

Looking at Map IV.13, disabled households are located with higher concentrations in area with moderate quality school systems.

Jobs

Much of the access to jobs is located in the eastern portion of the city, while many disabled households are located on the western end of the City. This may impact proximity to job opportunities. This is illustrated in Map IV.16.

Requests for Accommodation

In order to request reasonable accommodation, the disabled individual must contact the City government and the appropriate department. This can be done via phone, mail, email or fax.

Disproportionate Housing Needs

While no data is available regarding the rate of housing problems for disabled households in the City of Lewisville, over 32 percent of households experience a housing problem in the City. As noted by public input, many disabled households have limited income. Households at lower income levels experience housing problems at rates even higher than the jurisdiction average.

Additional Information

Fair Housing complaints from 2009 through 2016 show the most complaints for disability related issues. A total of 15 complaints were issued on the basis of disability over this timer period. Some 6 of these complaints were found to have cause, as shown in Table IV. 39.

Table IV.39
Fair Housing Complaints by Basis of Complaint Found with Cause

City of Lewisville
2008-2016 HUD Data

Basis	2008	2009	2010	2011	2012	2013	2014	2015	2016	Total
Disability	.	.	1	2	1	.	2	.	.	6
Race	1	1	.	.	.	.	1	.	.	3
Family Status	.	.	.	1	.	.	.	.	.	1
Retaliation	1	.	.	.	.	.	.	.	.	1
Total	2	1	1	3	1	.	3	.	.	11
Total Complaints	1	1	1	3	1	.	2	.	.	9

Table IV.40
HUD AFFH Table 9 – Demographics of Households with Disproportional Needs
 Lewisville, Texas
 2016 HUD AFFH Database

Disproportionate Housing Needs		Lewisville	
Households experiencing any of 4 housing problems*	# with problems	# households	% with problems
Race/Ethnicity			
White, Non-Hispanic	6,305	21,729	29.02
Black, Non-Hispanic	1,580	3,770	41.91
Hispanic	3,920	8,045	48.73
Asian or Pacific Islander, Non-Hispanic	910	2,359	38.58
Native American, Non-Hispanic	85	120	70.83
Other, Non-Hispanic	440	1,099	40.04
<i>Total</i>	13,235	37,135	35.64
Household Type and Size			
Family households, <5 people	5,665	19,345	29.28
Family households, 5+ people	2,240	3,940	56.85
Non-family households	5,335	13,845	38.53
Households experiencing any of 4 Severe Housing Problems**		# with severe problems	% with severe problems
Race/Ethnicity			
White, Non-Hispanic	2,325	21,729	10.70
Black, Non-Hispanic	565	3,770	14.99
Hispanic	2,085	8,045	25.92
Asian or Pacific Islander, Non-Hispanic	540	2,359	22.89
Native American, Non-Hispanic	50	120	41.67
Other, Non-Hispanic	225	1,099	20.47
<i>Total</i>	5,800	37,135	15.62

Note 1: The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30%. The four severe housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 50%.

Note 2: All % represent a share of the total population within the jurisdiction or region, except household type and size, which is out of total households.

Note 3: Data Sources: CHAS

Note 4: Refer to the Data Documentation for details (www.hudexchange.info).

G. FAIR HOUSING ENFORCEMENT, OUTREACH CAPACITY, & RESOURCES

FEDERAL FAIR HOUSING LAWS

Federal laws provide the backbone for U.S. fair housing regulations. While some laws have been previously discussed in this report, a brief list of laws related to fair housing, as defined on the U.S. Department of Housing and Urban Development's (HUD's) website, is presented below:

Fair Housing Act Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and persons securing custody of children under the age of 18), and handicap (disability).¹²

Title VIII was amended in 1988 (effective March 12, 1989) by the *Fair Housing Amendments Act* . . . In connection with prohibitions on discrimination against individuals with disabilities, the Act contains design and construction accessibility provisions for certain new multi-family dwellings developed for first occupancy on or after March 13, 1991.¹³

Title VI of the Civil Rights Act of 1964. Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.

Section 504 of the Rehabilitation Act of 1973 Section 504 prohibits discrimination based on disability in any program or activity receiving federal financial assistance.

Section 109 of the Housing and Community Development Act of 1974 Section 109 prohibits discrimination on the basis of race, color, national origin, sex or religion in programs and activities receiving financial assistance from HUD's Community Development Block Grant Program.

Title II of the Americans with Disabilities Act of 1990. Title II prohibits discrimination based on disability in programs, services, and activities provided or made available by public entities. HUD enforces Title II when it relates to state and local public housing, housing assistance and housing referrals.

Architectural Barriers Act of 1968 The Architectural Barriers Act requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 be accessible to and useable by handicapped persons.

¹² "HUD Fair Housing Laws and Presidential Executive Orders."

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws

¹³ "Title VIII: Fair Housing and Equal Opportunity."

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/progdesc/title8

Age Discrimination Act of 1975 The Age Discrimination Act prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

Title IX of the Education Amendments Act of 1972 Title IX prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance.¹⁴

STATE FAIR HOUSING LAWS

The Texas Fair Housing Law protects your right to rent an apartment, buy a home, obtain a mortgage, or purchase homeowners insurance free from discrimination based on:

- Race
- Color
- National Origin
- Religion
- Sex
- Familial Status, and
- Disability

The Texas Workforce Commission (TWC) is responsible for enforcing the Texas Fair Housing Law.¹⁵

North Texas Fair Housing Center

The Fair Housing Center investigates complaints of housing discrimination in twelve counties in northern Texas, including Denton County.¹⁶

The City of Lewisville

The City of Lewisville Grants Division receives fair housing complaints and makes referrals to HUD for enforcement. This agency is also responsible for conducting public education, training and outreach of fair housing rights and remedies in Lewisville. Education of the public regarding the rights and responsibilities afforded by fair housing law is an essential ingredient of fair housing enforcement. This includes outreach and education to the general public, landlords and tenants, housing and financial providers, as well as citizens, concerning fair housing and discrimination.

¹⁴ "HUD Fair Housing Laws and Presidential Executive Orders."

¹⁵ <https://www.tdhca.state.tx.us/fair-housing/>

¹⁶ <http://www.northtexasfairhousing.org/housing-discrimination-complaints.html>

SECTION V. FAIR HOUSING GOALS AND PRIORITIES

PURPOSE AND PROCESS

The AFFH rule requires fair housing planning and describes the required elements of the fair housing planning process. The first step in the planning process is completing the fair housing analysis required in the AFH. The rule establishes specific requirements program participants must follow for developing and submitting an AFH and for incorporating and implementing that AFH into subsequent Consolidated Plans and Public Housing Agency (PHA) Plans. This process is intended help to connect housing and community development policy and investment planning with meaningful actions that affirmatively further fair housing.¹⁷

The introduction of the HUD's Assessment of Fair Housing tool (Assessment Tool) requires jurisdictions to submit their Fair Housing Assessments through an online User Interface. While this document is not that submittal, the Assessment Tool provides the organizational layout of this document.

AFH METHODOLOGY

This AFH was conducted through the assessment of a number of quantitative and qualitative sources. Quantitative sources used in analyzing fair housing choice in City of Lewisville included:

- Socio-economic and housing data from the U.S. Census Bureau, such as the 2010 Census and the 2010-2014 American Community Survey,
- 2008-2013 HUD CHAS data
- Employment data from the U.S. Bureau of Labor Statistics,
- Economic data from the U.S. Bureau of Economic Analysis,
- The 2016 HUD AFFH Database, which includes PHA data, disability information, and geographic distribution of topics
- Housing complaint data from HUD
- Home loan application data from the Home Mortgage Disclosure Act, and
- A variety of local data.

Qualitative research included evaluation of relevant existing fair housing research and fair housing legal cases. Additionally, this research included the evaluation of information gathered from many public input opportunities conducted in relation to this AFH, including the 2016 Fair Housing Survey, a series of fair housing forums, presentations, and the public review.

As a result of detailed demographic, economic, and housing analysis, along with a range of activities designed to foster public involvement and feedback, the City has identified a series of fair housing issues, and factors that contribute to the creation or persistence of those issues. The issues that the agency has studied relate to segregation and integration of racial and ethnic minorities, disproportionate housing needs; publicly supported housing location and

¹⁷ <https://www.hudexchange.info/resources/documents/AFFH-Rule-Guidebook.pdf>

occupancy; disparities in access to opportunity; disability and access; and fair housing enforcement, outreach, capacity, and resources.

Table V.1, below, provides a list of the factors that have been identified as contributing to these fair housing issues, and prioritizes them according to the following criteria:

1. High: Factors that have a direct and substantial impact on fair housing choice
2. Medium: Factors that have a less direct impact on fair housing choice, or that the City has a comparatively limited capacity to address
3. Low: Factors that have a slight or largely indirect impact on fair housing choice, or that the City has little capacity to address.

Table V.1
Fair Housing Contributing Factors and Priorities

Contributing Factor	Priority	Discussion
Availability of Affordable Units in a Range of Sizes	Medium	There is a need for additional publicly assisted housing throughout the City. Racial or ethnic minority households are more likely to be experiencing a disproportionate need due to cost burdens, incomplete plumbing or kitchen facilities, or overcrowding. This contributing factor has been assigned a medium level of priority based on the extent of the need and the City's ability to respond to this need.
Access to financial services	High	The ability of residents throughout the City to secure home purchase loans varies according to the race and ethnicity of the loan applicant. This was identified in data gathered under the Home Mortgage Disclosure Act (HMDA). The City has designated efforts to address this factor to be of "high" priority.
Resistance to affordable housing	Medium	This factor, identified through the feedback of stakeholders during the public input portion of the AFH process, contributes to a lack of affordable housing in the City. Lack of affordable housing restricts the fair housing choice of City residents. The City has assigned this factor a priority of "medium".
Discriminatory actions in the market place	Medium	This factor, identified through the feedback of stakeholders during the public input portion of the AFH process, serves to limit the fair housing choice of residents with disabilities and racial/ethnic minority groups. The City has assigned this factor a priority of "medium".
Lack of understanding of fair housing law	High	This factor, identified through the feedback of stakeholders during the public input portion of the AFH process, contributes to discrimination and differential treatment in the housing market. Furthermore, a lack of understanding of fair housing law means that those who may suffer discrimination in the housing market do not know where to turn when they do. The City has assigned this factor a priority of "high".

Ultimately, a concluding list of prospective fair housing issues were drawn from these sources and along with the fair housing contributing factors, a set of actions have been identified, milestones and resources are being suggested, and responsible parties have been identified. All of these have been summarized by selected fair housing goals. Each of these issues are presented in the table presented on the following pages.

The AFH development process will conclude with a thirty-day public review period of the draft AFH. Specific narratives and maps, along with the entirety of this report created in the AFFH Assessment Tool, will be submitted to HUD via the on-line portal on or before January 4, 2017.

OVERVIEW OF FINDINGS

The following table summarizes the fair housing goals, fair housing issues and contributing factors, as identified by the Assessment of Fair Housing. It includes metrics and milestones, and a timeframe for achievements as well as designating a responsible agency.

Table V.2
City of Lewisville Fair Housing Goals, Issues, and Proposed Achievements

2017 – 2021 Assessment of Fair Housing

Goals	Contributing Factors	Fair Housing Issues	Metrics, Milestones, and Timeframe for Achievement	Responsible Program Participant
Enhance understanding of fair housing and fair housing law	Lack of understanding of where to turn	Discriminatory terms and conditions in Rental Failure to make reasonable accommodation	Seminars, trainings, and outreach Each Year	City of Lewisville
Discussion: Public input and stakeholder comments revealed that there is additional need for fair housing outreach and trainings. Housing complaint data registered many complaints based upon failure to make reasonable accommodation.				
Promote partnerships that enable the development of accessible and affordable housing	Location and type of affordable housing Access to publicly supported housing for persons with disabilities Lack of affordable, accessible housing for seniors	Limited Supply of Affordable Housing, especially for minorities and seniors	Promotion of construction of new, redeveloped or rehabilitated housing Each Year	City of Lewisville
Discussion: The City of Lewisville has an increasing number of households with housing problems, especially cost burdens. While it impacts 29.0 percent of white households, over 41 percent of black households and 48 percent of Hispanic households experience housing problems. In addition, based on public input and stakeholder feedback, seniors and residents with disabilities face limitations in the supply of accessible, affordable housing.				
Enhance financial literacy	Lending Discrimination Private discrimination Access to financial services	High denial rates for racial and ethnic minorities	Seminars, trainings, and outreach Each Year	City of Lewisville
Discussion: Denial rates for owner-occupied home purchases varied by the race/ethnicity of the applicant. Denial rates for Hispanic households were over twelve percentage points higher than for white applicants.				
Review and Revise Local Land use Policies	Siting selection policies Practices and decisions for publicly supported housing	Prospective discriminatory practices and policies NIMBYism	Review land use policies and regulations by 2021-22	City of Lewisville
Discussion: The availability of housing accessible to a variety of income levels and protected classed may be limited by zoning and other local policies that limit the production of affordable units. Review of local land use policies may positively impact the placement and access of publicly supported and affordable housing.				
Enhance Fair Housing Program and enforcement	Lack of understanding of where to turn for fair housing	Insufficient outreach and education	Seminars, trainings, and outreach Each year	City of Lewisville
Discussion: Input received from the 2016 Fair Housing Survey, as well as testimony received at the public engagement activities, demonstrated that while the organizational infrastructure is in place and available, many people still do not use the fair housing system				
Promote equitable access to credit and home lending	Access to financial services.	Disparities in Access to Opportunity	Reduce disparities in home lending application outcomes through credit education and outreach.	City of Lewisville
Discussion: Incidences of high denial rates for selected minorities underscores limitations in access to key financial services, particularly lending.				
Reduce Discrimination in Rental Market	Lack of understanding of fair housing law Discriminatory actions in the marketplace	Denial of available housing in the rental markets Discriminatory terms, conditions, or privileges relating to rental	Provide outreach and education on a yearly basis Provide fair housing seminars	City of Lewisville
Discussion: Based on public input and stakeholder feedback, including housing complaint data and results of the 2016 fair housing survey, minority residents and residents with disabilities face limitations in the supply of accessible, affordable housing.				

SECTION VI. APPENDICES

A. HMDA AND HOUSING COMPLAINT DATA

Table A.1
Purpose of Loan by Year

City of Lewisville
2008–2015 HMDA Data

Purpose	2008	2009	2010	2011	2012	2013	2014	2015	Total
Home Purchase	2,874	2,871	2,384	1,993	2,133	2,346	2,180	2,367	16,781
Home Improvement	396	206	154	189	167	143	182	184	1,437
Refinancing	1,972	3,261	3,164	3,231	3,089	2,603	1,223	1,764	18,543
Total	5,242	6,338	5,702	5,413	5,389	5,092	3,585	4,315	36,761

Table A.2
Occupancy Status for Home Purchase Loan Applications

City of Lewisville
2008–2015 HMDA Data

Status	2008	2009	2010	2011	2012	2013	2014	2015	Total
Owner-Occupied	2,668	2,760	2,265	1,852	1,964	2,125	1,955	2,141	15,589
Not Owner-Occupied	204	109	114	137	162	208	220	215	1,154
Not Applicable	2	2	5	4	7	13	5	11	38
Total	2,874	2,871	2,384	1,993	2,133	2,346	2,180	2,367	16,781

Table A.3
Owner-Occupied Home Purchase Loan Applications by Loan Type

City of Lewisville
2008–2015 HMDA Data

Loan Type	2008	2009	2010	2011	2012	2013	2014	2015	Total
Conventional	1,666	1,389	1,136	855	933	1,222	1,215	1,315	8,416
FHA - Insured	911	1,246	1,037	879	901	743	613	677	6,330
VA - Guaranteed	91	125	92	118	128	159	127	148	840
Rural Housing Service or Farm Service Agency	0	0	0	0	2	1	0	1	3
Total	2,668	2,760	2,265	1,852	1,964	2,125	1,955	2,141	15,589

DENIAL RATES

Table A.4
Loan Applications by Action Taken

City of Lewisville
2008–2015 HMDA Data

Action	2008	2009	2010	2011	2012	2013	2014	2015	Total
Loan Originated	1,286	1,154	1,004	854	955	1,096	1,035	1,179	7,384
Application Approved but not Accepted	131	70	133	58	88	53	70	56	603
Application Denied	230	145	201	159	180	162	130	133	1,207
Application Withdrawn by Applicant	165	136	128	103	124	178	181	186	1,015
File Closed for Incompleteness	26	29	18	20	14	35	17	41	159
Loan Purchased by the Institution	815	1,210	781	658	602	601	522	546	5,189
Preapproval Request Denied	8	13	0	0	0	0	0	0	21
Preapproval Approved but not Accepted	7	3	0	0	1	0	0	0	11
Total	2,668	2,760	2,265	1,852	1,964	2,125	1,955	2,141	15,589
Denial Rate	15.2%	11.2%	16.7%	15.7%	15.9%	12.9%	11.2%	10.1%	13.5%

Table A.5
Loan Applications by Reason for Denial

City of Lewisville
2008–2015 HMDA Data

Denial Reason	2008	2009	2010	2011	2012	2013	2014	2015	Total
Debt-to-Income Ratio	25	30	47	33	51	38	16	15	240
Employment History	4	1	6	4	6	4	3	3	28
Credit History	39	22	19	42	44	31	12	18	209
Collateral	24	13	8	10	12	12	11	16	90
Insufficient Cash	10	4	1	5	1	5	6	2	32
Unverifiable Information	18	10	2	9	9	4	5	4	57
Credit Application Incomplete	17	18	23	11	19	19	11	11	118
Mortgage Insurance Denied	0	0	0	1	0	0	0	0	1
Other	16	7	19	10	16	9	11	10	88
Missing	77	40	76	34	22	40	55	0	344
Total	230	145	201	159	180	162	130	133	1,207

Table A.6
Denial Rates by Race/Ethnicity of Applicant

City of Lewisville
2004–2015 HMDA Data

Race/Ethnicity	2008	2009	2010	2011	2012	2013	2014	2015	Average
American Indian	12.5%	28.6%	69.2%	20.0%	50.0%	33.3%	.0%	11.1%	36.2%
Asian	25.3%	12.8%	19.2%	16.2%	20.0%	9.8%	12.0%	8.9%	16.3%
Black	14.9%	12.7%	11.5%	21.2%	14.3%	21.3%	14.7%	13.8%	15.9%
White	13.0%	10.6%	15.3%	12.8%	12.9%	11.1%	10.4%	9.5%	12.3%
Not Available	20.7%	12.3%	19.6%	28.1%	32.2%	24.2%	13.9%	13.1%	21.9%
Not Applicable	%	0.0%	0%	%	%	%	%	%	.0%
Average	15.2%	11.2%	16.7%	15.7%	15.9%	12.9%	11.2%	10.1%	13.5%
Non-Hispanic	13.5%	8.6%	13.1%	12.1%	11.2%	10.1%	9.3%	8.9%	11.1%
Hispanic	20.6%	23.8%	28.1%	26.7%	26.4%	23.8%	20.5%	14.9%	24.2%

Table A.7
Loan Applications by Selected Action Taken by Race/Ethnicity of Applicant
 City of Lewisville
 2008–2015 HMDA Data

Race		2008	2009	2010	2011	2012	2013	2014	2015	Total
American Indian	Originated	7	5	4	4	2	4	4	8	30
	Denied	1	2	9	1	2	2	0	1	17
	Denial Rate	12.5%	69.2%	69.2%	20.0%	50.0%	33.3%	.0%	11.1%	36.2%
Asian	Originated	124	136	139	98	92	165	147	184	901
	Denied	42	20	33	19	23	18	20	18	175
	Denial Rate	25.3%	12.8%	19.2%	16.2%	20.0%	9.8%	12.0%	8.9%	16.3%
Black	Originated	63	55	46	41	42	59	58	94	364
	Denied	11	8	6	11	7	16	10	15	69
	Denial Rate	14.9%	12.7%	11.5%	21.2%	14.3%	21.3%	14.7%	13.8%	15.9%
White	Originated	973	864	729	614	737	777	727	787	5,421
	Denied	145	102	132	90	109	97	84	83	759
	Denial Rate	13.0%	10.6%	15.3%	12.8%	12.9%	11.1%	10.4%	9.5%	12.3%
Not Available	Originated	119	93	86	97	82	91	99	106	667
	Denied	31	13	21	38	39	29	16	16	187
	Denial Rate	20.7%	12.3%	19.6%	28.1%	32.2%	24.2%	13.9%	13.1%	21.9%
Not Applicable	Originated	0	1	0	0	0	0	0	0	1
	Denied	0	0	0	0	0	0	0	0	0
	Denial Rate	20.7%	12.3%	19.6%	28.1%	32.2%	24.2%	13.9%	13.1%	.0%
Total	Originated	1,286	1,154	1,004	854	955	1,096	1,035	1,179	8,563
	Denied	230	145	201	159	180	162	130	133	1,340
	Denial Rate	15.2%	11.2%	16.7%	15.7%	15.9%	12.9%	11.2%	10.1%	13.5%
Non-Hispanic	Originated	971	935	753	669	727	891	810	909	5,756
	Denied	152	88	114	92	92	100	83	89	721
	Denial Rate	13.5%	8.6%	13.1%	12.1%	11.2%	10.1%	9.3%	8.9%	11.1%
Hispanic	Originated	196	128	166	99	145	115	136	166	985
	Denied	51	40	65	36	52	36	35	29	315
	Denial Rate	20.6%	23.8%	28.1%	26.7%	26.4%	23.8%	20.5%	14.9%	24.2%

Table A.8
Loan Applications by Reason for Denial by Race/Ethnicity of Applicant

City of Lewisville
 2008–2015 HMDA Data

Denial Reason	American Indian	Asian	Black	White	Not Available	Not Applicable	Total	Hispanic (Ethnicity)
Debt-to-Income Ratio	4	43	22	138	48	0	240	75
Employment History	0	6	2	20	3	0	28	3
Credit History	4	18	25	142	38	0	209	54
Collateral	2	14	4	76	10	0	90	13
Insufficient Cash	0	6	1	23	4	0	32	7
Unverifiable Information	1	16	2	34	8	0	57	10
Credit Application Incomplete	1	22	5	80	21	0	118	20
Mortgage Insurance Denied	0	1	0	0	0	0	1	0
Other	1	23	3	54	17	0	88	25
Missing	4	26	5	192	38	0	344	108
Total	17	175	69	759	187	0	1,207	315
% Missing	23.5%	14.9%	7.2%	25.3%	20.3%	%	28.5%	34.3%

Table A.9
Denial Rates by Gender of Applicant

City of Lewisville
 2008–2015 HMDA Data

Year	Male	Female	Not Available	Not Applicable	Average
2008	13.3%	18.3%	17.1%	33.3%	15.2%
2009	10.6%	12.3%	10.8%	.0%	11.2%
2010	16.4%	16.6%	20.0%	%	16.7%
2011	15.4%	15.8%	18.3%	%	15.7%
2012	15.5%	14.6%	26.1%	%	15.9%
2013	11.1%	16.5%	14.3%	%	12.9%
2014	10.5%	12.4%	12.7%	%	11.2%
2015	9.4%	11.0%	12.8%	%	10.1%
Average	13.1%	15.3%	17.1%	25.0%	13.5%

Table A.10
Loan Applications by Selected Action Taken by Gender of Applicant

City of Lewisville
 2008–2015 HMDA Data

Gender		2008	2009	2010	2011	2012	2013	2014	2015	Total
Male	Originated	811	724	630	522	588	723	668	739	4,666
	Denied	124	86	124	95	108	90	78	77	705
	Denial Rate	13.3%	10.6%	16.4%	15.4%	15.5%	11.1%	10.5%	9.4%	13.1%
Female	Originated	405	371	326	283	316	319	312	372	2,332
	Denied	91	52	65	53	54	63	44	46	422
	Denial Rate	18.3%	12.3%	16.6%	15.8%	14.6%	16.5%	12.4%	11.0%	15.3%
Not Available	Originated	68	58	48	49	51	54	55	68	383
	Denied	14	7	12	11	18	9	8	10	79
	Denial Rate	17.1%	10.8%	20.0%	18.3%	26.1%	14.3%	12.7%	12.8%	17.1%
Not Applicable	Originated	2	1	0	0	0	0	0	0	3
	Denied	1	0	0	0	0	0	0	0	1
	Denial Rate	33.3%	.0%	%	%	%	%	%	%	25.0%
Total	Originated	1,286	1,154	1,004	854	955	1,096	1,035	1,179	8,563
	Denied	230	145	201	159	180	162	130	133	1,340
	Denial Rate	15.2%	11.2%	16.7%	15.7%	15.9%	12.9%	11.2%	10.1%	13.5%

Table A.11
Denial Rates by Income of Applicant

City of Lewisville
 2008–2015 HMDA Data

Income	2008	2009	2010	2011	2012	2013	2014	2015	Total
\$15,000 or Below	66.7%	71.4%	60.0%	66.7%	83.3%	100.0%	100.0%	66.7%	72.7%
\$15,001–\$30,000	29.9%	31.8%	41.4%	35.9%	41.0%	32.3%	40.4%	39.4%	36.6%
\$30,001–\$45,000	19.3%	12.0%	22.2%	26.5%	23.4%	14.0%	17.0%	17.5%	19.1%
\$45,001–\$60,000	16.0%	10.1%	15.7%	12.7%	14.3%	12.0%	9.2%	9.1%	12.5%
\$60,001–\$75,000	15.2%	11.3%	10.0%	13.2%	12.5%	8.6%	6.0%	8.7%	10.8%
Above \$75,000	11.2%	7.6%	10.1%	9.6%	6.7%	11.9%	8.8%	7.4%	9.3%
Data Missing	10.5%	27.3%	33.3%	30.0%	35.7%	14.3%	27.8%	13.3%	22.7%
Total	15.2%	11.2%	16.7%	15.7%	15.9%	12.9%	11.2%	10.1%	13.5%

Table A.12
Loan Applications by Income of Applicant: Originated and Denied

City of Lewisville
 2008–2015 HMDA Data

Income		2008	2009	2010	2011	2012	2013	2014	2015	Total
\$15,000 or Below	Loan Originated	1	2	2	2	1	0	0	1	9
	Application Denied	2	5	3	4	5	2	1	2	24
	Denial Rate	66.7%	71.4%	60.0%	66.7%	83.3%	100.0%	100.0%	66.7%	72.7%
\$15,001–\$30,000	Loan Originated	61	45	68	41	49	42	28	20	354
	Application Denied	26	21	48	23	34	20	19	13	204
	Denial Rate	29.9%	31.8%	41.4%	35.9%	41.0%	32.3%	40.4%	39.4%	36.6%
\$30,001–\$45,000	Loan Originated	197	169	161	119	177	154	127	127	1,231
	Application Denied	47	23	46	43	54	25	26	27	291
	Denial Rate	19.3%	12.0%	22.2%	26.5%	23.4%	14.0%	17.0%	17.5%	19.1%
\$45,001–\$60,000	Loan Originated	215	258	204	185	216	213	177	219	1,687
	Application Denied	41	29	38	27	36	29	18	22	240
	Denial Rate	16.0%	10.1%	15.7%	12.7%	14.3%	12.0%	9.2%	9.1%	12.5%
\$60,001–\$75,000	Loan Originated	217	189	144	132	140	170	173	190	1,355
	Application Denied	39	24	16	20	20	16	11	18	164
	Denial Rate	15.2%	11.3%	10.0%	13.2%	12.5%	8.6%	6.0%	8.7%	10.8%
Above \$75,000	Loan Originated	578	483	419	368	363	505	517	609	3,842
	Application Denied	73	40	47	39	26	68	50	49	392
	Denial Rate	11.2%	7.6%	10.1%	9.6%	6.7%	11.9%	8.8%	7.4%	9.3%
Data Missing	Loan Originated	17	8	6	7	9	12	13	13	85
	Application Denied	2	3	3	3	5	2	5	2	25
	Denial Rate	10.5%	27.3%	33.3%	30.0%	35.7%	14.3%	27.8%	13.3%	22.7%
Total	Loan Originated	1,286	1,154	1,004	854	955	1,096	1,035	1,179	8,563
	Application Denied	230	145	201	159	180	162	130	133	1,340
	Denial Rate	15.2%	11.2%	16.7%	15.7%	15.9%	12.9%	11.2%	10.1%	13.5%

Table A.13
Denial Rates of Loans by Race/Ethnicity and Income of Applicant

City of Lewisville
 2008–2015 HMDA Data

Race	<= \$15K	\$15K–\$30K	\$30K–\$45K	\$45K–\$60K	\$60K–\$75K	Above \$75K	Data Missing	Average
American Indian	%	75.0%	27.3%	9.1%	22.2%	35.3%	%	36.2%
Asian	100.0%	34.1%	10.8%	13.1%	17.1%	14.8%	30.0%	16.3%
Black	100.0%	66.7%	25.4%	14.0%	10.0%	10.7%	20.0%	15.9%
White	66.7%	32.2%	18.2%	11.8%	8.1%	7.4%	13.4%	12.3%
Not Available	71.4%	63.6%	38.2%	15.3%	20.0%	12.6%	44.4%	21.9%
Not Applicable	%	%	%	%	%	%	.0%	.0%
Average	72.7%	36.6%	19.1%	12.5%	10.8%	9.3%	22.7%	13.5%
Non-Hispanic	76.5%	32.5%	14.2%	10.8%	9.0%	8.8%	12.7%	11.1%
Hispanic	66.7%	35.7%	27.7%	19.1%	13.6%	9.7%	46.2%	24.2%

Table A.14
Loan Applications by Income and Race/Ethnicity of Applicant: Originated and Denied

City of Lewisville
 2008–2015 HMDA Data

Race		<= \$15K	\$15K–\$30K	\$30K–\$45K	\$45K–\$60K	\$60K–\$75K	> \$75K	Data Missing	Total
American Indian	Loan Originated	0	2	8	10	7	11	0	30
	Application Denied	0	6	3	1	2	6	0	17
	Denial Rate	%	75.0%	27.3%	9.1%	22.2%	35.3%	%	36.2%
Asian	Loan Originated	0	27	166	219	175	491	7	901
	Application Denied	2	14	20	33	36	85	3	175
	Denial Rate	100.0%	34.1%	10.8%	13.1%	17.1%	14.8%	30.0%	16.3%
Black	Loan Originated	0	6	47	111	99	191	4	364
	Application Denied	3	12	16	18	11	23	1	69
	Denial Rate	100.0%	66.7%	25.4%	14.0%	10.0%	10.7%	20.0%	15.9%
White	Loan Originated	7	303	942	1,192	946	2,760	58	5,421
	Application Denied	14	144	210	160	83	222	9	759
	Denial Rate	66.7%	32.2%	18.2%	11.8%	8.1%	7.4%	13.4%	12.3%
Not Available	Loan Originated	2	16	68	155	128	389	15	667
	Application Denied	5	28	42	28	32	56	12	187
	Denial Rate	71.4%	63.6%	38.2%	15.3%	20.0%	12.6%	44.4%	21.9%
Not Applicable	Loan Originated	0	0	0	0	0	0	1	1
	Application Denied	0	0	0	0	0	0	0	0
	Denial Rate	%	%	%	%	%	%	.0%	.0%
Total	Loan Originated	9	354	1,231	1,687	1,355	3,842	85	8,563
	Application Denied	24	204	291	240	164	392	25	1,340
	Denial Rate	72.7%	36.6%	19.1%	12.5%	10.8%	9.3%	22.7%	13.5%
Non-Hispanic	Loan Originated	4	154	837	1,320	1,103	3,185	62	5,756
	Application Denied	13	74	138	160	109	307	9	721
	Denial Rate	76.5%	32.5%	14.2%	10.8%	9.0%	8.8%	12.7%	11.1%
Hispanic	Loan Originated	3	187	327	229	127	271	7	985
	Application Denied	6	104	125	54	20	29	6	315
	Denial Rate	66.7%	35.7%	27.7%	19.1%	13.6%	9.7%	46.2%	24.2%

PREDATORY LENDING

Table A.15
Originated Owner-Occupied Loans by HAL Status

City of Lewisville
2008–2015 HMDA Data

Loan Type	2008	2009	2010	2011	2012	2013	2014	2015	Total
Other	1,128	1,084	952	819	887	1,077	1,011	1,155	6,958
HAL	158	70	52	35	68	19	24	24	426
Total	1,286	1,154	1,004	854	955	1,096	1,035	1,179	7,384
Percent HAL	12.3%	6.1%	5.2%	4.1%	7.1%	1.7%	2.3%	2.0%	5.8%

Table A.16
Loans by Loan Purpose by HAL Status

City of Lewisville
2008–2015 HMDA Data

Loan Purpose		2008	2009	2010	2011	2012	2013	2014	2015	Total
Home Purchase	Other	1,128	1,084	952	819	887	1,077	1,011	1,155	6,958
	HAL	158	70	52	35	68	19	24	24	426
	Percent HAL	12.3%	6.1%	5.2%	4.1%	7.1%	1.7%	2.3%	2.0%	5.8%
Home Improvement	Other	126	54	59	46	39	56	64	71	444
	HAL	11	8	4	7	4	3	7	4	44
	Percent HAL	8.0%	12.9%	6.3%	13.2%	9.3%	5.1%	9.9%	5.3%	9.0%
Refinancing	Other	569	1,365	1,429	1,433	1,404	1,115	529	760	7,844
	HAL	71	72	15	12	8	8	5	1	191
	Percent HAL	11.1%	5.0%	1.0%	.8%	.6%	.7%	.9%	.1%	2.4%
Total	Other	1,823	2,503	2,440	2,298	2,330	2,248	1,604	1,986	17,232
	HAL	240	150	71	54	80	30	36	29	2,647
	Percent HAL	11.6%	5.7%	2.8%	2.3%	3.3%	1.3%	2.2%	1.4%	13.3%

Table A.17
HALs Originated by Race of Borrower

City of Lewisville
2008–2015 HMDA Data

Race	2008	2009	2010	2011	2012	2013	2014	2015	Total
American Indian	0	0	0	0	0	0	0	0	0
Asian	9	7	3	0	2	2	0	0	23
Black	10	2	2	0	1	0	0	0	15
White	127	56	47	30	58	16	18	23	352
Not Available	12	5	0	5	7	1	6	1	36
Not Applicable	0	0	0	0	0	0	0	0	0
Total	158	70	52	35	68	19	24	24	450
Non-Hispanic	71	47	23	12	15	10	4	3	182
Hispanic	73	18	28	17	46	7	16	18	205

Table A.18
Rate of HALs Originated by Race/Ethnicity of Borrower

City of Lewisville
 2008–2015 HMDA Data

Race	2008	2009	2010	2011	2012	2013	2014	2015	Average
American Indian	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%
Asian	7.3%	5.1%	2.2%	.0%	2.2%	1.2%	.0%	.0%	2.6%
Black	15.9%	3.6%	4.3%	.0%	2.4%	.0%	.0%	.0%	4.1%
White	13.1%	6.5%	6.4%	4.9%	7.9%	2.1%	2.5%	2.9%	6.5%
Not Available	10.1%	5.4%	.0%	5.2%	8.5%	1.1%	6.1%	.9%	5.4%
Not Applicable	%	.0%	%	%	%	%	%	%	.0%
Average	12.3%	6.1%	5.2%	4.1%	7.1%	1.7%	2.3%	2.0%	5.8%
Non-Hispanic	7.3%	5.0%	3.1%	1.8%	2.1%	1.1%	.5%	.3%	3.2%
Hispanic	37.2%	14.1%	16.9%	17.2%	31.7%	6.1%	11.8%	10.8%	20.8%

Table A.19
Loans by HAL Status by Race/Ethnicity of Borrower

City of Lewisville
 2008–2015 HMDA Data

Race	Loan Type	2008	2009	2010	2011	2012	2013	2014	2015	Total
American Indian	Other	7	5	4	4	2	4	4	8	30
	HAL	0	0	0	0	0	0	0	0	0
	Percent HAL	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%
Asian	Other	115	129	136	98	90	163	147	184	878
	HAL	9	7	3	0	2	2	0	0	23
	Percent HAL	7.3%	5.1%	2.2%	.0%	2.2%	1.2%	.0%	.0%	2.6%
Black	Other	53	53	44	41	41	59	58	94	349
	HAL	10	2	2	0	1	0	0	0	15
	Percent HAL	15.9%	3.6%	4.3%	.0%	2.4%	.0%	.0%	.0%	4.1%
White	Other	846	808	682	584	679	761	709	764	5,069
	HAL	127	56	47	30	58	16	18	23	352
	Percent HAL	13.1%	6.5%	6.4%	4.9%	7.9%	2.1%	2.5%	2.9%	6.5%
Not Available	Other	107	88	86	92	75	90	93	105	631
	HAL	12	5	0	5	7	1	6	1	36
	Percent HAL	10.1%	5.4%	.0%	5.2%	8.5%	1.1%	6.1%	.9%	5.4%
Not Applicable	Other	0	1	0	0	0	0	0	0	1
	HAL	0	0	0	0	0	0	0	0	0
	Percent HAL	%	.0%	%	%	%	%	%	%	.0%
Total	Other	1,128	1,084	952	819	887	1,077	1,011	1,155	8,113
	HAL	158	70	52	35	68	19	24	24	450
	Percent HAL	12.3%	6.1%	5.2%	4.1%	7.1%	1.7%	2.3%	2.0%	5.8%
Non-Hispanic	Other	900	888	730	657	712	881	806	906	5,574
	HAL	71	47	23	12	15	10	4	3	182
	Percent HAL	7.3%	5.0%	3.1%	1.8%	2.1%	1.1%	.5%	.3%	3.2%
Hispanic	Other	123	110	138	82	99	108	120	148	780
	HAL	73	18	28	17	46	7	16	18	205
	Percent HAL	37.2%	14.1%	16.9%	17.2%	31.7%	6.1%	11.8%	10.8%	20.8%

Table A.20
Rates of HALs by Income of Borrower

City of Lewisville
2008–2015 HMDA Data

Income	2008	2009	2010	2011	2012	2013	2014	2015	Average
\$15,000 or Below	.0%	.0%	.0%	.0%	.0%	%	%	.0%	.0%
\$15,001–\$30,000	47.5%	8.9%	14.7%	17.1%	26.5%	7.1%	14.3%	5.0%	20.1%
\$30,001–\$45,000	20.3%	7.7%	8.7%	8.4%	17.5%	1.9%	7.1%	11.0%	10.9%
\$45,001–\$60,000	14.0%	6.6%	3.4%	3.2%	4.2%	1.4%	3.4%	2.3%	4.9%
\$60,001–\$75,000	9.2%	4.8%	.0%	.8%	3.6%	1.2%	1.7%	2.1%	3.2%
Above \$75,000	6.6%	5.6%	5.0%	3.0%	2.8%	1.6%	.4%	.0%	3.0%
Data Missing	5.9%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	1.2%
Average	12.3%	6.1%	5.2%	4.1%	7.1%	1.7%	2.3%	2.0%	5.8%

Table A.21
Loans by HAL Status by Income of Borrower

City of Lewisville
2008–2015 HMDA Data

Income		2008	2009	2010	2011	2012	2013	2014	2015	Total
\$15,000 or Below	Other	1	2	2	2	1	0	0	1	9
	HAL	0	0	0	0	0	0	0	0	0
	Percent HAL	.0%	.0%	.0%	.0%	.0%	%	%	.0%	.0%
\$15,001–\$30,000	Other	32	41	58	34	36	39	24	19	283
	HAL	29	4	10	7	13	3	4	1	71
	Percent HAL	47.5%	8.9%	14.7%	17.1%	26.5%	7.1%	14.3%	5.0%	20.1%
\$30,001–\$45,000	Other	157	156	147	109	146	151	118	113	1,097
	HAL	40	13	14	10	31	3	9	14	134
	Percent HAL	20.3%	7.7%	8.7%	8.4%	17.5%	1.9%	7.1%	11.0%	10.9%
\$45,001–\$60,000	Other	185	241	197	179	207	210	171	214	1,604
	HAL	30	17	7	6	9	3	6	5	83
	Percent HAL	14.0%	6.6%	3.4%	3.2%	4.2%	1.4%	3.4%	2.3%	4.9%
\$60,001–\$75,000	Other	197	180	144	131	135	168	170	186	1,311
	HAL	20	9	0	1	5	2	3	4	44
	Percent HAL	9.2%	4.8%	0.0%	.8%	3.6%	1.2%	1.7%	2.1%	3.2%
Above \$75,000	Other	540	456	398	357	353	497	515	609	3,725
	HAL	38	27	21	11	10	8	2	0	117
	Percent HAL	6.6%	5.6%	5.0%	3.0%	2.8%	1.6%	.4%	.0%	3.0%
Data Missing	Other	16	8	6	7	9	12	13	13	84
	HAL	1	0	0	0	0	0	0	0	1
	Percent HAL	5.9%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	1.2%
Total	Other	1,128	1,084	952	819	887	1,077	1,011	1,155	8,113
	HAL	158	70	52	35	68	19	24	24	450
	Percent HAL	12.3%	6.1%	5.2%	4.1%	7.1%	1.7%	2.3%	2.0%	5.8%

B. FAIR HOUSING FORUM PRESENTATION

Lewisville
2017 Assessment of Fair Housing



2017 Assessment of Fair Housing

Sponsored by
The City of Lewisville

Welcome!

Lewisville Fair Housing Forums 1 November 15, 2016



Why Are We Doing This?

Entitlements must:

Certify that they are Affirmatively Furthering Fair Housing (AFFH) as a condition of receiving federal funds from HUD

Lewisville Fair Housing Forums 2 November 15, 2016

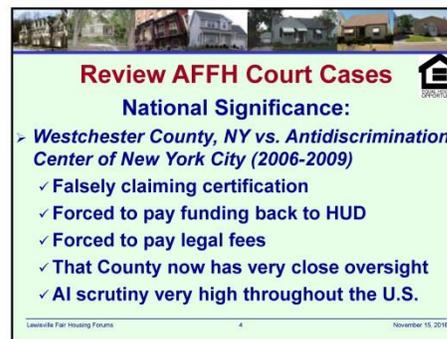


Past Fair Housing Studies

Over the past 20 years, AFFH meant Preparing an Analysis of Impediments to Fair Housing Choice (AI):

1. Conducting an AI – Identify barriers
2. Taking action on impediments, if impediments/barriers were found
3. Maintaining records of actions

Lewisville Fair Housing Forums 3 November 15, 2016



Review AFFH Court Cases

National Significance:

- *Westchester County, NY vs. Antidiscrimination Center of New York City (2006-2009)*
- ✓ Falsely claiming certification
- ✓ Forced to pay funding back to HUD
- ✓ Forced to pay legal fees
- ✓ That County now has very close oversight
- ✓ AI scrutiny very high throughout the U.S.

Lewisville Fair Housing Forums 4 November 15, 2016



Review AFFH Evolution

Key Points In Time:

- GAO report castigating HUD - 2010
- Proposed Rule for AFFH - 2013
 - ✓ Inclusive neighborhoods
 - ✓ Reduce highly concentrated poverty
 - ✓ Increase access to community assets
 - ✓ Reduce disproportionate share for minorities
- Final Rule Published - July 8, 2015

Lewisville Fair Housing Forums 5 November 15, 2016



2017 Lewisville AFH

Now AFFH means:

1. Conduct an Assessment of Fair Housing (AFH) – must use HUD data and must use HUD “Assessment Tool”
2. Identify fair housing *issues*
3. Addressing *contributing factors*
4. Prioritize *fair housing goals & actions*

Lewisville Fair Housing Forums 6 November 15, 2016

November 15, 2016: Page 1

Lewisville
2017 Assessment of Fair Housing

Operating within Context of:

- A **fair housing issue** is a condition that restricts fair housing choice or access to opportunity.
- A **contributing factor** creates, contributes to, perpetuates, increases the severity of one or more fair housing issues.
- Fair housing **goals/actions** represent things that are committed to and must be done to accomplish the AFFH duty

Lewisville Fair Housing Forum 7 November 15, 2016

Today's Forum Meeting:

- Introduce you to our new AFFH duty
- Show you HUD-provided indices
- Provide context for the study
- Discuss preliminary findings
- Gain your input and your perspective on **fair housing issues** and **contributing factors** in Lewisville

Lewisville Fair Housing Forum 8 November 15, 2016

Who is protected?

Protected classes under state and federal law:

Race, color, religion, familial status, sex, disability, and national origin

Lewisville Fair Housing Forum 9 November 15, 2016

2017 Lewisville AFH

Population by Race and Ethnicity
Lewisville
2010 Census & 2014 Five-Year ACS

Race	2010 Census		2014 Five-Year ACS	
	Population	% of Total	Population	% of Total
White	62,263	65.3%	73,778	74.5%
Black	10,661	11.2%	8,975	9.0%
American Indian	623	.7%	146	.1%
Asian	7,362	7.8%	7,777	7.9%
Native Hawaiian/ Pacific Islander	67	.1%	87	.1%
Other	11,236	11.8%	3,454	3.5%
Two or More Races	3,048	3.2%	4,922	5.0%
Total	95,260	100.0%	99,939	100.0%
Non-Hispanic	67,507	70.8%	69,088	69.8%
Hispanic	27,753	29.2%	29,951	30.2%

Lewisville Fair Housing Forum 10 November 15, 2016

2017 Lewisville AFH

Lewisville Fair Housing Forum 11 November 15, 2016

2017 Lewisville AFH

HUD's Analysis AFFH Includes:

1. RCAP and ECAP evaluation
2. Segregation analysis
3. Disparities in access to opportunity
4. Disproportionate housing needs
5. Disability and access analysis
6. Fair housing enforcement, outreach capacity, and resource analysis

Lewisville Fair Housing Forum 12 November 15, 2016

Lewisville
2017 Assessment of Fair Housing

#1: RCAP and ECAP

- RCAP and ECAP areas must have 40% Poverty and 50% or more non-white
- Hence, there are no RCAPs or ECAPs in Lewisville

Lewisville Fair Housing Forum 13 November 15, 2016

#2: Segregation Analysis: The Dissimilarity Index

Dissimilarity Trends

Lewisville
2016 HUD AFFH Database

Racial/Ethnic Dissimilarity Index	1990	2000	2010
Non-White/White	17.41	20.04	26.87
Black/White	23.36	19.72	30.57
Hispanic/White	19.68	31.86	37.82
Asian or Pacific Islander/White	26.36	25.42	36.12

Interpreting the Dissimilarity Index

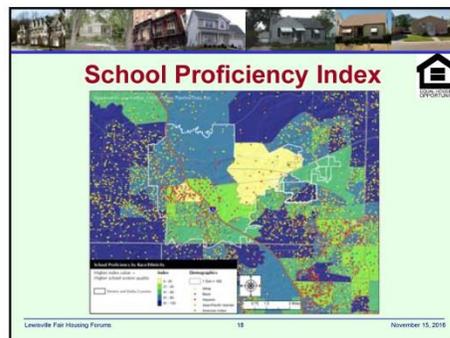
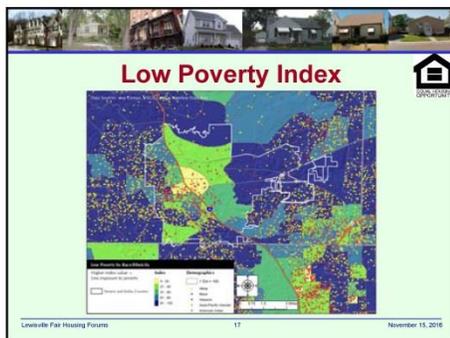
Measure	Values	Description
Dissimilarity Index	<40	Low Segregation
(range 0-100)	40-54	Moderate Segregation
	>55	High Segregation

Lewisville Fair Housing Forum 14 November 15, 2016

#3: Disparities in Access to Opportunity

- Areas of Opportunity are physical places
- Identified through quantitative means, such as an index by Census Tract
- Seven indexes: low poverty, school proficiency, labor market engagement, transit trips, low transportation cost, job proximity, and environmental health

Lewisville Fair Housing Forum 15 November 15, 2016



Lewisville
2017 Assessment of Fair Housing

#4: Disproportionate Housing Needs Those with Housing Problems:

- Experiencing overcrowding: more than one inhabitant per room
- Having incomplete kitchen or plumbing facilities
- Experiencing cost-burdens
- Housing costs over 30% of income

Lewisville Fair Housing Forum 19 November 15, 2016

Unmet Housing Needs Households with Problems

Housing Problems by Race, Ethnicity, and Household Type
Lewisville
2008-2012 HUD CHAS Data

Disproportionate Housing Needs	Lewisville		
Households experiencing any of 4 housing problems*	# with problems	# households	% with problems
Race/Ethnicity			
White, Non-Hispanic	6,308	21,729	29.02
Black, Non-Hispanic	1,580	3,770	41.91
Hispanic	3,020	8,045	48.75
Asian or Pacific Islander, Non-Hispanic	910	2,359	38.58
Native American, Non-Hispanic	85	120	70.83
Other, Non-Hispanic	440	1,899	40.04
Total	12,235	37,135	35.64
Household Type and Size			
Family households, <5 people	5,665	19,345	29.28
Family households, 5+ people	2,240	3,940	66.85
Non-family households	5,335	13,845	38.53

Lewisville Fair Housing Forum 20 November 15, 2016

Unmet Housing Needs

Lewisville Fair Housing Forum 21 November 15, 2016

#5: Disability and Access

Persons with Disabilities in Lewisville
2010-2014 ACS Data

Hearing difficulty	2,152	2.40
Vision difficulty	921	1.03
Cognitive difficulty	3,149	3.52
Ambulatory difficulty	3,594	4.00
Self-care difficulty	1,443	1.61
Independent living difficulty	2,384	2.66

Lewisville Fair Housing Forum 22 November 15, 2016

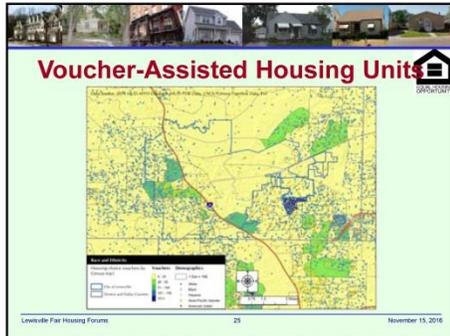
Concentration Of Residents With Disabilities

Lewisville Fair Housing Forum 23 November 15, 2016

Public-Assisted Housing Units

Lewisville Fair Housing Forum 24 November 15, 2016

Lewisville
2017 Assessment of Fair Housing



#6: Fair Housing Enforcement Housing Complaints

Fair Housing Complaints by Basis of Complaint

City of Lewisville

2008-2016 HUD Data

Basis	2008	2009	2010	2011	2012	2013	2014	2015	2016	Total
Disability	2	-	2	2	1	1	3	-	4	15
Race	6	2	1	-	-	-	2	1	-	12
Sex	1	-	-	-	-	-	1	1	-	3
Family Status	1	-	-	1	-	-	-	-	-	2
National Origin	-	-	-	1	-	-	-	-	-	1
Retaliation	1	-	-	-	-	-	-	-	-	1
Total	11	2	4	3	1	1	6	2	4	34
Total Complaints	8	2	3	3	1	1	4	2	4	28

Lewisville Fair Housing Forum 27 November 15, 2016

#6: Fair Housing Enforcement Housing Complaints

Fair Housing Complaints by Issue of Complaint

City of Lewisville

2008-2016 HUD Data

Basis	Total
Discriminatory terms, conditions, privileges, or services and facilities	17
Discrimination in terms/conditions/privileges relating to rental	7
Failure to make reasonable accommodation	7
Discriminatory refusal to rent	6
Discriminatory acts under Section 818 (coercion, Etc.)	5
Discriminatory financing (includes real estate transactions)	2
Discriminatory refusal to rent and negotiate for rental	2
Discriminatory refusal to negotiate for rental	1
False denial or representation of availability - rental	1
Total Issues	48
Total Complaints	28

Lewisville Fair Housing Forum 25 November 15, 2016

#6 Cont. FH Enforcement Home Lending

Purpose of Loan by Year

Lewisville

2008-2015 HUD Data

Purpose	2008	2009	2010	2011	2012	2013	2014	2015	Total
Home Purchase	2,874	2,871	2,384	1,993	2,123	2,346	2,180	2,367	16,781
Home Improvement	396	206	154	189	167	143	182	184	1,437
Refinancing	1,972	3,261	3,128	3,231	3,089	2,693	1,223	1,768	16,545
Total	5,242	6,338	5,762	5,413	5,399	5,182	3,585	4,315	36,761

Occupancy Status for Home Purchase Loan Applications

Lewisville

2008-2015 HUD Data

Status	2008	2009	2010	2011	2012	2013	2014	2015	Total
Owner-Occupied	2,688	2,760	2,265	1,852	1,964	2,125	1,955	2,411	15,560
Not Owner-Occupied	204	109	114	137	162	208	220	215	1,154
Not Applicable	2	2	5	4	7	13	5	11	38
Total	2,874	2,871	2,384	1,993	2,133	2,346	2,180	2,367	16,781

Lewisville Fair Housing Forum 29 November 15, 2016

Home Lending

Loan Applications by Action Taken

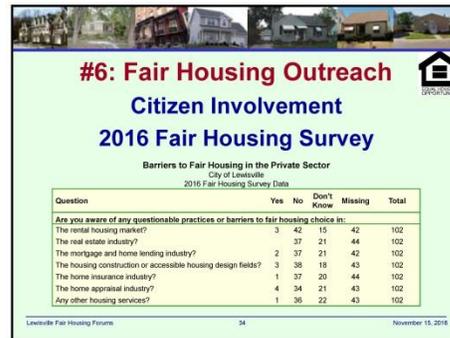
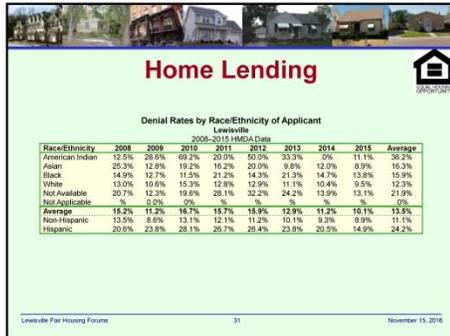
Lewisville

2008-2015 HUD Data

Action	2008	2009	2010	2011	2012	2013	2014	Total
Loan Originated	1,266	1,154	1,004	854	950	1,096	1,170	7,384
Application Approved but not Accepted	131	70	133	58	68	53	70	663
Application Denied	230	145	201	159	180	162	133	1,207
Application Withdrawn by Applicant	165	128	128	103	124	178	181	1,007
File Closed for Incompleteness	25	29	18	20	14	35	17	159
Loan Purchased by the Institution	815	1,210	781	658	602	621	522	5,169
Preapproval Request Denied	8	13	0	0	0	0	0	21
Preapproval Approved but not Accepted	7	3	0	0	1	0	0	11
Total	2,668	2,760	2,265	1,852	1,964	2,128	1,989	15,889
Denial Rate	19.2%	11.2%	16.7%	16.7%	16.8%	12.8%	11.2%	13.9%

Lewisville Fair Housing Forum 30 November 15, 2016

Lewisville
2017 Assessment of Fair Housing



**Lewisville
2017 Assessment of Fair Housing**

2017 Lewisville AFH

Contact Information

Lewisville lead contact:

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Lewisville Fair Housing Forum 37 November 15, 2016

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C. PUBLIC INVOLVEMENT DOCUMENTATION

The following presents a transcript of the November 1, 2016 public input meeting.

Comment 1: OK, thank you very much. Do we have any questions?

Comment 2: Is there a copy of the survey?

Presenter: There is, yes.

Comment 3: Can we see the survey?

Presenter: Would you like to see a copy of the survey?

Comment 4: We would like to see it.

Presenter: OK, you can have that. We had a staff meeting a couple of hours ago and we presented it to the City and we talked about it. It hasn't been finally approved yet. I guess he would like to answer that question.

Comment 5: You can see the draft that has a few comments on it scribbled in.

Comment 6: Then how will it be delivered to the public?

Presenter: There of course will be printed forms at each of the meetings and printed forms distributed. There is also and it is actually survey monkey online version and email distribution will be created and submitted to the community and various groups and individuals. So when you get your announcement with the survey link embedded you can click on that link and go to it. I would certainly encourage you to forward it to anyone you can think of especially your realtors and property managers, friends and others in the housing industry to get their opinion.

Comment 7: Do we know what mailing list? Will we be using residents that have water bills or...

Presenter: We do not have time to do a mailing.

Comment 8: You said emails. How are we and what pool of emails are we using?

Presenter: I am depending on the City to address that.

Comment 9: At this time we are emailing it to a few groups that we have. Groups of homebuyers and grant applicants that have gone through our programs and social service agencies, realtors associations. We have several groups that we are going to ask to distribute the survey to their members, but there is to an email list of the general population. This won't be something that every household receives.

Presenter: We also will be posting it on social media, but I want to emphasis this is not statically drawn survey. This is, if you will, a judgmental survey. We are just trying to get everyone we can think of to participate.

Comment 10: I guess my thought was there was a good pool of people mentioned, but more of the persons maybe not in homes, but in apartments. We have a lot of apartment complexes in Lewisville. To get the survey out to those parties, to find out what their needs are, and maybe get them into homes. I guess was why I was asking that question.

Presenter: If we can post it on the bulletin board on the front that you can go to this link. We can have printed copies delivered. It is entirely up to the City to do.

Comment 11: I think that would be a good idea.

Comment 12: Is it going to be in any other languages besides English?

Presenter: We can do whatever language you want. I am assuming if you want to have a Spanish survey that is common. We have done them in Russian, Korean, Chinese, or Spanish.

Comment 13: We will probably look at Chin, because we do have a huge population.
(Crosstalk)

Comment 14: We know where that population resides and to not just be sending them out at random.

Presenter: It is open to everyone.

Comment 15: So the survey approach is that something specific to our process or is that something that HUD recommended?

Presenter: HUD recommends they actually have a formula for trying to determine how many languages you need to produce for an analysis. Roughly, if you have 1,000 residents who have English as a second language and whatever that English is then you should probably think about having access to those languages. It doesn't necessarily mean they all have to be printed like at the public meetings. You might need verbal translates if an announcement has been made that a verbal translation was needed. It is considered a special service. You just need to give advance notice.

Comment 16: To clarify, the forum as a data gathering tool is that recommended by HUD?

Presenter: Is this one?

Comment 17: No, so let me step back a bit. My questions are more related to the data that is being used to provide, to fill out the form and turn it back to HUD. So at some point you mentioned that the data is provided by HUD itself. So what other data are we actually asking for and are there or is there guidance from HUD on how to collect that information.

Presenter: Guidance from HUD. Remember they just went through 20 years of getting in trouble so they have a manual. They enough, the collection of local data and whatever local data might be. We are going to collect the survey and that is local data. We are going to collect input at the public input meetings and that is local data. We are also going to do housing compliant data and that is local data. We are going to go talk with Francis Espinoza at the Fair Housing Center and talk and see what they have and see if they can contribute something. So that is local data and we also have lending.

Comment 18: So in other words the guidance from HUD is to collect local data and to your team and us how to do that.

Presenter: That is correct.

Comment 19: Can I talk a moment. I know that we have at least one audience member that can't stay. Can we open it up to if we have questions or comments from the audience and then get back to committee questions?

Comment 20: Yes, please. Are there any citizen comments? Please go ahead and come up front and give your name and address as well. Thank you.

Comment 21: My question really actually also pertains to the data. I live in the Lewisville area and am not currently a resident in Lewisville, but I attend church here. My question has to do with the types of questions that are asked. What types of data is that you are going to be collecting. I heard you say it is about lending. So it is going to include some of the information about the loans that are available to people to move out of rental properties perhaps and purchase housing. What other types of data is that you are going to be looking for from residents as well as providers, housing providers?

Presenter: To clarify the lending information is what is reported by the Home Mortgage Disclosure Act. So that represents people who have completed or have started a loan application. We will determine in analyzing that data how many applications were completed. Some of them don't get completed and others and what the financial institution what the decision they made. So it is banks and nonbanking institutions that runs the full range of entities. There is a threshold by which they need to report under HMDA, but it is nearly all financial institutions. The survey is another instrument that we are using. It doesn't ask did you apply for a loan? It asks are you a renter or a homeowner? Then it asks more about what your experiences are and what is your knowledge about these various things? There is a private sector transaction and public sector transactions and it kind of gets a measure of the understanding that people and particularly stakeholders have about fair housing. The other types of data are both qualitative, such as denied is a qualitative data and a quantitative of course is HMDA and you can quantitatively talk about the housing complaints that came forward and address the issues. We are not going to open every individual complaint record and look at those, but those complaints are summarized. For example we always submit a letter, a Freedom of Information Act request to HUD. Those went to HUD last week before we signed a contract. I was hoping we would finish. They give us 22 workdays, Monday through Friday. So

hopefully we will get that in time to put it in the document. So that period of time we have is a little bit driving our process, but we are going to collect as much as we can.

Comment 22: My other question has to do with distribution of the instrument itself and presumably when you talk about fair housing it addressed the local people who fall into a lower economic status, correct. So then you want to get as much feedback from some of those types of populations as possible.

Presenter: I am open to getting and the survey can be filled out by anyone and I am hoping that everyone can do one. There is theoretically no limit to the size of the sample since it is online and every citizen can.

Comment 23: But they have to be aware.

Comment 24: Two more questions and then I will stop. I promise. How long is the survey?

Presenter: It is a few pages. It should take and online it should take approximately ten minutes or less.

Comment 25: Can she see the draft?

Comment 26: So can we consider...can I see it? Can we consider then the City making copies for distribution at some of the local churches?

Presenter: That would be excellent. I am all in favor of it.

Comment 27: African American, Hispanic.

Comment 28: We certainly can and we will be looking for social service providers to help us distribute them as well.

Comment 29: I volunteer at three churches, Hispanic, African American, and Chin.

Presenter: That would be wonderful. Thank you

Comment 30: I look forward to getting the results.

Comment 31: Thank you. As a follow-up to one of the questions she asked. How important is it to know some of the demographic information of the people filling out the survey or is it just purely data that we are looking for?

Presenter: I am actually having some trouble hearing you,

Comment 32: Is this better?

Presenter: A little bit yes.

Comment 33: So, how important is it to have the demographic information of the people filling out the survey or are you just looking for the data from the survey?

Presenter: HUD has requested the demographics of participants to the public engagement process. They haven't requested the demographics to the survey. Since the survey is not a statically sample. If you were to collect that that wouldn't be that meaningful. We couldn't generalize it. So we typically use census data to character is the attributes of the population. There is 2000 and 2010 and the American Community Survey which is done very year and that is through 2004 currently.

Comment 34: OK, thank you.

Comment 35: I just find that odd because the answers are going to be different based on the demographic of the person that is answering, who is answering or taking the survey. So I am just trying to figure out are they just going to by how that person answered to figure out, why they wouldn't want to know the demographics of the person that is doing it. I understand that they are only looking for statistical data, but I mean just like the lady back there. I mean the whole purpose or the premise behind it is to make sure that certain demographics of people that were being affected by unfair lending practices or discriminatory practices. I am just trying to understand why they would not want to know who is filling out the survey monkey.

Presenter: I couldn't and I do not know what is going on in HUD head.

Comment 36: It almost defeats the purpose of having it. Everyone is going to answer differently accordingly to their interaction with the mortgage lender, with you know exactly.

Presenter: Actually it is important to get a broad perspective. So I am OK with that. The sample should represent everyone who has been involved with housing or housing transactions. Those

people who made housing choices. If they chose to stay with a rental or only purchase. I think we will hear about that.

Comment 37: I don't know what based on the questions I guess. My concern was do we just go by a template based or where do we get our questions from? I ask that because it doesn't seem that we asked any questions specific to our Lewisville residents and what they specifically like some of the things we know go on specifically in our town to try to get information about to address our town specifically or our city?

Comment 38: Not Discernable

Comment 39: No, because asking if you are aware of housing ordinances or regulations or plans within the city doesn't really tell you what some of those challenges are. That just shows are you aware and then the level of your awareness. It is a very subjective question and I am not sure how that tells you what someone challenges are in the City of Lewisville when it comes to housing because they vary. These question I have is I don't see how they help us address those issues specifically for our residents in the best way that we can.

Comment 40: Is there time for us to make updates to the survey?

Presenter: Pardon me?

Comment 41: Is there time for us to make updates to the survey?

Presenter: It is up to you guys.

Comment 42: We want to have it out by the end of this week basically. You can send me comments. If you can send me comments tomorrow we will bounce them back with him and see what we can conclude.

Comment 43: I also think we have one more resident that wanted to make a comment.

Comment 44: I am the Director of Chin Community Ministry. Lewisville is the home to what is called a spontaneous refugee community.

Comment 45: Please go ahead and get closer to the microphone. This is also being recorded. I can hear you fine, but just in case.

Comment 46: My name is Becky Nelson and I am the Director of Chin Community Ministry which is a non-profit that works to equip the 3,500 Chin refugees that have chosen to settle in Lewisville and we are concentrated in zip code 75067 and some of the poverty housing that was mentioned is where the Chin reside. I represent of the 3,500 approximately, 3,500 Chin who live in Lewisville I have on my database meaning that I have helped them in the last five years. I represent 638 households for about a 2,500 Chin people that I have statics for. Of those statics the households we are moving into houses. The Chin are moving into houses. It fits their multi-generational lifestyle because they can have more than one income. They can have three or four incomes, because they often live with an aunt and I am talking young. Most of everybody is young because the others cannot make it out of Burma. So I have complied for you and I don't know if this is valuable, but I did make a copy for you of where we are concentrated. The biggest issue that I see based on that you presented is the percentage of income that goes to housing. Basically, the housing apartments that are concentrated in zip code 75067 their rent has doubled since 2010. What used to be a \$550 two bedroom apartment is now running about \$1,100. If a Chin person and not just Chin or other people or population, Hispanic and other ethnic groups that are making and we are 95 percent employed in Lewisville right now. Every day I get a call saying we will take more Chin people to work. So we are heavily heavily employed. However we are now up to approximately \$11 an hour. For a one person income at 40 hours a week, that equals \$1760 a month and you are paying out \$1,100 in rent. The housing is not extravagant. My office is in Basswood apartments. We stay on the edge of even the acceptable housing. The others are a little bit better and Basswood is much better since the city has really worked with them, but basically you would call us Class C or Class D housing which means that the housing is over 30 years; I believe is the distinction in multi-family housing. That Class C housing is 30 years old and Class D housing tends to be past 30 years old. If you look at when Basswood was built you know that it is close to being Class D housing which is the lowest type of housing and yet the rent is still up to about \$1,250. That does include utilities,

but it is still way beyond. So what that means is that we are required to have two income housing and sometimes three income and the kind of pressure that is putting on means that the oldest child because when they come from Burma that have to go into 9th grade because Burma does not have any kind of educational system. So they go into 9th grade and that means that they are older when they go into 9th grade and as soon as they hit 17 the family requires them to quit school whether they have a high school diploma or to. So that they can provide the third income. That is what is the effect of the housing. The other problem that we have is a shortage of that kind of housing. Again, I remind you they are the working poor. They are working and some of them are working two to three jobs in order to provide for their family, but even with two people working making \$11 an hour and most of the women do not make \$11 an hour they usually make \$9. So even if they did make \$11 you are looking at still 50 percent of your income going for housing that is and would not pass most people in Lewisville, the rent is Lewisville probably would not consider totally acceptable. So I just brought that and I had this information as to where we are. We have 110 houses representing 200 households. Vista on the Park is our largest. They are the ones that have gone the highest in rent. We have 127 households there. Oaktree we have 103. Basswood we are down to 63. People are trying to move out as fast as they can and saving money to try and get out. Willow Ridge is 55 and then it goes on down from there. So all of our apartment complexes are approximately aging housing. Nobody ever builds Class C housing if it is based on aging. So the next question will be where they migrate. They are trying to get out of Basswood. They went over to Vista on the Park, but again the biggest issue is simply the percentage of income that has to be spent on housing.

Comment 47: Thank you.

Comment 48: Does anyone have any questions for me? I will be glad to distribute surveys, etc. to the Chin but it will need Hakha Chin translation. The biggest difficulty is conceptual. You can have the words, but are they aware of fair housing. So a lot of it would just be based on the concepts that would be necessary.

Comment 49: So how difficult would it be to get a translation of the survey?

Comment 50: That is a question for Becky.

Comment 51: How difficult would it be to get a translation into Chin? I was under the impression that it would be pretty difficult.

Comment 52: The difficulty with translating into Chin is that Chin does not have and it is a very simple language and it doesn't have the concepts that we have. So we just finished a recycling brochure for the city. There is no word for plastic. So basically we used the English word plastic because that is the only and how can you describe plastic. So there is that kind of issue with translation. The other issue is of course that those methods of dissemination would not be and most of them do not use internet, email. The Census Bureau tried really hard. I am really curious to see if we showed up on the Census this year or whenever. In the past they didn't show up. Now the Census Bureau has actually contacted us and we have actually had Census people come in and we have translated so that they can get Census information. I have the names, addresses, and phone numbers if anybody wants to say they we only have ten Chin people in Lewisville. I will tell you that we have 3,500. So to answer your question it is difficult, but again I think the question that you asked is what kind of information you want to get if you want to know what they think is unfair they can tell you that. It is unfair that you only get things fixed when it is time to get fixed. There is a lot of unfairness that goes on with poverty housing. It takes a long time to get something fixed and if we have to we go to the city.

Comment 53: Is that the kind of information we are looking for in this survey?

Comment 54: As a committee yes.

Comment 55: Do you have ideas on how you want to use this data that is helpful?

Presenter: I do have ideas and I guess I will talk with him about any additional data that you would like to collect and how we might use that.

Comment 56: It seems to me that it is going to be a discussion about access their ought to be a plan to talk about expanding access if that access is not being met. If people are not having either adequate or enough supply of housing available to them then perhaps the plan ought to be how do we create more accessible or available affordable housing and how do we make those opportunities available to people in ways that are useful?

Presenter: Thank you. Our objective is to reach our goals, fair housing goals and they are whatever you choose. If you choose the goal that she is talking about then we will talk about that goal and what actions you might need to take to accomplish that goal over the next five years. There is a timeline. There are specific things you will need to be responsible for if you choose to go there.

Comment 57: How big of a part is the survey play in figuring out our fair housing goals?

Presenter: I am really sorry. I just can't seem to understand what is coming back over here.

Comment 58: How big of a role does the survey play in figuring out what Lewisville's fair housing goals are?

Presenter: It is part of the puzzle. The puzzle has a lot of pieces and it is one of those pieces. I like to include the survey because it is a measure of what people understand. If they lack understanding it tells us something. If they understand things incorrectly that also tells us something. If they have been experiencing something particular that will tell us also. So each of those pieces we can draw from the survey. As an answer as to how you promote a certain housing for a certain group. I am not sure that the survey per say, but across all the different pieces of data that we collect and the policies that we are going to suggest, I am not going to suggest policies. I am going to suggest notions for you, the community to consider and your elected officials will have to decide what those are at some point and later on you will need to decide how much money. Is it just staff that will do these or will we set aside some money from HUD or other resources to take action on these things. So that is where we are headed exactly what this young lady talked about here. How are you going to make this housing available? Is that a priority for you, then we will write it up. This is really about you. It is not about me. I am just the guy who is turning the crank if you will. Trying to get it together for you.

Comment 59: I have a question for you. I know in looking at the up there you were talking about the disability. The disability, the citizens with disability. Will there be any type of classes, I was looking at the survey and of course one of them it says, don't know. That is yes, no, and don't know. So will there a class or any type of education for the people to...

Presenter: Education and outreach is not a current piece of the element of what my firm is providing to the city. We are focusing just on the study, but I do believe outreach and education has a very important role in fair housing, because as this lady here has suggested and numerous people don't have an understating about what that means. What their landlord obligations are, what their tenant obligations are. So I am all in favor of outreach and education, but it is to my role to preform outreach and education.

Comment 60: To clarify that can you, based on the surveys and based on the data analysis that his firm is going to give us that can be one of the goals or policies that we develop.

Presenter: That is correct.

Comment 61: Having said that are there any other public comments?

Comment 62: Basically, what I am trying to get a better handle on is I guess overall plan of action like so I haven't seen the survey so I do not know what is being asked, but the thing I want to find out is are we trying to figure out how to make more people homeowners or are we what is the ultimate goal I guess. The survey is supposed to answer or get a plan of action for what? Does that make sense?

Comment 63: The goal of the whole process is to analyze what our fair housing issues are and to develop any strategies that help us move towards solving any of the issues that we identify, which is basically saying and HUD knows that our resources are limited. We have a certain amount of grant funding per year, not to say that cities can't also use other funding sources. So we will be trying to identify realistically. So homeownership programs could be a goal, but so could outreach

and education or so could development or rehabilitation of existing multi-family housing. It is hard to address housing cost from what we can do, but there are a number of and the process will suggest strategies.

Comment 64: It sounds to me that it is less about homeownership to let people have a place to live so renters included. There is a copy of the survey up here and over there if you want to take a look at it. It looks like the survey is more and you can correct me if I am wrong, but my impression is the survey is to see what the awareness of fair housing is and maybe possibly an opinion of it, but not really the application of fair housing laws or the effectiveness of fair housing laws. So that is not what the survey seems to be about. It is more about people and if you want to take the survey what do you know about fair housing and what do you think of it, the end. So I think part of what our struggle is how is that opinion and that qualitative data really going to translate to quantitative.

Comment 65: To a plan of action.

Comment 66: That is something that I am struggling with and just by my very quick glance at that survey. I know that there is only a two month turn around for whatever the final thing that we are turning into HUD is. I think it will also help us to understand what exactly are the data points that HUD is requiring from us and how can we make sure that the data we are collecting is going to be representative of our city by January.

Comment 67: The survey is adding to what the HUD data that we have and other data that we will be collecting.

Presenter: It seems like you implied a question on whether or not the survey is required by HUD and the answer is no it is not. This is something that I have found over the years to be useful instrument. You are right we are engaging the understanding of fair housing, but not just fair housing law, but a lot of attributes of fair housing, because to communicate with the public we need to understand where they are at. That is the tool. We can get wrapped around the axel and spend weeks and months and try to figure out which question to ask and so on. I want to remind you that I need to deliver a draft for internal review this month to the city and so all of that is done. I am just hoping to get a few responses. We had one customer who was in Louisiana who had a very long time to do the survey and we received roughly 4,300 surveys. That was our best survey. Other jurisdiction and it doesn't matter if you are a state of a million square miles and we have done them there too. Sometimes the surveys somehow it doesn't reach and it is the same method, but somehow it doesn't reach and people don't care, I am not sure what, but it is important to participate. These other methods we have to look at the data that HUD has provided and I will not get into the details, but there are plenty of problems with HUDs data and HUDs maps and all of this other stuff and the online portal you can't even use the document as a public document because there is no maps and no data. It is just narrative. It is just like not formatted or anything, but that is another matter for us to discuss like how do we get the word out, but we are on a very unusually tight schedule. I would not recommend to do it this way next time when you proceed to do this five years from now.

Comment 68: Is there a reason why we are on this timeline?

Presenter: I do not know what the timeline. It is a very challenging event because this is the first time. I mean on the other hand HUD has dropped the ball. We have a state and after we did this Assessment of Fair Housing, HUD says actually we do not have the tool ready maybe it will be ready next year. Then we found out that we have put your state in with a couple of other states and we are going to do a pilot next year. So it will not be ready until the following year. But you have to use it to submit your Consolidated Plan. Fortunately for an entitlement such as you guys you have it and it is totally useable for you.

Comment 69: So I am assuming you have been speaking regarding the survey and what not. Do we have a direction on where we think our goals are going? What direction we are going in so maybe we can change our train of thought about what the survey currently reads.

Presenter: We have a scope of work and so that is the road map that I will follow.

Comment 70: Do you mean what the goals may be in the plan?

Comment 71: It seems like the question is right now and we don't know what the goal is so our problem is it doesn't provide for us Lewisville data. So if we had goals and we knew where the City wanted to go with the plan.

Comment 72: We don't really want to prejudge those goals necessarily, but there are and could you speak to some of the common comments in assessments that you have done and some of the types of strategies that were adopted or could be adopted?

Presenter: Outreach and education is always there. Some jurisdictions want to go and conduct education for perspective homeowners so they understand the distinction between what is a predatory instrument and what is not a predatory instrument. There is also the education of rental communities and what is a reasonable rental lease and what is not. There is also of course fair housing testing and that, but those are all of the AI pieces. This is kind of new and it is more about what your community will do with your HUD dollars. If you do this well enough to pass HUDs OK then you get your money. If you don't do it well enough you will get to do it again and again until it gets done and we are not sure what that is, because no one has been passed off on one yet. The Assessment of Fair Housing have not been done. They are just starting to come in.

The following present a transcript of the November 15, 2016, public input meeting.

Fair Housing Forum

Comment 1: Within our neighborhoods we have the Chin who have increased. Is that in that group anywhere at this time?

Presenter: The Chin I believe are in Asian/Pacific Islander.

Comment 2: This data is taking off the Census Bureau data, right? So it was under reported in the Census and this information is also unreported.

Presenter: I am sorry. What was that?

Comment 3: Is this information based on the Census data?

Presenter: Yes it is.

Comment 4: So if any information was under reported or misrepresented in the Census then might be (Not Discernable) I think we were talking to and she was saying that it is under reported.

Presenter: Yes, most certainly for those people who don't want to participate in being counted in the Census and there are many. They would not be reflected in these numbers.

Comment 5: That population was growing around the same time that this data was being collected so are local knowledge is probably and that they are not represented fully.

Presenter: The question that I always and asked is OK, so these populations are growing whether it is the Chin or Hispanics or whatever. Are they selectively choosing to live close to one another or not? If they choose that then we are reaching a false conclusion that they were forced to do that. So this is the choice we need to make when we try to interpret that.

(Presentation)

Comment 6: Are churches in there included?

Presenter: Pardon me?

Comment 7: Are churches included?

Presenter: Churches, no.

Comment 8: I know the Muslims or Orthodox are increasing too in our nation. Temples, etc.

Presenter: The Muslims religion is not a part of this particular scale. HUDs data does have some limitation.

(Presentation)

Comment 9: The difference between number of problems with number of households. Those figures under number of problems are those individual figures?

Comment 10: See it says number with problems and then it has the numerical figures. So that numerical figure is that representing one person and that racial group and the number of households? See the first column. Can we get some clarity as to?

Presenter: This is the number of households and this is the number of problems.

Comment 11: I know. So the numbers of problems is that individual problems? One person problems within that racial makeup?

Presenter: No, it is one household. A household might be Native American/non-Hispanic or Hispanic only household.

Comment 12: So almost 57 percent of households that are (Not Discernable) have problems.

Presenter: This one is likely to be cost burden and overcrowding. The number of households with a number of problems like plumbing and whatnot they are at 0.4 percent. It is tiny.

Comment 13: You have that a family is really more than one person to a bedroom is reasonable to expect.

Presenter: Per room.

Comment 14: Oh, per room. Not per bedroom.

Presenter: Not per bedroom. Per room.

Comment 15: Interesting.

Comment 16: That was a good point to clarify.

Presenter: Right, it is not number of bedrooms it is number of rooms. So you might have a kitchen, living room, bedroom.

Comment 17: So if you are one person and you only have a kitchen you are OK? I am trying to follow that whole train of thought.

(Presentation)

Comment 18: With respect to difficulty what does that include and how is that measured at this point? How is that measured? How do they determine that population, based on school data?

Presenter: The American Community Survey, it is a survey of households. It is a sample. The sample might vary from year to year, but it is a sample so the people who answered that question from that household answered it yes/no.

(Presentation)

Comment 19: There is not any public data. There is public housing.

Comment 20: See that orange blot.

Presenter: It is this house. Location of public housing units. There is one right here.

(Crosstalk)

Comment 21: You find that anything with government assistance in those areas.

Presenter: That is interesting. HUD does not tell me. This is HUDs data.

Comment 22: Do you see an address? Can you tell where that is, because we probably know?

Comment 23: Is that Basswood maybe.

(Crosstalk)

Comment 24: Basswood is not public housing.

Comment 25: It is income subsidized housing.

(Crosstalk)

Comment 26: Public housing is different from Basswood.

Comment 27: I have seen and we know we have several apartment communities that have assistance of some form or another such as low-income housing tax credits or bond financing and I am not sure which one of those, but it is something that I am going to look into and give them a list so that we can compare that.

Presenter: That thing that I as an analyst have some challenges with is HUD has provided an assessment tool like all of these indices of opportunity there is really a technical discussion, like the one on the environment is 16 years old, school proficiency is about 4th grade only. So they are very specific. The location is drawn from these housing of these vouchers. It is drawn from their databases. There is no way to know how old that is or how new that is. This is drawn from the data

in 2016, but how old is that data? Is it 20 years old, or two months old? I do not know. There is no documentation, but we have shaded some of the Census tracts so you have an idea.

(Presentation)

Comment 28: These are total number of complaints. Does HUD keep data on and can you tell us what HUD does to verify complaints or investigate complaints?

(Presentation)

Comment 29: These do include the ones that were dismissed?

Presenter: Yes and no. Everything is in this diagram and this chart. Both of those which...

Comment 30: So all of it is?

Presenter: I mean you had to do something to take it forward even if you didn't keep good records, which is usually how it gets dismissed.

Comment 31: I was wondering if the City of Lewisville has a Fair Housing Department?

Presenter: It is not a department.

Comment 32: We do not. There is a Fair Housing Ordinance which just mirrors; it just basically says the same thing as Federal Law. I am designated as the Fair Housing Officer, but not empowered by any city ordinance to investigate. So basically I would still forward somebody to HUD.

Comment 33: So you wouldn't take the complaint?

Comment 34: I would document it, but I would still forward it to HUD to take any actions or investigation on. I get very few and it has been several years since I have had a single call.

Comment 35: I thought we had a neighborhood, a new department?

Comment 36: Our Neighborhood Services Department after we reorganized is called Neighborhood Services. That includes our office with Community Block Grants and includes Neighborhood Services Coordinator that is liaison to neighborhood associations and then it also includes building inspectors, code enforcement.

(Presentation)

Comment 37: ...Do they know that they are being discriminated against?

Presenter: Very good point.

Comment 38: Or the practice is so prevalent that they are just used to it and accept it.

(Not Discernable)

Comment 39: A lot of them are afraid of retaliation.

Presenter: That is right. HUD actually tracts retaliation. There was one retaliation in a protected class.

(Presentation)

Comment 40: On the survey what is the cut off on that?

Presenter: I am not going to cut it off until the thing is done, but I am done at the end of the month.

(Presentation)

Comment 41: In case you were trying to write that down you can also go to cityoflewisville.com, our website that you are familiar with housing. It will get you there as well or if you saw an advertisement or a flyer for this meeting it is probably on that as well.

(Presentation)

Comment 42: Is there a question that pertains to costs, price point type of costs?

Presenter: Not really.

Comment 43: Are conditions making it difficult for people?

Presenter: I think that is irrespective of your protected class. I think we all face that. I think in many ways we all face the same problems, but housing not just here, but nationally it is going crazy. Some places are like ridiculous.

Comment 44: I know compared to others Texas is not that bad, but in actually it is really difficult for households that are under \$100,000 to purchase a home.

Presenter: I appreciate what you are saying and I think that is absolutely true.

Comment 45: So is there any way that that is addressed in this process.

Presenter: The availability of housing I think that is more fully addressed in considering the Consolidated Plan. If we were to determine that the price of housing had a disparate impact on certain protected classes the answer would be yes. I mean it may if you can tell me that it does then I can look into it and see if I can demonstrate.

Comment 46: Do you know what the average house/home cost for the city is?

Comment 47: The median price is \$230,000. The average is...

Comment 48: Is that 2016?

Comment 49: Yes.

Comment 50: That is the most recent. It has been varying somewhere between \$215 and \$230,000. I don't know if we determined if whether that included or not include Castle Hills. So I don't know whether Castle Hills which a lot of people do consider Lewisville, but technically it is not Lewisville yet.

Comment 51: Do you know how much median area income is?

Comment 52: It is about \$54 or \$55,000

Comment 53: Because we work with this HUD program I am always going back to and I am always thinking of the wider area, but I don't recall that number right now.

(Crosstalk)

Comment 54: My question is the relationship of HUD with lending like Lending Tree or another one. My question is I have run into a situation where I was looking at modification and I don't know if you have experiences on surveys relating to those lending organizations, but basically they would give my family a modification down to 3 or 2.5 percent that then they add balloon on it of almost the same amount. So we didn't take it, but both the lending people do something like that and charge almost an extra \$49 or \$50,000. Does HUD regulate them?

Presenter: There are seven federal agencies that regulate all of the financial institutions. HUD does regulate some. They are typically manufactured home lenders and there are problems with those guys. We see the biggest problems occurring in places like Mississippi.

Comment 55: That is a home lending conversation.

Presenter: Go back to your question again.

Comment 56: Modification, they are going to bring us down to 2.5 percent, but then 15 years from now or 20 years from now you have to pay almost the same price. They call it a balloon payment.

Presenter: We did not include earlier years in this analysis. I have been doing it a long time and the housing market was booming in 2005 and 2006, booming, but our analysis we can also do it here. Our analysis we are able to uncover subprime lending activity and the portion of householders that get just like who got denied we can see who got the subprime loans and it was minority's households.

(Presentation)

Comment 57: Their justification is that they are this is probably the best for people who are so far down in the hole that they can't get out, but like if you family is doing OK, but why would they just represent it as congratulations you are approved on this.

Presenter: If you want my opinion it may not be based in fact, but I can tell you these lenders package lots of loans and sell that as a debt collateralize instrument on the market place and somebody buys that and they shift that risk away.

Comment 58: I know when I got into and when I started this job and got into understanding housing a little bit more and lending. I had to shift my mindset. I thought of banks as a place where you went and had a service and I thought they were all very similar, but they do have sales offices and they are trying to sell products.

Presenter: Sometimes they will deny you and deny you and deny you and the interest rate will keep going up until there is such a time where you are so emotionally invested that they got you.

(Presentation)

Comment 59: Lack of affordable housing and with you finding and seeing the concentration and even if someone does have a Section 8 voucher they are concentrated in certain areas and so I

would like to and I will tell you I work for a housing authority in Denton and we have families who live here in Lewisville and I think that the city needs to look at affordable housing and they also need to look at where it is placed.

Comment 60: I think they do have affordable housing in all the surrounding sister cities and Lewisville does have the most number of affordable housing there is. If you compare to.

(Crosstalk)

Comment 61: Our appraised values...

(Crosstalk)

Comment 62: That maybe the thing that people are probably starting to assume that we don't have affordable housing because the rental values have gone up, but compared to surrounding sister cities we have affordable housing.

Comment 63: The problem is...

Comment 64: Where do you define that?

Comment 65: Affordable housing to me is a home. You can get a home in Lewisville for \$150/170.

Comment 67: Where?

Comment 68: So what is your definition of affordable housing?

Comment 69: Affordable rental housing.

Comment 70: Like apartment...

(Crosstalk)

Comment 71: There are two problems. When people get vouchers they have a hard time finding a place to use them and I guarantee you that is a problem, but even though Lewisville does have more affordable housing than one of the adjoining cities who have definitely not shouldered their share of the burden, but even though they don't there is still a need for more affordable housing and that is the biggest problem. The problem is we get called all the time and people just cannot find affordable housing. The adjacent cities need to shoulder some of the burden. Everywhere does.

Comment 72: I think some of the concentrations along 35 probably has to do with some of the old zoning that we had where a lot of our multi-family was zoned along those corridors and things like that so that is where apartments were built and so that is where they are now. So, we do have sort of and we are constrained a little bit by our building environment.

Comment 73: So the zoning rules maybe an area and the reason why we have a concentration.

Comment 74: (Not Discernable)

Comment 75: That is just what I was thinking too and along the lines of if there is available housing at the rates for sale of \$150,000, where are they and what is the quality of that house?

Comment 76: Low quality.

(Crosstalk)

Comment 77: And it is probably concentrated in one area.

Comment 78: No doubt. It seems to me that that should be expanded.

Comment 79: We also have to keep in mind that in Lewisville we, it is struggle and because of everything that is going on between Vision 2025. People according to the survey, people want more homes that they can upgrade from your starter home to your middle home. There is really not going to be a lot of affordable homes, because that is not what the residents wanted. So that is the thing that is being worked on in 2025 according to the survey that we got is people wanting more higher end homes and less multi-family homes and everything like that.

Comment 80: You have to be careful as a city in a community, because people that need affordable housing are the people that are working in the schools, they work for the city, they work for the fire department, the police department, they work in the restaurants, so if there is nowhere in your city for people of that income range to live who do those jobs then that means they all have to go somewhere else and try to get transportation to drive back to your community in order to work at your jobs. So is that really what you want the city to look like?

Comment 81: I understand that, but those people need to participate in what is going on. These forums are open to everyone so it is the majority of the time it is the homeowners who are invested in this community that own a home that come out and participate in these.

Comment 82: That is because most of the lower income people are working two jobs and they don't have the luxury of time.

Comment 83: If they don't give their voice then...

Comment 84: You should make sure you understand what the purpose of this is. This is to talking about those people that you are talking about. This is talking about minorities, low-income families. So that is what this is about. If your direction and your feedback are all coming from there you might want to rethink the direction that you are coming from, because that is to what this is about. This isn't about building homes for people that want a \$230,000 house.

Comment 85: What is the average apartment rent a month is it like \$1,000 or \$1,500?

Comment 86: One bedroom is around \$1,500.

(Crosstalk)

Comment 87: We did a rent survey and there are some apartment's available in the \$800s, but many of those you still have to pay utilities on top of that, but it is and I don't know the average pretty much from the high \$700s to \$1,350.

Comment 88: Families can barely afford to rent those.

Comment 89: Right and the places with those units and all apartments are pretty full.

Comment 90: Even a little starter home...

Comment 91: Fox and Jacobs, because I have lived in Lewisville for almost 40 years. The little Fox and Jacobs starter homes I think they rent for like \$1,500 a month.

Comment 92: That would be right, but I am just talking about apartments.

(Crosstalk)

Comment 93: We are landlocked and what people want moving forward it not conducive to being done, but other cities around us that have way more land where they can accommodate affordable housing.

Comment 94: So I think one of the problems is we were developed mostly in the 80s and the 90s when suburban development was very like get a big tract of land and put a bunch of houses that were all the same size and so you don't have the diversity of different houses and sizes. Here is a multi-unit and here is a single family mixed together and that was a sort of and now we have the land problem where and if we did have zoning laws that said you have to create multi-family and single family in a development we just don't have that land. So we have to you known it is very hard to redevelop single family areas because everybody owns their own little piece.

Comment 95: You do that over time.

Comment 96: We do have a development, but it just kind of lends itself to concentrations in certain areas.

Comment 97: I think that first of all they did an incredible job when they rebuilt the City Hall. It is just incredible, but as that side of town grows you are going to see a lot of transition from those older home on big lots to people buying and building the commercial on the first floor and three and four stories. When they do that they have got to incorporate affordable housing somewhere. It may a lot a of the land might not be there, but there is going to be redevelopment. There are other apartment complexes in the city that really the you know...

Presenter: Did you have a question?

Comment 98: Can you go back to the list of potential observation. I think I heard somebody say that they might be under reporting of fair housing issues. Over eight years there are what 40?

Presenter: Yes, I did say that.

Comment 99: So over eight years there are only 40 and she hasn't heard of any in several years. So the point that people are not coming out and saying anything, maybe one of the points we should make is questioning the number of complaints is that an actual fair number and if not then we need

to educate our population about fair housing issues. (Crosstalk) Did you know that you are being scammed and here is your form to make your voice heard?

Comment 100: By and large for the most part people who live in this part of the metro-plex aren't looking to find the least expensive housing that is available in the area. They are just looking to be able to afford where they live. If a household has an income of \$60,000 or \$70,000 where can they purchase a home? Are they condemned to rental for the rest of their lives? That is the point.

Comment 101: You can buy a home...

Comment 102: I don't think so. Which is a decent living, but can you buy a home with that? Not likely.

Comment 103: Is that the objective for HUD is home purchase or just having a place to live?

Comment 104: I think it is both.

Presenter: For this study we are trying to determine how people are treated in the housing transaction whether that is homeownership or rental. If they are treated and I don't want to say incorrectly, but say improperly then what can we do about that? On one hand we certainly need to educate people so they understand how they are being treated and then they can do something about that, but we also need to educate those providers whether that is a financial instrument or a rental lease so they too understand.

Comment 105: I honestly don't know if that is a correct number of complaints or not. My knowledge is that I know people who are familiar, but housing conditions in Lewisville.

Comment 106: I am sure it is off. Those people first of all I can tell you are not educated and don't have the time to go get trained, because they are too busy just trying to put the food on the table.

Comment 107: They don't know. They have to deal with income taxes.

Presenter: Your point is really well taken. Somebody who is denied a place to rent they just go and find the next one.

(Crosstalk)

Comment 108: Then they go and try to find something in the concerted area where people look like them.

Comment 109: I just wanted to add the information as far as average family household income in Lewisville. I looked it up online and I am seeing about \$58,000 and then the HUD income limits that we use to base on first-time home buyers assistance program is the Dallas-Fort Worth statically area and that is about \$72,000 and that is a household of four and the marker.

(Presentation)

Comment 110: I am a realtor by trade and when we start a transaction all of our disclosure is upfront. So we tell our clients about fair housing laws and what their rights are. Are apartment complexes not doing that? Are they not required to tell people when they come into fill out an application that there are fair housing laws?

Presenter: I think that is a very good question.

Comment 111: I understand that the greater Dallas...

Comment 112: I just signed a new apartment lease and if we look through everything there is mention of any kind of discriminations, but that wasn't necessarily pointed out to me.

Comment 113: There should be a disclosure in Spanish and English.

Comment 114: I think the majority of the time people in the apartment is credit and I think they are being denied for credit. I am assuming it is.

(Crosstalk)

Comment 115: I know that the apartment associations provide fair housing training and I am not sure what the requirements for leasing agents are to get that. I know a lot of property; the corporate owned apartments will make sure that their managers and leasing agents occasionally get fair housing training.

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Cleve Joiner, Director of Neighborhood Services

DATE: December 2, 2016

SUBJECT: **Assessment of Fair Housing for Monday, December 5 Workshop Session.**

Required Assessment of Fair Housing

The U.S. Department of Housing and Urban Development (HUD) has a new requirement for jurisdictions receiving CDBG and other HUD funding. Now, the City is mandated to perform an Assessment of Fair Housing (AFH) ¹ that is due to HUD on January 4, 2017.

The AFH is a snapshot of housing and demographic patterns in Lewisville with the most recent data coming from the 2010 census, as well as the 2010-2014 American Community Survey. It provides a geographic analysis of housing segregation patterns and analyzes mortgage loan disclosure data, fair housing complaints and housing disparities. It is required to be submitted prior to our undertaking of the five-year Consolidated Plan for Housing and Community Development (our strategic plan for using HUD funds) which is due in August of 2017. The goals adopted in the final AFH can affect our Community Needs Assessment by prioritizing social service spending. Such goals are also supposed to be considered as we undertake future long-range planning efforts.

¹ Fair Housing relates to protection against discrimination for protected classes (race, color, religion, sex, handicap, children with families and national origin). Jurisdictions receiving HUD funds must “affirmatively further fair housing.” This is also referred to as furthering “fair housing choice.” Choice refers to whether members of those seven protected classes have the ability to live in communities with good schools, economic opportunities and other desirable factors that most residents seek when choosing a neighborhood.

Please note that fair housing and affordable housing are not quite the same thing, but one can affect the other. Affordable housing can be a strategy to remedy segregation patterns. Affordable housing is defined as housing that costs less than 30% of a family’s income including rent/mortgage and basic utilities. For the purpose of housing programs, it is usually talking about housing that a family making less than 80% of the median area income (e.g. \$40,150 for a household of one; \$57,350 for a family of 4 in the Dallas metro area) can afford under that standard. A household with \$40,000 annual gross income ideally would not pay more than \$1,000/mo. towards housing costs. The lower the income, the lower the ideal housing cost would be and housing programs often target families making under 50% or 60% of area median income. If families pay more than the standard they are considered “cost burdened”.

Staff was pleased that the draft AFH paints a positive picture for Lewisville. It shows that Lewisville is a very diverse community with low levels of segregation within the City. There are, however, specific findings that call for *some* action on the part of the Neighborhood Services Department (likely calling for changes in allocation of our future CDBG funds). Most of these findings relate to a need for greater outreach and public education.

Process for Submittal

Our consultant, Western Economic Services, will give a presentation at the Monday, December 5th workshop. This presentation will summarize the draft AFH and discuss the consultant's process, findings, and proposed goals. We have provided a copy of the draft AFH in dropbox for your review. We ask that you review it prior to City Council's meeting on December 19th. At that meeting, we will then ask City Council to give the City Manger authorization to submit the AFH to HUD. Any Council-directed changes and edits can also be proposed and incorporated prior to that January 4th submittal date.

Staff has also made the draft AFH available to the public for the required 30-day public comment period.

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Richard E. Luedke, Planning Manager

DATE: December 5, 2016

SUBJECT: **Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From General Business District (GB) to Old Town Center Business District (OTC), on Approximately 0.07 Acres Situated in the J. W. King Survey, Abstract No. 696, Located on the South Side of West Main Street Approximately 150 Feet West of South Mill Street, at 132 West Main Street, as Requested by Kellie Fister Stokes, President, J.W. Mustang Properties LLC, the Property Owner (Case No. PZ-2016-11-31).**

BACKGROUND

The current building on the subject property is one story with parking at the rear. The sides of buildings on this street are attached to one another and have both front and rear entrances. The applicant has owned the property for approximately 12 years and is currently using the building as an office. The property is currently being platted and an Old Town Development Plan will be required for any proposed development on the property. The applicant is considering a building addition at the rear of the property.

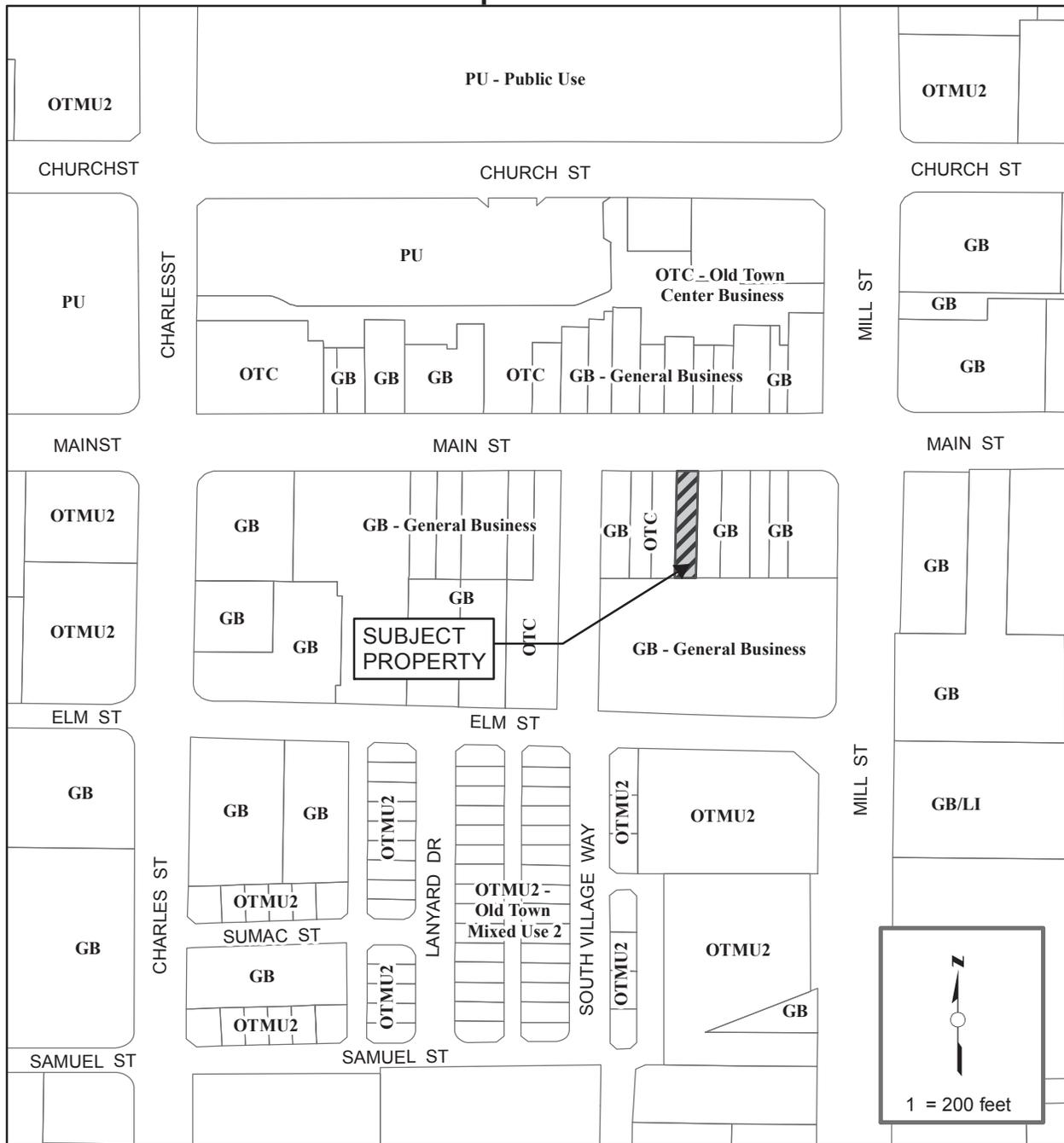
ANALYSIS

The property is located within the Old Town area identified in the Old Town Master Plan as the Old Town Center District. The Old Town Master Plan adopted in 2003 recommends that this block be rezoned to Old Town Center Business District. The OTC District allows for office, retail and other service uses. The existing building does not conform to the setback requirements of the GB District; however, the building will be in compliance with the setback requirements of the proposed OTC District. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of November 15, 2016.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the proposed ordinance as set forth in the caption above.

Location Map - 132 W. Main St



ZONING CASE NO.PZ-2016-11-31

PROPERTY OWNER: KELLIE FISTER STOKES, PRESIDENT, JW MUSTANG PROPERTIES LLC

APPLICANT: KELLIE FISTER STOKES, PRESIDENT, JW MUSTANG PROPERTIES LLC

PROPERTY LOCATION: 132 W. MAIN ST. (0.07-ACRES)

CURRENT ZONING: GENERAL BUSINESS DISTRICT (GB)

REQUESTED ZONING: OLD TOWN CENTER BUSINESS DISTRICT (OTC)

Aerial Map - 132 W. Main St



**MINUTES
PLANNING AND ZONING COMMISSION
NOVEMBER 15, 2016**

Item 1:

The Lewisville Planning and Zoning Commission meeting was called to order at 6:30 p.m. Members present: Chairman James Davis, William Meredith, John Lyng, MaryEllen Miksa, Steve Byars and Kristin Green. Member Alvin Turner was absent.

Staff members present: Richard Luedke, Planning Manager; Jonathan Beckham, Planner, Theresa Ernest, Planning Technician.

Item 3:

Public Hearing – Zoning and Special Use Permits were the next item on the agenda. There were two items for consideration:

- B. Public Hearing:** Consideration of a Zone Change Request From General Business District (GB) to Old Town Center Business District (OTC); on Approximately 0.07 Acres Situated in the J. W. King Survey, Abstract No. 696; Located on the South Side of West Main Street Approximately 150 Feet West of South Mill Street, at 132 West Main Street; as Requested by Kellie Fister Stokes, President, J.W. Mustang Properties LLC, the Property Owner. (Case No. PZ-2016-11-31).

Staff gave an overview of the proposed zone change request. The applicant wishes to add on to the existing building. The Old Town Center Business District (OTC) zoning allows for greater flexibility with setbacks. Staff indicated that the proposed zone change is consistent with the Old Town Master Plan, and recommended approval. Member Kristin Green asked if the addition to the rear of the building would be two-stories. Staff answered that the existing building was two-stories high and that the addition would meet the same height. The public hearing was then opened by Chairman Davis. There being no public comment, the public hearing was then closed. A motion was made by William Meredith to recommend approval of the zone change request, seconded by Kristin Green. The motion passed unanimously 6-0. Staff indicated that this item would be going before the City Council on December 5th for a second public hearing and a final decision.

SECTION 17-22. - "GB" GENERAL BUSINESS DISTRICT REGULATIONS

- (a) *Use.* A building or premise shall be used only for office, retail and service uses which are primarily retail in nature including, but not limited to:
- (1) Any use permitted in district "LC" as regulated in said district.
 - (2) Auto, boat, motorcycle, recreational vehicle or mobile home display, sales (outdoor) and/or repair (SUP required)
 - (3) Bakeries.
 - (4) Building material sales with outside storage or display, including lumber yards (SUP required).
 - (5) Business or commercial schools.
 - (6) Clinic, medical and dental, and professional offices.
 - (7) Carpentry, painting, plumbing or tinsmithing shop fully enclosed within a building.
 - (8) Cleaning, laundry and dyeing plants fully enclosed within a building.
 - (9) Creamery, ice cream manufacturing and dairy operations fully enclosed within a building.
 - (10) Farm implement display and sales room. (outdoor) (SUP required).
 - (11) Hotels, motels and inns.
 - (12) Mortuaries with or without crematoriums. (SUP required).
 - (13) Office buildings.
 - (14) Pet shops, retail, fully enclosed within a building.
 - (15) Printing, engraving and newspaper plants, fully enclosed within a building.
 - (16) Radio or television broadcasting station or studio with broadcasting towers (SUP required).
 - (17) Retail stores, fully enclosed within a building.
 - (18) Veterinarian or animal hospital with outdoor kennel or exercise runs (SUP required).
 - (19) Bowling alley and other commercial amusement (indoor) uses, fully enclosed within a building.
 - (20) Church worship facilities.
 - (21) Uses similar to the above mentioned permitted uses, provided activities conducted wholly inside a building and observe the requirements of all city ordinances.
 - (22) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
 - (23) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, smoke, noise, vibration or similar nuisance. Open storage shall be considered an accessory use but no more than ten percent (10%) of the platted lot may be used for outside storage, including access and maneuvering areas for moving the stored items.
 - (24) Dwelling units of 850 square foot minimum size when located over a retail, restaurant or similar use on the first floor (SUP required).
 - (25) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
 - (27) Cemetery, columbarium, mausoleum and accessory uses (SUP required).
 - (28) Commercial amusement, outdoor (SUP required).
 - (29) Drive-in theater (SUP required).
 - (30) Flea market, outdoor (SUP required).
 - (31) Helipad, helistop or landing strip (SUP required).
 - (32) Kennels with outdoor runs (SUP required).
 - (33) Nightclub, bar. (SUP required).
 - (34) Brewery, distillery, or winery.
 - (35) Hotels, motels and inns with rooms containing a cooktop or oven (SUP required).
- (b) *Height.* No building shall exceed in height the width of the street on which it faces plus the depth of the front yard. On a lot adjoining a residential district, no building shall exceed forty-five (45) feet in height, except that this height may be increased up to the maximum of twelve (12) stories or one hundred eighty (180) feet at the rate of two (2) feet of additional height for each one (1) foot of additional setback from required yard lines. In no event, however, shall the portion of a building located within one hundred fifty (150) feet of any property zoned for residential purposes exceed the height allowed in that residential zoning district.
- (c) *Area.*

(1) *Size of yards.*

- a. *Front yard.* There shall be a front yard having a minimum depth of twenty-five (25) feet. No parking, storage or similar use shall be allowed in required front yards in district "GB", except that automobile parking (including automobile dealer display parking) will be permitted in such yards if separated by at least twenty-five (25) feet from any residential district.
- b. *Side yard.* A side yard of not less than fifteen (15) feet in width shall be provided on the side of a lot adjoining a side street. A side yard of not less than ten (10) feet in width shall be provided on the side of a lot adjoining a residential district. The required side yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device. No parking, storage or similar use shall be allowed in any required side yard or in any side street yard adjoining a residential district.
- c. *Rear yard.* No rear yard is required, except that a rear yard of not less than twenty-five (25) feet in depth shall be provided upon that portion of a lot abutting or across a rear street from a residential district, except that such yard requirement shall not apply where the property in the residential district also backs up to the rear street. The required rear yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device.

(2) Reserved.

- (d) *Outside Storage Regulations.* In all zoning districts where outside storage yards are allowed, such storage yards shall be screened from view in accordance with the standards outlined in the city's general development ordinance. This provision applies to all outside storage which began after the original date of passage of this provision (April 4, 1994). Any variance request involving the requirements or standards relating to such required screening devices shall be considered by the city council in accordance with the city's general development ordinance. Areas which are used for infrequent and temporary storage for a period of thirty (30) days or less per year shall not be deemed as storage yards.

SECTION 17-22.6 - "OTC" OLD TOWN CENTER BUSINESS DISTRICT REGULATIONS

- (a) *Use.* A building or premise shall be used only for office, retail and service uses which are primarily retail in nature including, but not limited to:
- (1) Retail establishments including but not limited to: bakeries; book, card, gift and stationary stores; building material sales; clothing; florists; grocery stores; and pet shops or others of a similar nature and subject to the following condition:
 - a. Temporary, portable outside display of merchandise is allowed on a daily basis but is limited to the area directly adjacent to the building occupied by the business and no more than five (5) feet from the building. A clear aisle shall be maintained for pedestrian access. Otherwise, no outside display or storage is permitted.
 - (2) Barber and beauty shops.
 - (3) Buildings and uses owned or operated by public governmental agencies.
 - (4) Business or commercial schools.
 - (5) Church worship facilities.
 - (6) Clinic, medical and dental, and related professional offices.
 - (7) Communication towers, accessory to the primary use, shall be located on a building and may extend a maximum of 15 feet above the building, but must be screened from view.
 - (8) Day nurseries.
 - (9) Dry cleaning and laundry services.
 - (10) Hotels, motels and inns.
 - (11) Professional offices.
 - (12) Restaurants.
 - (13) Veterinarian or animal clinic provided that no kennel or exercise runway shall be located outside the building.
 - (14) Video rental stores and movie theaters.
 - (15) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, smoke, noise, vibration or similar nuisance. Dwelling units of 850 square foot minimum size shall be allowed as an accessory use to retail businesses.
 - (16) Non-accessory dwelling units of 650 square foot minimum size when located over a retail, restaurant or similar use on the first floor.
 - (17) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
 - (18) Uses similar to the above mentioned permitted uses; provided activities conducted observe the requirements of all city ordinances.
 - (19) Bed and breakfast establishments (SUP required).
 - (20) Bar (SUP required).
 - (21) Hotels, motels and inns with rooms containing a cooktop or oven (SUP required).
- (b) *Height.* No building shall exceed a maximum height of three (3) stories or forty-five (45) feet excluding parapet walls. Parapet walls shall have a maximum height of eight (8) feet.
- (c) *Area.*
- (1) *Size of yards.*
 - a. *Front yard.* The front facades of buildings shall be set at the front property line. However, a portion of the façade may be set back further in order to create a special entry court or restaurant seating.
 - b. *Side yard.* The façade of a building located on a lot that adjoins a side street shall be located at the property line.

This Section (Office Use Only)	
Case:	
PZ:	CC:
Sign/s Picked Up By:	



LEWISVILLE
TEXAS

**ZONE CHANGE
APPLICATION**

Owner/s (name): <u>Kellie Fister Stokes, President</u>	
Company Name: <u>JK Mustang Properties LLC</u>	
Mailing Address: <u>132 West Main St, Lewisville TX</u>	
Work #: <u>972 436 8141</u>	Cell #: <u>214 463 8611</u>
E-Mail: <u>Kellie@kfslegal.com</u>	
Owner Signature (Owner's Must Sign - Submit Letter of Authorization): 	Date: <u>10.31.16</u>
Printed Name: <u>Kellie Fister Stokes</u>	

Applicant/Agent (name): <u>same as above</u>	
Company Name:	
Mailing Address:	
Work #:	Cell #:
E-Mail:	
Applicant/Agent Signature	Date:
Printed Name:	

Current Zoning: <u>general business</u>	Requested Zoning: <u>OTC BD</u>	Acres: <u>less 1/2 acre</u>
Legal Description (Lot/ Block/Tract/Abstract): <u>see attached</u>		<u>.07 acres</u>
Address/Location: <u>132 West Main St. Lewisville TX 75057</u>		

Application and Sign Fees: No Application Fee - Old Town

<input checked="" type="checkbox"/>	Less than 1/2 acre	\$ 150.00
<input type="checkbox"/>	1/2 acre up to 4.99 acres	\$ 250.00
<input type="checkbox"/>	5 acres up to 24.99 acres	\$ 400.00

<input type="checkbox"/>	25 acres up to 49.99 acres	\$ 750.00
<input type="checkbox"/>	50 acres up to 99.99 acres	\$1,000.00
<input type="checkbox"/>	100 acres and more	\$1,500.00

Qty: <u>1</u>	Zone Change Signs - \$35 each. 1 sign required for each 5 acres (max. 5 per site)	\$ <u>35.00</u>
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Sign(s) must be posted a minimum of ten (10) days prior to the Planning & Zoning hearing date.

Amount Due (application & sign fee)	\$ <u>35.00</u>
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ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY REZONING APPROXIMATELY 0.07 ACRES OUT OF THE J.W. KING SURVEY, ABSTRACT NO. 696, LOCATED ON THE SOUTH SIDE OF WEST MAIN STREET APPROXIMATELY 150 FEET WEST OF SOUTH MILL STREET, AT 132 WEST MAIN STREET; FROM GENERAL BUSINESS DISTRICT (GB) ZONING TO OLD TOWN CENTER DISTRICT (OTC) ZONING; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; DETERMINING THAT THE PUBLIC INTERESTS AND GENERAL WELFARE DEMAND THIS ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING FOR A REPEALER, SEVERABILITY, AND A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, applications were made to amend the Official Zoning Map of Lewisville, Texas by making applications for same with the Planning and Zoning Commission of the City of Lewisville, Texas, as required by State statutes and the Zoning Ordinances of the City of Lewisville, Texas, said Planning and Zoning Commission has recommended that rezoning of the approximately 0.07-acre property described in the attached Exhibit “A” (the “Property”) be **approved**, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of the City of Lewisville, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and,

WHEREAS, the City Council of the City of Lewisville, Texas, at a public hearing called by the City Council of the City of Lewisville, Texas, did consider the following factors in making a determination as to whether this requested change should be granted or denied: effect on the congestion of the streets; the fire hazards, panics and other dangers possibly present in the securing of safety from same; the effect on the promotion of health and the general welfare; effect on adequate

light and air; the effect on the overcrowding of the land; the effect of the concentration on population; the effect on the transportation, water, sewerage, schools, parks and other public facilities; and,

WHEREAS, the City Council further considered among other things the character of the district and its peculiar suitability for particular uses and with the view to conserve the value of buildings, encourage the most appropriate use of land throughout this City; and,

WHEREAS, the City Council of the City of Lewisville, Texas, does find that there is a public necessity for the zoning change, that the public interest clearly requires the amendment, that the zoning changes do not unreasonably invade the rights of adjacent property owners; and,

WHEREAS, the City Council of the City of Lewisville, Texas, does find that the change in zoning lessens the congestion in the streets; helps secure safety from fire, panic and other dangers; promotes health and the general welfare; provides adequate light and air; prevents the overcrowding of land; avoids undue concentration of population; facilitates the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; and,

WHEREAS, the City Council of the City of Lewisville, Texas, has determined that there is a necessity and need for this change in zoning and has also found and determined that there has been a change in the conditions of the property surrounding and in close proximity to the Property since it was originally classified and, therefore, feels that a change in zoning classification for the Property is needed, is called for, and is in the best interest of the public at large, the citizens of the City of Lewisville, Texas, and helps promote the general health, safety, and welfare of this community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT:

SECTION 1. The Zoning Ordinance of the City of Lewisville, Texas, be, and the same is hereby amended and changed in that the zoning of the Property is hereby changed to **OLD TOWN CENTER DISTRICT (OTC) ZONING.**

SECTION 2. The City Manager, or her designee, is hereby directed to correct the official zoning map of the City of Lewisville, Texas, to reflect this change in zoning.

SECTION 3. That in all other respects the use of the tract or tracts of land hereinabove described shall be subject to all the applicable regulations contained in said City of Lewisville Zoning Ordinance and all other applicable and pertinent ordinances of the City of Lewisville, Texas.

SECTION 4. That the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting health, safety, and the general welfare of the community. They have been designed with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future, to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; provide adequate light and air; to prevent overcrowding of land, to avoid undue concentration of population; facilitate the adequate provisions of transportation, water, sewage, parks and other public requirements, and to make adequate provisions for the normal business, commercial needs and development of the community. They have been made with reasonable consideration, among other things of the character of the district, and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

SECTION 5. This Ordinance shall be cumulative of all other ordinances of the City of Lewisville, Texas, affecting zoning and shall not repeal any of the provisions of said ordinances,

except in those instances where provisions of those ordinances which are in direct conflict with the provisions of this Ordinance.

SECTION 6. That the terms and provisions of this Ordinance shall be deemed to be severable and that if the validity of the zoning affecting any portion of the Property shall be declared to be invalid, the same shall not affect the validity of the zoning of the balance of the tract or tracts of land described herein.

SECTION 7. Any person, firm or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the Municipal Court, shall be subject to a fine of not more than \$2,000.00 for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 8. The fact that the present Zoning Ordinance and regulations of the City of Lewisville, Texas are inadequate to properly safeguard the health, safety, peace and general welfare of the inhabitants of the City of Lewisville, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this Ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 5TH DAY OF DECEMBER, 2016.

APPROVED:

ORDINANCE NO. _____

Page 5

Rudy Durham, MAYOR

ATTEST:

Julie Heinze, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

Exhibit A
Property Description

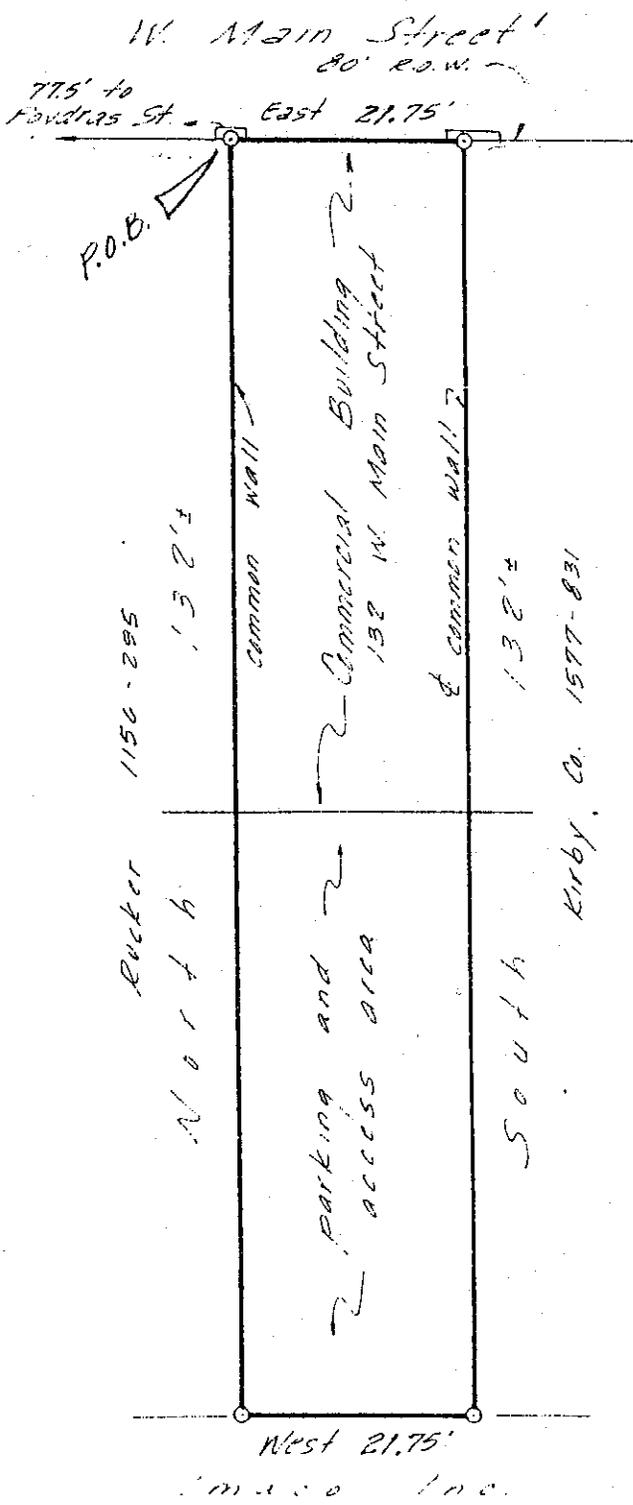
EXHIBIT A

SURVEY PLAT

132 W Main St Lewisville

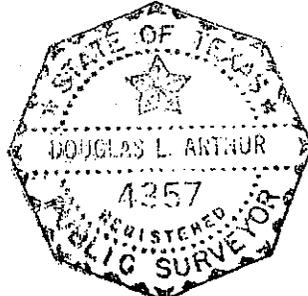
BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, SITUATED IN THE J.W. KING SURVEY, ABSTRACT NO. 696, CITY OF LEWISVILLE, DENTON COUNTY, TEXAS AND BEING THAT SAME TRACT OF LAND DESCRIBED BY DEED TO DALE DISHMON ET UX SANDY DISHMON AS RECORDED IN VOLUME 1328 AT PAGE 921, DEED RECORDS, DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF MAIN STREET, SAID POINT BEING ABOUT 77.5 FEET EAST OF THE EAST LINE OF POYDRAS STREET, ALSO BEING THE NORTHEAST CORNER OF THE M. RUCKER TRACT (VOL. 1156 PG. 295);
THENCE EAST ALONG THE SOUTH LINE OF MAIN STREET ABOUT 21.75 FEET TO A POINT FOR CORNER IN THE CENTER OF A BRICK WALL AT THE NORTHWEST CORNER OF THE N. KIRBY CO. TRACT (VOL. 1577 PG. 831);
THENCE SOUTH WITH CENTER OF SAID WALL ALONG THE COMMON LINE OF SAID KIRBY TRACT AND DISHMON TRACT, 132 FEET TO A POINT FOR CORNER;
THENCE WEST ABOUT 21.75 FEET TO A POINT FOR CORNER;
THENCE NORTH ALONG THE COMMON LINE OF SAID RUCKER AND DISHMON TRACTS, 132 FEET TO THE POINT OF BEGINNING;



I, DOUGLAS L. ARTHUR, CERTIFY TO AMERICAN TITLE CO. OF DALLAS AND REALTY ALLIANCE OF TEXAS THAT THE HEREON PLAT IS A TRUE REPRESENTATION OF A SURVEY AS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION. ALL IMPROVEMENTS AND EASEMENTS MADE KNOWN TO ME ARE SHOWN THEREON.
Douglas L. Arthur
DOUGLAS L. ARTHUR
R.P.S. 4357

SURVEY OF
132 W. Main Street
J.W. King Survey Ab. No. 696
City of Lewisville,
Denton County, Texas
7-22-89



ARTHUR SURVEYING COMPANY
DOUGLAS L. ARTHUR R.P.S.
P.O. BOX 54 LEWISVILLE, TEXAS 75067
221-9439

MEMORANDUM

TO: Donna Barron, City Manager
FROM: Richard E. Luedke, Planning Manager
DATE: December 5, 2016
SUBJECT: **Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Office District (OD) to Old Town Mixed Use 2 District (OTMU2), on Approximately 0.47 Acres Situated in the J. W. King Survey, Abstract No. 696, Located on the East Side of North Hatcher Avenue Approximately 200 Feet North of West Main Street, at 112, 118 and 120 North Hatcher Avenue, Being A Portion of Lot 12 Rawlings Addition, as Requested by Kristie Steed, Eve's Moon, LLC, the Property Owner (Case No. PZ-2016-11-29).**

BACKGROUND

The approximately 0.47-acre property is located on the east side of Hatcher Avenue, approximately 200 feet north of West Main Street. The property is currently occupied by three residences (one duplex and a third separate residence). Per Denton Central Appraisal District records the homes were constructed in 1940 and 1961. The applicant does not have any plans to redevelop the property at this time. This site abuts 119 Herod Street, which was recently changed from OD zoning to OTMU2 zoning.

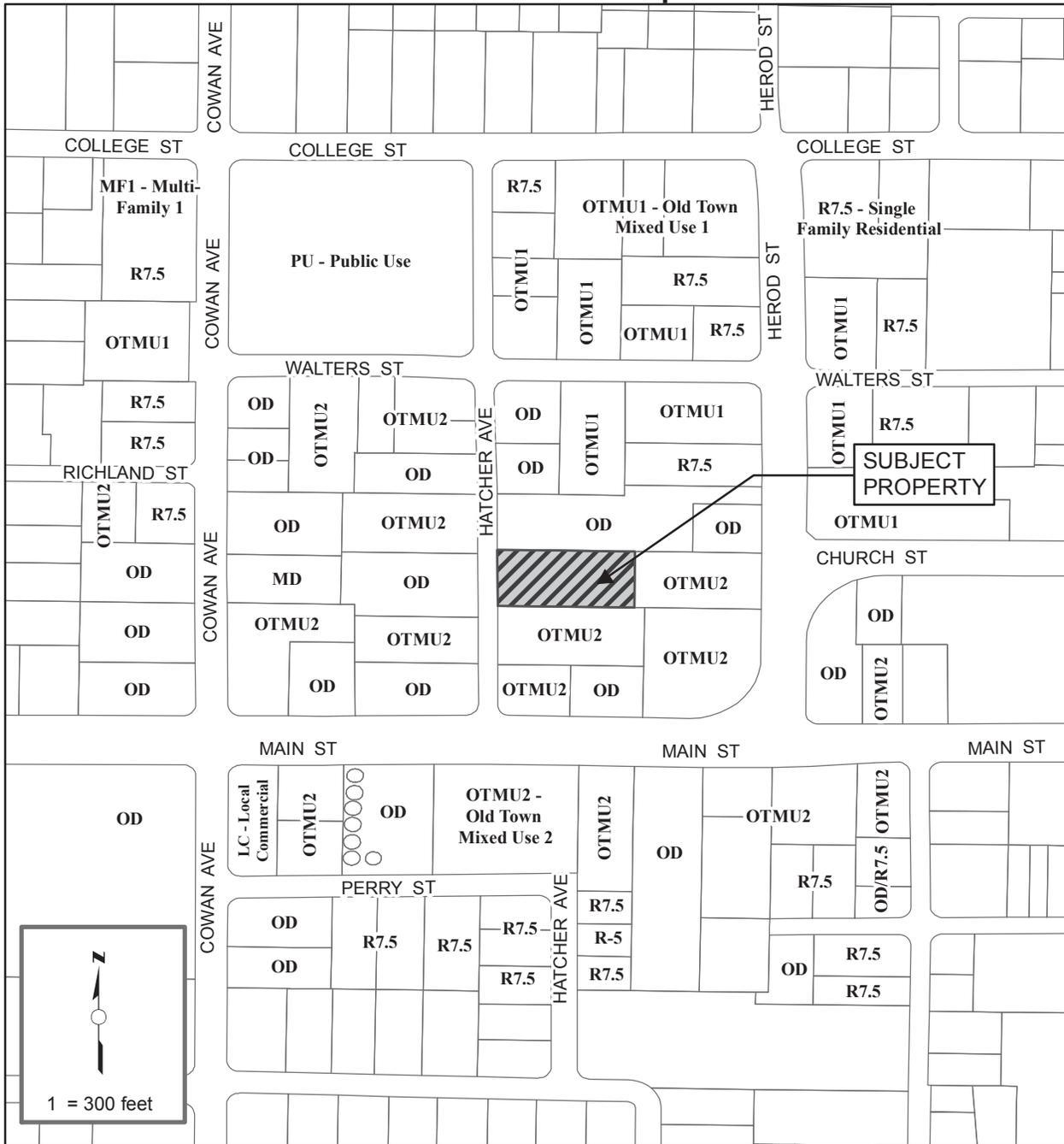
ANALYSIS

The property is located within the Old Town Design District and is one block west of the three new restaurants under construction at Church Street and Herod Street. The Old Town Master Plan adopted in 2003 recommends that the northern two-thirds of this block be rezoned to Old Town Mixed Use One, while the southern third of the block be rezoned Old Town Mixed Use Two. The idea being that the southern portion fronts onto Main Street where retail and commercial development is most prevalent. This property is situated at the border of this demarcation. Lots abutting this parcel both to the south and east are zoned OTMU2 and the Old Town Master Plan calls for the western side of Hatcher Avenue to be rezoned OTMU2. Moving the OTMU2 line to this lot would allow for the possibility of a larger parcel for redevelopment opportunities. Due to the adjacency of the bank, vicinity to Main Street and the growing entertainment opportunities along Church Street, staff would recommend approval of this slight variation from the plan. The OTMU2 is broader in scope, allowing retail and service uses in addition to office uses, while also allowing the residential component that OTMU1 allows. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of November 15, 2016.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the proposed ordinance as set forth in the caption above.

Location Map



ZONING CASE NO.PZ-2016-11-29

PROPERTY OWNER: KRISTIE STEED, EVE'S MOON, LLC

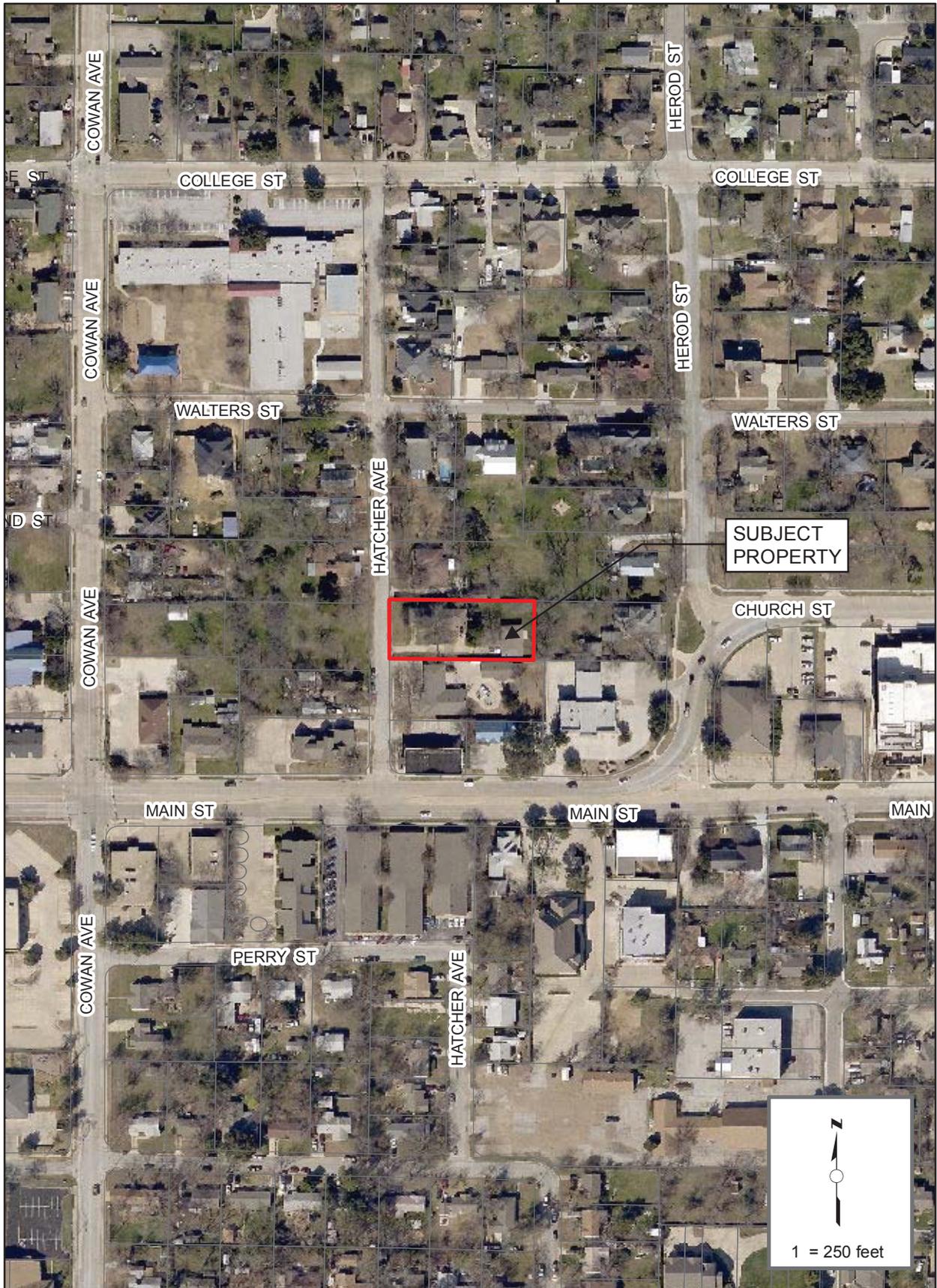
APPLICANT: KRISTIE STEED, EVE'S MOON, LLC

PROPERTY LOCATION: 112 AND 118 N. HATCHER ST.; A PORTION OF LOT 12, RAWLINGS ADDITION, J.W. KING SURVEY ABSTRACT NO. 696 (0.4655-ACRES)

CURRENT ZONING: OFFICE DISTRICT (OD)

REQUESTED ZONING: OLD TOWN MIXED USE TWO DISTRICT (OTMU2)

Aerial Map



Street View Photo

112, 118, 120 North Hatcher Avenue



**MINUTES
PLANNING AND ZONING COMMISSION
NOVEMBER 15, 2016**

Item 1:

The Lewisville Planning and Zoning Commission meeting was called to order at 6:30 p.m. Members present: Chairman James Davis, William Meredith, John Lyng, MaryEllen Miksa, Steve Byars and Kristin Green. Member Alvin Turner was absent.

Staff members present: Richard Luedke, Planning Manager; Jonathan Beckham, Planner, Theresa Ernest, Planning Technician.

Item 3:

Public Hearing – Zoning and Special Use Permits were the next item on the agenda. There were two items for consideration:

- A. Public Hearing:** Consideration of a Zone Change Request From Office District (OD) to Old Town Mixed Use 2 District (OTMU2); on Approximately 0.479 Acres Situated in the J. W. King Survey, Abstract No. 696; Located on the East Side of North Hatcher Avenue Approximately 200 Feet North of West Main Street, at 112, 118 and 120 North Hatcher Avenue; Being A Portion of Lot 12 Rawlings Addition; as Requested by Kristie Steed, Eve's Moon, LLC, the Property Owner. (Case No. PZ-2016-11-29).

Staff gave an overview of the proposed zone change request. Staff indicated that this item conforms to the Old Town Master Plan and recommended approval. The public hearing was then opened by Chairman Davis. Kristie Steed, the property owner and applicant, indicated that there were currently no plans for the property. There being no further public comment, the public hearing was then closed. A motion was made by Kristin Green to recommend approval of the zone change request, seconded by William Meredith. The motion passed unanimously (6-0). Staff indicated that this item would be going before the City Council on December 5th for a second public hearing and a final decision.

SECTION 17-19. - "OD" OFFICE DISTRICT REGULATIONS

- (a) *Use.*
- (1) Professional and administrative offices where only services are provided, no chattels or goods are offered for sale, and no outside storage is provided on the premises. This includes but is not limited to doctors, dentists, attorneys, architects, engineers, insurance, real estate, banks and similar offices.
 - (2) Business or commercial schools and institutions of education.
 - (3) Clinics, medical and dental.
 - (4) Veterinarian or animal clinic, provided the use is operated within an enclosed structure and is not on a lot abutting a single family zoned lot.
 - (5) Day nurseries.
 - (6) The incidental retail sale of food, beverages and other convenience items or services is permitted to the occupants, employees and guests, as long as these items are not advertised nor offered for sale to the general public.
 - (7) Church worship facilities.
 - (8) Buildings and uses owned or operated by public governmental agencies.
 - (9) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
 - (10) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, smoke, dust noise, vibration or similar nuisance.
 - (11) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
 - (12) Gas and oil drilling accessory uses (SUP required).
 - (13) Cemetery, columbarium, mausoleum and accessory uses (SUP required).
- (b) *Building and coverage regulations.*
- (1) *Building regulations.* The minimum floor area in "OD" office district shall be one thousand (1000) square feet.
 - (2) *Coverage regulations.* In no case shall any building or building complex cover more than thirty-five percent (35%) of the site area.
- (c) *Height.* The maximum height for buildings shall be fifty (50) feet. In no event, however, shall the portion of a building located within one hundred fifty (150) feet of any property zoned for residential purposes exceed the height allowed in that residential zoning district.
- (d) *Area.*
- (1) *Size of yards.*
 - a. *Front yard.*
 1. There shall be a minimum front yard having a depth of not less than forty (40) feet adjacent to any street with a right-of-way of one hundred (100) feet or more.
 2. There shall be a minimum front yard having a depth of not less than thirty (30) feet adjacent to any street with a right-of-way less than one hundred (100) feet.
 3. Lots having double frontage, running through from one street to another, shall provide the required setback from both streets.
 - b. *Side yard.* There shall be a minimum side yard of ten (10) feet on each side of the lot or tract on which any single building or building complex is constructed.
 - c. *Rear yard.* No rear yard is required except, that a rear yard of not less than twenty-five (25) feet in depth shall be provided upon that portion of a lot abutting or across a rear street from a residential district, except that such yard requirement shall not apply where the property in the residential district also backs up to the rear street. The required rear yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the

screening device when that portion of the building exterior is constructed of the same materials as the screening device.

(2) *Reserved.*

SECTION 17-22.7. - "OTMU2" OLD TOWN MIXED USE 2 DISTRICT REGULATIONS

- (a) *Use.* A building or premise shall be used only for the following purposes:
- (1) Single-family dwellings.
 - (2) Single-family attached dwellings, provided that no more than nine (9) dwelling units are attached in one continuous row or group, and provided that no dwelling unit is constructed above another dwelling unit.
 - (3) Two-family dwellings (duplexes).
 - (4) Multi-family dwellings. Projects shall be a minimum of one (1) acre in land area. More than one lot may be utilized to meet the one-acre requirement as long as the lots are contiguous or directly across street rights-of-way. A minimum of twenty (20) units must be built in the first phase of construction.
 - (5) Retail establishments including but not limited to: bakeries; book, card, gift and stationary stores; building material sales; clothing; florists; grocery stores; and pet shops or others of a similar nature and subject to the following condition:
 - a. Temporary, portable outside display of merchandise is allowed on a daily basis but is limited to the area directly adjacent to the building occupied by the business and no more than five (5) feet from the building. A clear aisle shall be maintained for pedestrian access. Otherwise, no outside display or storage is permitted.
 - (6) Barber and beauty shops.
 - (7) Buildings and uses owned or operated by public governmental agencies.
 - (8) Business or commercial schools.
 - (9) Church worship facilities.
 - (10) Clinic, medical and dental, and related professional offices.
 - (11) Communication towers (SUP required). Towers, antennas and communication dishes located on a building may be extend a maximum of 15 feet above the building, but must be screened from view.
 - (12) Day nurseries.
 - (13) Dry cleaning and laundry services.
 - (14) Gasoline service stations, excluding major motor or transmission repair services (SUP required).
 - (15) Hotels, motels and inns.
 - (16) Mortuaries (SUP required).
 - (17) Professional offices.
 - (18) Restaurants.
 - (19) Veterinarian or animal clinic provided that no kennel or exercise runway shall be located outside the building.
 - (20) Video rental stores and movie theaters.
 - (21) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, smoke, noise, vibration or similar nuisance. Dwelling units of 850 square foot minimum size shall be allowed as an accessory use to retail businesses.
 - (22) Non-accessory dwelling units of 650 square foot minimum size when located over a retail, restaurant or similar use on the first floor.
 - (23) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
 - (24) Bed and breakfast (SUP required).
 - (25) Uses similar to the above mentioned permitted uses; provided activities conducted observe the requirements of all city ordinances.
 - (26) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
 - (27) Gas and oil drilling accessory uses (SUP required).
 - (28) Cemetery, columbarium, mausoleum and accessory uses (SUP required).
 - (29) Brewery, distillery, or winery.
 - (30) Bar (SUP required).
 - (31) Hotels, motels and inns with rooms containing a cooktop or oven (SUP required).
- (b) *Single-family detached and two-family requirements.*

- (1) *Maximum height.* No building shall exceed forty-five (45) feet or three and one-half (3-1/2) stories in height.
- (2) *Minimum dwelling size.* The minimum floor area of any single-family dwelling shall be one thousand seven hundred (1,700) square feet, exclusive of garages, breezeways and porches.
- (3) *Front yard.* No front setback is required.
- (4) *Side yard.* There shall be a side yard on each side of the lot having a width of not less than five (5) feet.
- (5) *Rear yard.* There shall be a rear yard having a depth of not less than twenty (20) feet. If a residential garage directly adjoins a rear alley, then the rear yard may be four (4) feet.

(c) *Single-family attached requirements.*

- (1) *Maximum height.* No building shall exceed seventy-five (75) feet in height.
- (2) *Minimum dwelling size.* The minimum floor area of any single-family attached dwelling shall be one thousand two hundred (1,200) square feet.
- (3) *Front yard.* No front setback is required.
- (4) *Side yard.* There shall be a side yard on each side of the lot having a width of not less than five (5) feet.
- (5) *Rear yard.* There shall be a rear yard having a depth of not less than six and one half (6.5) feet except if a residential garage directly adjoins a rear alley, then the rear yard may be four (4) feet.

(d) *Multi-family requirements.*

- (1) *Maximum height.* No building shall exceed seventy-five (75) feet in height excluding parapet walls. Parapet walls shall have a maximum height of eight (8) feet.
- (2) *Minimum dwelling size.* The minimum floor area of any multi-family dwelling shall be six hundred fifty (650) square feet, exclusive of garages, breezeways and porches.
- (3) *Front yard.* No front setback is required.
- (4) *Side yard.* There shall be a side yard on each side of the lot having a width of not less than five (5) feet.
- (5) *Rear yard.* There shall be a rear yard having a depth of not less than six and one half (6.5) feet except if a residential garage directly adjoins a rear alley, then the rear yard may be zero (0) feet.

(e) *Commercial and institutional building requirements.*

- (1) *Maximum height.* No building shall exceed seventy-five (75) feet in height excluding parapet walls. Parapet walls shall have a maximum height of eight (8) feet.
- (2) *Front yard.* No front setback is required.
- (3) *Side yard.* No side yard is required.
- (4) *Rear yard.* A rear yard of not less than ten (10) feet in depth shall be provided.

(f) *Other setbacks.*

- (1) The old town mixed use 2 district shall not be subject to the following provisions contained elsewhere in this ordinance:
 - a. "On a corner lot, the width of the yard along the side street shall not be less than any required front yard on the same side of such street between intersecting streets".
 - b. "...no accessory building shall be...closer than five feet to any rear or side lot line, and, in the case of corner lots, not less than the distance required for buildings from side streets".
 - c. "In any residential or MF district where 25 percent or more of the frontage upon the same side of a street between intersecting streets is occupied or partially occupied by a building or buildings having front yards of greater depth than is required by this chapter, no other lot upon the same side of such street between such

intersecting streets shall be occupied by a building with a front yard of less than the least depth of any such existing front yards.”

- (2) There shall be a minimum ten (10) foot setback on the driveway side of a lot when there is not sufficient maneuvering space on site to allow vehicles to exit the lot without backing onto a street identified as a thoroughfare on the Thoroughfare Plan.

This Section (Office Use Only)	
Case:	
PZ:	CC:
Sign/s Picked Up By:	



LEWISVILLE
Deep Roots. Broad Wings. Bright Future.

ZONE CHANGE APPLICATION

Owner/s (name): <u>Eve's Moon LLC (Kristie Steed)</u>	
Company Name:	
Mailing Address: <u>421 West College St, Lewisville TX 75057</u>	
Work #: <u>972-221-4481 home/fax</u>	Cell #: <u>972-571-0839</u>
E-Mail: <u>steedbusiness@gmail.com</u>	
Owner Signature (Owner/s Must Sign or Submit Letter of Authorization): <u>Kristie Steed</u>	Date: <u>2016 October 10</u>
Printed Name: <u>Kristie Steed</u>	

Applicant/Agent (name): <u>Same</u>	
Company Name:	
Mailing Address:	
Work #:	Cell #:
E-Mail:	
Applicant/Agent Signature	Date:
Printed Name:	

Current Zoning: <u>OD</u>	Requested Zoning: <u>OT MU2</u>	Acres: <u>.479</u>
Legal Description (Lot/ Block/Tract/Abstract): <u>portion of lot 12 of Rawlings Addition JW King Survey Abov N0696</u>		
Address/Location: <u>112, 118-120 N. HATCHER AVE. Lewisville TX 75057 Denton County</u>		

Application and Sign Fees:

Less than 1/2 acre	\$ 150.00
1/2 acre up to 4.99 acres	\$ 250.00
5 acres up to 24.99 acres	\$ 400.00

25 acres up to 49.99 acres	\$ 750.00
50 acres up to 99.99 acres	\$1,000.00
100 acres and more	\$1,500.00

Qty: <u>0</u>	Zone Change Signs - \$35 each. 1 sign required for each 5 acres (max. 5 per site)	\$ _____
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Sign(s) must be posted a minimum of ten (10) days prior to the Planning & Zoning hearing date.

Amount Due (application & sign fee)	\$ _____
---	----------



REQUIRED:

Fully describe the plans for the property

I am changing the zoning to comply with the Lewisville City Plan. It is currently zoned office district which is not in compliance. M^U2 is the proper zoning for the Oldtown District.

I have no current plans to develop at this time. However am excited to see the changes in downtown and hope to be a part of this in the future.

NOTE:

Items must be staff approved and deemed complete before they will be placed on an agenda.

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY REZONING APPROXIMATELY 0.47 ACRES OUT OF THE J.W. KING SURVEY, ABSTRACT NO. 696, LOCATED ON THE EAST SIDE OF NORTH HATCHER AVENUE APPROXIMATELY 200 FEET NORTH OF WEST MAIN STREET, AT 112, 118 AND 120 NORTH HATCHER AVENUE; FROM OFFICE DISTRICT (OD) ZONING TO OLD TOWN MIXED USE 2 DISTRICT (OTMU2) ZONING; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; DETERMINING THAT THE PUBLIC INTERESTS AND GENERAL WELFARE DEMAND THIS ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING FOR A REPEALER, SEVERABILITY, AND A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, applications were made to amend the Official Zoning Map of Lewisville, Texas by making applications for same with the Planning and Zoning Commission of the City of Lewisville, Texas, as required by State statutes and the Zoning Ordinances of the City of Lewisville, Texas, said Planning and Zoning Commission has recommended that rezoning of the approximately 0.47-acre property described in the attached Exhibit “A” (the “Property”) be **approved**, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of the City of Lewisville, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and,

WHEREAS, the City Council of the City of Lewisville, Texas, at a public hearing called by the City Council of the City of Lewisville, Texas, did consider the following factors in making a determination as to whether this requested change should be granted or denied: effect on the congestion of the streets; the fire hazards, panics and other dangers possibly present in the securing

of safety from same; the effect on the promotion of health and the general welfare; effect on adequate light and air; the effect on the overcrowding of the land; the effect of the concentration on population; the effect on the transportation, water, sewerage, schools, parks and other public facilities; and,

WHEREAS, the City Council further considered among other things the character of the district and its peculiar suitability for particular uses and with the view to conserve the value of buildings, encourage the most appropriate use of land throughout this City; and,

WHEREAS, the City Council of the City of Lewisville, Texas, does find that there is a public necessity for the zoning change, that the public interest clearly requires the amendment, that the zoning changes do not unreasonably invade the rights of adjacent property owners; and,

WHEREAS, the City Council of the City of Lewisville, Texas, does find that the change in zoning lessens the congestion in the streets; helps secure safety from fire, panic and other dangers; promotes health and the general welfare; provides adequate light and air; prevents the overcrowding of land; avoids undue concentration of population; facilitates the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; and,

WHEREAS, the City Council of the City of Lewisville, Texas, has determined that there is a necessity and need for this change in zoning and has also found and determined that there has been a change in the conditions of the property surrounding and in close proximity to the Property since it was originally classified and, therefore, feels that a change in zoning classification for the Property is needed, is called for, and is in the best interest of the public at large, the citizens of the City of Lewisville, Texas, and helps promote the general health, safety, and welfare of this community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT:

SECTION 1. The Zoning Ordinance of the City of Lewisville, Texas, be, and the same is hereby amended and changed in that the zoning of the Property is hereby changed to **OLD TOWN MIXED USE 2 DISTRICT (OTMU2) ZONING.**

SECTION 2. The City Manager, or her designee, is hereby directed to correct the official zoning map of the City of Lewisville, Texas, to reflect this change in zoning.

SECTION 3. That in all other respects the use of the tract or tracts of land hereinabove described shall be subject to all the applicable regulations contained in said City of Lewisville Zoning Ordinance and all other applicable and pertinent ordinances of the City of Lewisville, Texas.

SECTION 4. That the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting health, safety, and the general welfare of the community. They have been designed with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future, to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; provide adequate light and air; to prevent overcrowding of land, to avoid undue concentration of population; facilitate the adequate provisions of transportation, water, sewage, parks and other public requirements, and to make adequate provisions for the normal business, commercial needs and development of the community. They have been made with reasonable consideration, among other things of the character of the district, and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

SECTION 5. This Ordinance shall be cumulative of all other ordinances of the City of Lewisville, Texas, affecting zoning and shall not repeal any of the provisions of said ordinances, except in those instances where provisions of those ordinances which are in direct conflict with the provisions of this Ordinance.

SECTION 6. That the terms and provisions of this Ordinance shall be deemed to be severable and that if the validity of the zoning affecting any portion of the Property shall be declared to be invalid, the same shall not affect the validity of the zoning of the balance of the tract or tracts of land described herein.

SECTION 7. Any person, firm or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the Municipal Court, shall be subject to a fine of not more than \$2,000.00 for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 8. The fact that the present Zoning Ordinance and regulations of the City of Lewisville, Texas are inadequate to properly safeguard the health, safety, peace and general welfare of the inhabitants of the City of Lewisville, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this Ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 5TH DAY OF DECEMBER, 2016.

ORDINANCE NO. _____

Page 5

APPROVED:

Rudy Durham, MAYOR

ATTEST:

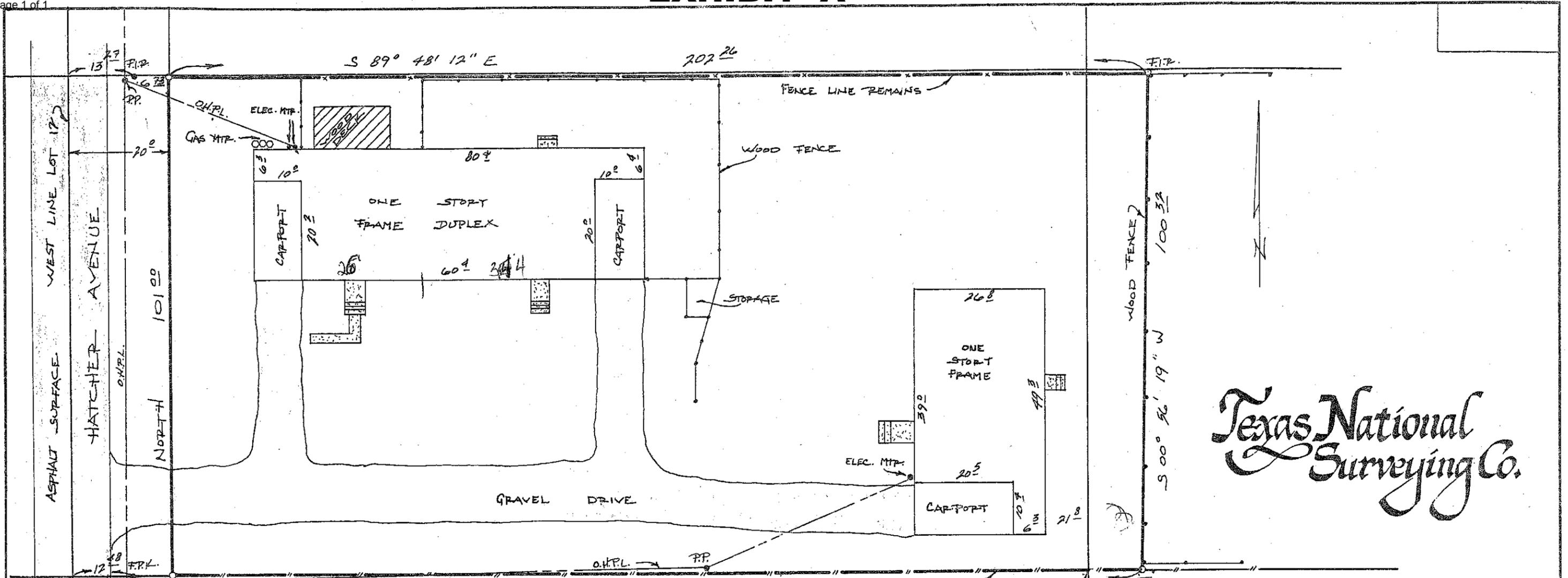
Julie Heinze, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

Exhibit A
Property Description

EXHIBIT A



Texas National Surveying Co.

WEST
 Being a portion of Lot 12 of RAWLINGS ADDITION, an Addition to the City of Lewisville, Denton County, Texas as recorded in Volume 75, Page 160, Deed Records, Denton County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a point for the southwest corner of the herein described tract, being on the east line of Hatcher Avenue, (40-foot wide), said point also being 7.52-feet west of a P.K. nail found on the South line of said Lot 12, also being 20-feet west of the southwest corner of said Lot 12;

THENCE North along the east line of said Hatcher Avenue, 101.00- feet to a point for the northwest corner of the herein described tract from which a found iron rod bears North 89° 48' 12" West, 6.73-feet;

THENCE South 89° 48' 12" East, along or near a fence and fence line remains passing the east line of said Lot 12, at 188.87 feet and continuing in all a distance of 202.26 feet to an iron rod found for the northeast corner of the herein described tract;

THENCE S 00° 56' 19" W, along or near a wood fence, 100.32 feet to an iron rod found for the southwest corner of the herein described tract;

THENCE West, along or near a chain-link fence and passing the east line of said Lot 12 at 11.72 feet and continuing in all a distance of 200.61 feet to the POINT OF BEGINNING and containing 0.4655 acre of land.

I, THE UNDERSIGNED DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, AND THE PROPERTY LEGALLY DESCRIBED HEREON IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVER-LAPPING OF IMPROVEMENTS, APPARENT EASEMENTS, OR RIGHTS-OF-WAY EXCEPT AS SHOWN HEREON. THE SURVEYOR HAS NOT ABSTRACTED THIS PROPERTY.

Arthur Dean Hodde
 ARTHUR DEAN HODDE
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4260
 Phone: (214) 539-7676
 P.O. Box 293254
 Lewisville Tx.
 75029-3254



SCALE: 1"=20'	APPROVED BY	DRAWN BY
DATE: 4-27-92		
The property shown and described herein is not within the 100-year flood in accordance with F.I.R.M. Community Panel #480195 0010C 3-18-89 ZONE "C"		
112. 118 & 120 HATCHER AVENUE		DRAWING NUMBER 167597.01



Richard Luedke <rluedke@cityoflewisville.com>

Fwd: QuikTrip 942R

Mary Paron <mparon@cityoflewisville.com>

Mon, Nov 21, 2016 at 3:44 PM

To: Claire Swann <cswann@cityoflewisville.com>, Richard Luedke <rluedke@cityoflewisville.com>, Nika Reinecke <nreinecke@cityoflewisville.com>

FYI

——— Forwarded message ———

From: **Potter, Michael** <mpotter@quiktrip.com>

Date: Mon, Nov 21, 2016 at 3:39 PM

Subject: QuikTrip 942R

To: Mary Paron <mparon@cityoflewisville.com>

Mary-

Please take this proposed store relocation project off the 12/5 City Council meeting. Please delay CC to the 1/16/17 date, and confirm that this change was made. Let me know if you need any additional info on my end.

I appreciate the help!

Thank you,

Michael Potter

QuikTrip Corporation

320-492-8707

—
Mary Paron-Boswell, AICP
Sr Planner

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Brenda Martin, Director of Finance

DATE: November 18, 2016

SUBJECT: **Approval of a Supplemental Appropriation for Prior Year Encumbrances in the Following Amounts: General Fund - \$557,701; Implementation/Incentives Fund - \$182,510; Hotel/Motel Fund - \$11,390; Asset Forfeiture-State Fund - \$507; Community Activities Fund - \$13,003; Grants Fund - \$128,821; Crime Control & Prevention Fund - \$153; Utility Fund - \$38,388; Maintenance & Replacement Fund - \$64,897; Self-Insurance Risk Fund - \$38,379; Health Insurance Trust Fund - \$24,472; and LPLDC (4B) Fund - \$37,823.**

BACKGROUND

Each year a recommendation is made to supplementally appropriate funds for open purchase orders from the prior year. Open purchase orders are defined as those purchase orders that have been issued, but not all of the ordered goods or services have been received.

ANALYSIS

Purchase orders that have been issued during a fiscal year, but in which the goods or services have not been received in-hand or performed, may not, in conformance with generally accepted accounting principles, be expenses until received or performed. At year end these items represent amounts that are shown in the financial statements as restrictions to fund balance or net assets in the various funds of the City.

As a result, when the items or services are received in the current fiscal year, they are charged to the current year budget. Unless the current fiscal year appropriations are amended to provide for these charges, funds in the affected line item accounts will be short at year-end or expenditures would need to be reduced to offset the prior year purchase.

Subsequent to the close of the 2016 fiscal year, outstanding purchase orders from said fiscal year are extensively reviewed. If the order has been received or is expected to be received by the end of the current 2017 fiscal year, then recommendation is made that the funds be appropriated as an addition to the current budget year.

Subject: Supplemental Appropriation

November 18, 2016

Page 2 of 2

This year's listing of purchase orders open at the end of Fiscal Year 2016 is detailed on the attached spreadsheet.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the supplemental appropriation as set forth in the caption above.

OUTSTANDING POS
FISCAL YEAR 2015-2016

ACCOUNT	PO NUMBER	ENC.DATE	VENDOR	PO DESCRIPTION	OUTSTANDING	Comments
101.01.101.4351	2015-00000380	11/17/2014	TBG PARTNERS, INC	Professional Services	\$8,631.76	Services not complete
101.01.101.4355	2015-00000055	11/17/2014	LLOYD,GOSSELINK,ROCHELLE &TOWNSEND	Professional Services	\$4,121.77	Services not complete
101.01.101.4358	2015-00000177	11/17/2014	TBG PARTNERS, INC	Professional Services	\$12,313.67	Services not complete
101.01.102.4243	2016-00001335	7/20/2016	INSTALLATION MASTERS GROUP, INC.	Installation Services	\$300.00	Should be complete Dec. 2016
101.01.102.4355	2015-00000058	11/17/2014	BLACKBURN CARTER, PC	Professional Services	\$46,256.98	Services not complete
101.03.110.4351	2016-00001284	7/6/2016	PETTY & ASSOCIATES, INC.	Professional Services	\$11,416.25	Services not complete
101.03.321.4256	2016-00001681	9/9/2016	CRESTLINE SPECIALTIES INC	Public Eduction	\$1,103.17	Paid October
101.07.250.4243	2016-00001616	9/7/2016	PTM EQUIPMENT INC	Training Equipment	\$7,980.00	Paid October
101.07.251.4222	2016-00001505	8/24/2016	GT DISTRIBUTORS INC	Police Equipment	\$1,140.00	Should be complete Dec. 2016
101.07.251.4222	2016-00001660	9/8/2016	RED THE UNIFORM TAILOR	Police Uniforms	\$2,249.06	Should be complete Dec. 2016
101.07.251.4222	2016-00001634	9/8/2016	GT DISTRIBUTORS INC	Police Protection	\$4,020.00	Should be complete Dec. 2016
101.07.251.4223	2016-00001394	8/4/2016	LEERBURG ENTERPRISES, INC.	Training Equipment	\$1,580.70	Should be complete Dec. 2016
101.07.251.4223	2016-00001701	9/9/2016	SAFEGUARD BUSINESS SYSTEMS INC	Public Eduction	\$2,217.53	Should be complete Dec. 2016
101.07.251.4243	2016-00001578	9/1/2016	AMCHAR WHOLESALE	Police Equipment	\$1,444.32	Item on backorder
101.07.251.4243	2016-00000982	4/12/2016	PRIORITY PUBLIC SAFETY	Police Equipment	\$70,742.37	Paid October
101.07.251.4243	2016-00001693	9/9/2016	CDW GOVERNMENT, INC	IT Equipment	5556.14	Paid November
101.07.251.4243	2016-00001693	9/9/2016	CDW GOVERNMENT, INC	IT Equipment	\$453.96	Paid October
101.07.251.4243	2016-00001552	8/30/2016	TIGER WRAPS & GRAPHICS LLC	Trailer Wrap	\$2,183.70	Paid November
101.07.251.4243	2016-00001434	8/15/2016	WUNDERLICH-MALEC SYSTEMS, INC.	Equipment Repair	\$14,520.00	Item on backorder
101.07.251.4323	2016-00000703	2/5/2016	PURSUIT SAFETY, INC	Equipment Install	\$11,617.73	Paid October
101.07.251.4351	2015-00001172	6/16/2015	BIRKHOFF HENDRICKS & CARTER LLP	Professional Services	\$3,443.18	Services not complete
101.07.253.4222	2016-00001563	8/31/2016	AR500 ARMOR	Police Protection	\$1,642.95	Paid November
101.07.253.4223	2016-00001701	9/9/2016	SAFEGUARD BUSINESS SYSTEMS INC	Public Eduction	\$5,782.50	Product not received
101.07.253.4243	2016-00001627	9/7/2016	HOME DEPOT CREDIT SERVICES	Police Equipment	\$1,038.88	Paid November
101.07.258.4315	2016-00001732	9/29/2016	CALIBER CONSTRUCTION INC.	PD remodel	\$27,339.59	Ongoing Project
101.08.270.4222	2016-00001403	8/8/2016	RED THE UNIFORM TAILOR	Fire Uniforms	\$2,248.55	Paid November
101.08.270.4223	2016-00001408	8/9/2016	NAFECO	Fire Uniforms	\$12,620.40	Paid November
101.09.310.4315	2016-00001555	8/31/2016	ENVIRONMENTAL LIGHTING SERVICE LLC	Lighting Service	\$3,930.00	Ongoing Project
101.09.310.4315	2016-00001407	8/9/2016	L.J. POWER	Equipment Repair	\$1,196.07	Should be complete Dec. 2016
101.09.310.4315	2016-00001453	8/17/2016	TRANE COMPANY	Equipment Repair	\$2,988.00	Paid November
101.09.310.4365	2016-00001286	7/7/2016	JAMES JANITORIAL SERVICES LLC	Porter Service	\$500.00	Should be complete Dec. 2016
101.09.315.090.4260	2016-00001673	9/9/2016	E3 ENTEGRAL SOLUTIONS, INC.	LED Lights	\$2,079.00	Paid November
101.09.305.092.4215	2016-00001430	8/27/2015	ACTION SERVICES	Roadway Striping	\$24,574.00	Paid November
101.10.110.4342	2016-00001636	9/8/2016	NATIONAL RECREATION & PARKS ASSOC.	Membership Dues	\$1,250.00	Should be complete Dec. 2016
101.10.470.160.4260	2016-00001678	9/9/2016	VERSATILE CONSTRUCTION	Office Remodel	\$2,980.00	Paid November
101.10.470.160.4364	2016-00001697	9/9/2016	TYLER TECHNOLOGIES, INC.	Executime License	\$5,075.00	Ongoing Project
101.10.470.162.4351	2016-00001747	9/30/2016	CARRUTHERS LANDSCAPING MANAGEMENT	Right-of-way mowing	47,013.60	Paid November
101.10.480.4243	2016-00001599	9/6/2016	MICROSCOPE WORLD	Equipment	\$2,006.00	Paid November
101.10.480.4243	2016-00001645	9/8/2016	GAME TIME	Equipment	\$3,716.60	Paid October
101.10.480.4243	2016-00001654	9/8/2016	HUNTER-KNEPSHIELD OF	Equipment	\$15,833.80	Paid October
101.10.480.4260	2016-00001598	9/6/2016	I ZONE	Equipment	\$3,624.89	Paid October

OUTSTANDING POS
FISCAL YEAR 2015-2016

ACCOUNT	PO NUMBER	ENC.DATE	VENDOR	PO DESCRIPTION	OUTSTANDING	Comments
101.10.480.4315	2016-00001283	7/6/2016	DIGITAL AIR CONTROL, INC.	LLELA Equipment	\$22,780.00	Services not complete
101.11.395.053.4315	2016-00001740	9/30/2016	TARP AND AWNING	New Awning	\$8,050.00	Services not complete
101.11.395.4315	2016-00001579	9/1/2016	VERSATILE CONSTRUCTION	Office Remodel	\$5,900.00	Services not complete
101.12.121.4351	2016-00000113	10/7/2015	BRINK'S INCORPORATED	Armored Car Service	\$9,324.00	Should be complete Dec. 2016
101.14.150.4351	2015-00001163	6/15/2015	VISION INTERNET PROVIDERS INC	Website Service	\$13,500.00	Services not complete
101.15.160.4351	2015-00001582	9/10/2015	PARSONS BRINCKERHOFF AMERICAS INC	Professional Services	\$22,813.20	Services not complete
101.15.160.4351	2016-00001651	9/8/2016	LIVABLE PLANS AND CODES	Professional Services	\$20,000.00	Services not complete
101.15.160.4357	2015-00000350	11/17/2014	MIXED MEDIA CREATIONS	Professional Services	\$3,025.00	Services not complete
101.15.160.4357	2015-00001455	9/1/2015	CATALYST COMMERCIAL INC	Professional Services	\$16,231.25	Services not complete
101.15.160.4357	2016-00001653	9/8/2016	MATCHBOX STUDIO, THE	Professional Services	\$20,000.00	Services not complete
101.15.161.4223	2016-00001657	9/8/2016	INSTALLATION MASTERS GROUP, INC.	Installation Services	\$450.00	Should be complete Dec. 2016
101.15.161.4223	2016-00001589	9/2/2016	KRUEGER INTERNATIONAL, INC	Furniture	\$6,797.76	Paid November
101.18.110.4358	2016-00001277	7/5/2016	ZOLL DATA SYSTEMS	IT Equipment	\$3,000.00	Ongoing project
101.20.110.4243	2016-00001571	9/1/2016	KRUEGER INTERNATIONAL, INC	Furniture	\$7,330.84	Paid November
101.20.110.4315	2016-00001635	9/8/2016	VERSATILE CONSTRUCTION	Remodel Services	\$10,736.25	Ongoing Project
101.20.110.4315	2016-00001637	9/8/2016	BUSINESS FLOORING SPECIALISTS	Flooring Services	\$7,535.82	Ongoing Project
101.40.400.4351	2016-00000422	11/19/2015	YOUTH & FAMILY COUNSELING	Grant	\$550.00	Pending Payment
101.40.400.4351	2016-00001561	8/31/2016	COMMUNITIES IN SCHOOLS OF	Grant	\$4,500.00	Pending Payment
			TOTAL GENERAL FUND		\$557,700.10	
150.03.110.4223	2016-00001388	8/4/2016	KENMARK INTERIORS	Shade Repair Services	\$1,486.88	Paid November
150.03.110.4351	2015-00001526	9/9/2015	DEALERS ELECTRICAL SUPPLY	LED Lights	\$1,072.52	Ongoing Project
150.03.110.4351	2015-00001582	9/10/2015	PARSONS BRINCKERHOFF AMERICAS INC	Professional Services	\$31,270.00	Ongoing Project
150.03.110.4351	2015-00001467	9/2/2015	TRANSFORM GLOBAL, LLC	Professional Services	\$10,253.00	Should be complete Dec. 2016
150.03.110.4351	2016-00001624	9/7/2016	ENVIRONMENTAL LIGHTING SERVICE LLC	LED Lights	\$23,100.00	Product not received
150.03.110.4351	2016-00001626	9/7/2016	DEALERS ELECTRICAL SUPPLY	Installation Services	\$17,326.10	Product not received
150.03.110.4351	2015-00001546	9/10/2015	CSC-VIKIMATIC	LED Lights	\$3,397.47	Paid October
150.03.110.4351	2016-00000648	1/21/2016	DEALERS ELECTRICAL SUPPLY	LED Lights	\$4,013.03	Paid October
150.03.110.4351	2016-00001062	5/2/2016	STRATEGIC COMMUNITY SOLUTIONS LLC	Professional Services	\$23.50	Paid November
150.03.110.4351	2016-00001063	5/3/2016	STRATEGIC COMMUNITY SOLUTIONS LLC	Professional Services	\$1,766.87	Paid November
150.03.110.4351	2015-00001458	9/1/2015	PECK & ASSOCIATES INC, WILLIAM	Professional Services	\$39,000.00	Services not complete
150.03.110.4351	2016-00001404	8/8/2016	GATEWAY STRATEGIES, LLC	Professional Services	\$49,800.00	Services not complete
			TOTAL IMPLEMENTATION/INCENTIVES FUND		\$182,509.37	
230.14.152.4351	2015-00000288	11/17/2014	VISION INTERNET PROVIDERS INC	Website Development	\$6,990.00	Services not complete
230.14.153.4351	2015-00001163	6/15/2015	VISION INTERNET PROVIDERS INC	City Website Design	\$4,400.00	Services not complete
			TOTAL HOTEL/MOTEL FUND		\$11,390.00	
240.07.254.4243	2016-00001578	9/1/2016	AMCHAR WHOLESALE	Police Equipment	\$506.44	Item on backorder
			TOTAL ASSET FORFEITURE-STATE FUND		\$506.44	
255.14.152.4223	2016-00001487	8/22/2016	STAGERIGHT CORPORATION	Arts Equipment	\$3,750.00	Services not complete
255.14.152.4243	2016-00001717	9/19/2016	STEINWAY HALL DALLAS-FORT WORTH -	Arts Equipment	\$1,065.00	Paid November
255.14.152.4351	2016-00001096	5/16/2016	Z FLOOR CO., LTD.	Refinish Floor	\$5,000.00	Services not complete
255.14.152.4357	2016-00000863	3/15/2016	MIXED MEDIA CREATIONS	Marketing Materials	\$3,187.50	Ongoing Project

OUTSTANDING POS
FISCAL YEAR 2015-2016

ACCOUNT	PO NUMBER	ENC.DATE	VENDOR	PO DESCRIPTION	OUTSTANDING	Comments
			TOTAL COMMUNITY ACTIVITIES FUND		\$13,002.50	
270.70.276.600.4243	2016-00001325	7/18/2016	ATLAS INDUSTRIAL SUPPLY, INC	Equipment	\$8,257.93	Paid November
280.40.363.600.4351	2016-00000416	11/19/2015	DENTON COUNTY FRIENDS	Grant	\$833.33	Pending Payment
280.40.363.600.4351	2016-00000418	11/19/2015	COURT APPOINTED SPECIAL	Grant	\$1,166.74	Pending Payment
280.40.383.600.4351	2016-00000420	11/19/2015	PEDIPLACE	Grant	\$2,500.00	Pending Payment
280.40.383.600.4351	2016-00001471	8/19/2016	PEDIPLACE	Grant - Project	\$61,509.26	Ongoing grant project
280.40.383.600.4351	2016-00001628	9/7/2016	CHILDREN'S ADVOCACY CENTER	Grant - Project	\$12,053.00	Ongoing grant project
280.40.383.600.4351	2016-00001629	9/7/2016	SPECIAL ABILITIES OF NORTH TEXAS	Grant - Project	\$35,000.00	Ongoing grant project
280.40.383.600.4351	2016-00001684	9/9/2016	HEALTH SERVICES OF NORTH TEXAS INC	Grant	\$7,500.00	Pending Payment
			TOTAL GRANTS FUND		\$128,820.26	
285.07.254.4222	2016-00001380	8/2/2016	RED THE UNIFORM TAILOR	Police Uniforms	\$152.47	Paid November
			TOTAL CRIME CONTROL & PREVENTION FUND		\$152.47	
402.09.110.4223	2016-00001674	9/9/2016	B & H OFFICE SOLUTIONS	Office Table	\$1,658.81	Paid November
402.09.110.4358	2015-00000691	1/28/2015	MCCREARY & ASSOCIATES INC	Professional Services	\$12,766.00	Ongoing Project
402.09.110.4358	2015-00000948	4/9/2015	MCCREARY & ASSOCIATES INC	Professional Services	\$580.00	Should be complete Dec. 2016
402.09.110.4358	2015-00000965	4/13/2015	PERKINS ENGINEERING CONSULTANTS INC	Professional Services	\$8,461.78	Services not complete
402.09.110.4358	2015-00000966	4/13/2015	HDR ENGINEERING, INC.	Professional Services	\$3,081.21	Services not complete
402.09.330.112.4260	2016-00001057	5/2/2016	WATERMAN INDUSTRIES LLC	Professional Services	\$3,800.00	Product not received
402.09.345.130.4260	2016-00001607	9/7/2016	HIBON INC.	Wastewater Equipment	\$4,694.59	Paid November
402.12.123.4351	2016-00000113	10/7/2015	BRINK'S INCORPORATED	Armored Car Service	\$2,211.12	Should be complete Dec. 2016
402.12.123.4351	2015-00000004	11/17/2014	STW INC	Professional Services	\$1,134.37	Services not complete
			TOTAL UTILITY FUND		\$38,387.88	
503.151	2016-00001686	9/9/2016	PROFESSIONAL TURF PRODUCTS LP	Mower Repair	\$1,449.82	Paid November
503.18.110.4245	2016-00001619	9/7/2016	CDW GOVERNMENT, INC	IT Equipment	\$10,022.82	Paid November
503.18.110.4245	2016-00001243	6/22/2016	AUSTIN RIBBON & COMPUTER SUPPLIES	IT Equipment	\$25,299.06	Paid November
503.18.110.4351	2016-00001612	9/7/2016	PRIORITY PUBLIC SAFETY	Equipment Install	\$4,457.50	Paid November
503.18.110.4351	2016-00001425	8/11/2016	PRIORITY PUBLIC SAFETY	Equipment Install	\$14,367.50	Paid November
503.18.110.4351	2015-00001528	9/9/2015	VISION INTERNET PROVIDERS INC	Website Design	\$9,300.00	Services not complete
			TOTAL MAINTENANCE & REPLACEMENT FUND		\$64,896.70	
504.01.102.4961	2016-00000312	11/3/2015	CLARK SECURITY	Facilities Equipment	\$36,390.75	Product not received
504.13.142.4223	2016-00001620	9/7/2016	AMAZON.COM CORPORATE CREDIT	Employee Awards	\$1,988.00	Should be complete Dec. 2016
			TOTAL SELF-INSURANCE RISK FUND		\$38,378.75	
505.13.141.4720	2016-00000270	10/26/2015	GLAXOSMITHKLINE	Flu Shots	\$7,599.00	Paid November
505.13.141.4792	2016-00001546	8/30/2016	4IMPRINT INC	Health Fair	\$3,397.47	Paid October
505.13.141.4792	2016-00001499	8/24/2016	NATURALLY SLIM	HR Wellness	\$13,475.00	Paid October
			TOTAL HEALTH INSURANCE TRUST FUND		\$24,471.47	
794.10.470.164.4321	2016-00001376	8/2/2016	JAMES JANITORIAL SERVICES LLC	Floor Strip and Wax	\$5,887.31	Paid November
794.20.110.4245	2016-00001702	9/12/2016	CDW GOVERNMENT, INC	IT Equipment	\$2,458.92	Product not received
794.20.110.4259	2016-00001640	9/8/2016	FINDAWAY WORLD LLC	Library Books	\$4,907.65	Paid October
794.20.110.4364	2016-00001702	9/12/2016	CDW GOVERNMENT, INC	IT Equipment	\$96.75	Product not received
			TOTAL LPLDC (4B) FUND		\$37,822.10	

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Tim Tittle, Fire Chief

DATE: December 5, 2016

SUBJECT: Approval of the Fiscal Year 2016-2017 Ambulance Service Interlocal Cooperation Agreement between Denton County and the City of Lewisville; and Authorization for the City Manager or Her Designee to Execute the Agreement.

BACKGROUND

The Lewisville Fire Department provides emergency ambulance service to unincorporated areas of Denton County through an interlocal cooperation agreement. This agreement has been in effect for many years and is approved annually for the period of October 1 through September 30.

The Ambulance Service Agreement provides for Denton County to pay an estimated fee based on a funding formula as follows: 1) a population-based readiness sum based on per capita; 2) a designated sum per ambulance run; 3) a fixed sum based on area covered. Each year the Denton County Fire Marshal supplies data and recommendations for the proposed Agreement. The per capita and square mileage information is obtained from the North Central Texas Council of Governments and GIS. The 4.28 rural miles referenced is the Castle Hills area, Lewisville Lake bridge, as well as a small amount of property owned by the Corps of Engineers.

For last fiscal year, the funding formula specifics were as follows: 1) a population-based readiness sum based on .4815 per capita of \$50,218.83; 2) the sum of \$250.9870 per ambulance run. The Denton County Fire Marshal estimated 0 runs for \$0; 3) a fixed sum based on 4.28 rural miles in the agreed operating territory of \$2,933.45. The estimated total was \$53,152.

The proposed agreement does not include any ambulance runs for the Denton County Fire Marshal because the City does not bill Denton County. The City of Lewisville is able to bill the patients and their insurance companies at a higher rate than what the agreement would provide per ambulance run. The City does still receive the fixed readiness fees from Denton County.

It is noteworthy that the City also receives a reimbursement through the Texas Ambulance Supplemental Payment Program which allows approved governmental ambulance providers to submit an annual cost report and receive supplemental payments for ambulance services for

Subject: Interlocal Cooperation Agreement for Ambulance Service
December 5, 2016
Page 2

uninsured and underinsured patient transports. The City was reimbursed \$385,906.65 for Fiscal Year 2015.

ANALYSIS

The proposed 16-17 Ambulance Service Agreement is estimated at a fee of \$53,152.00 based on the funding formula as follows: 1) a population-based readiness sum based on .4815 per capita of \$50,218.83; 2) the sum of \$250.9870 per ambulance run. The Denton County Fire Marshal has estimated 0 runs for us based on our billing history; 3) a fixed sum based on 4.28 rural miles in the agreed operating territory of \$2,933.45. To summarize, in FY 16-17 Denton County will pay a fixed provider fee of \$53,152.00 plus \$250.9870 per ambulance run billed by the Lewisville Fire Department.

The City Attorney has approved the Agreement as to form, and I have approved it as to content.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the agreement as set forth in the caption above.

THE COUNTY OF DENTON

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**CITY OF LEWISVILLE
AMBULANCE SERVICES**

STATE OF TEXAS

**INTERLOCAL COOPERATION AGREEMENT
AMBULANCE SERVICE**

THIS AGREEMENT, which has an effective date of October 1, 2016, is made and entered into by and between Denton County a political subdivision of the State of Texas, hereinafter referred to as "the **COUNTY**," and the City of Lewisville, a municipal corporation, located in Denton County, Texas, hereinafter referred to as "the **AGENCY**".

WHEREAS, the **COUNTY** is a duly organized political subdivision of the State of Texas engaged in the administration of county government and related services for the benefit of the citizens of Denton County; and

WHEREAS, the **AGENCY** is a municipal corporation, duly organized and operating under the laws of the State of Texas and engaged in the provision of ambulance services and related services for the benefit of the citizens of the City of Lewisville; and

WHEREAS, the **AGENCY** is an owner and operator of certain ambulance vehicles and other equipment designed for the transportation of persons who are sick, infirmed or injured and has in its employ trained personnel whose duties are related to the treatment of said individuals and the use of such vehicles and equipment; and

WHEREAS, the **COUNTY** desires to obtain emergency ambulance and related services for the benefit of residents of the **COUNTY** living in unincorporated areas of the **COUNTY** which the **AGENCY** is capable of providing; and

WHEREAS, the provision of emergency ambulance and related services is a governmental function that serves the public health and welfare and is of mutual concern to both the **COUNTY** and the **AGENCY**; and

WHEREAS, the **COUNTY** desires to expend County funds to defray the expense of establishing, operating and maintaining emergency ambulance services in the County; and

WHEREAS, the **COUNTY** and the **AGENCY** mutually desire to be subject to and contract pursuant to the provisions of Texas Government Code, Chapter 791 and Texas Health and Safety Code, Section 774.003, and

NOW THEREFORE, the **COUNTY** and the **AGENCY**, in consideration of the mutual promises, covenants, and Agreements stated herein, agree as follows:

I.
TERM

The term of this Agreement shall be for the period beginning of October 1, 2016, and ending on September 30, 2017.

II.
DEFINITIONS

As used herein, the words and phrases hereinafter set forth shall have the meanings as follows:

- A. "Emergency" shall mean any circumstance that calls for immediate action and in which the element of time in transporting the sick, wounded or injured for medical treatment is essential to the health or life of a person or persons. Whether an emergency, in fact, exists is solely up to the discretion of the **AGENCY**. For dispatch purposes only, "emergency" shall include, but not be limited to:
1. The representation by the individual requesting ambulance service that an immediate need exists for the transportation of a person from any location within the agreed operating area of the **AGENCY** to a place where emergency medical treatment may be obtained; or
 2. The representation by the individual requesting ambulance service that an immediate need exists for the transportation of a person from any location within the agreed operating area of the **AGENCY** to the closest medical facility.
- B. "Rural area" means any area within the boundaries of the **COUNTY**, but outside the corporate limits of all incorporated cities, towns and villages within the **COUNTY**.
- C. "Urban area" means any area within the corporate limits of an incorporated city, town or village within the **COUNTY**.
- D. "Emergency ambulance call" means a response to a request for ambulance service by the personnel of the **AGENCY** in a situation involving an emergency, as defined above, by an ambulance vehicle. A single response to a call may involve the transportation of more than one person at a time, but shall be considered as only one call.

III.
SERVICES

The services to be rendered under this Agreement by the **AGENCY** are the ambulance services normally rendered by the **AGENCY** to citizens of City of Lewisville in circumstances of emergency, but which services will now be extended to all citizens of the **COUNTY** residing

in the unincorporated areas of the **COUNTY** within the operating territory or jurisdiction of the **AGENCY**, as agreed to by the **AGENCY** and the **COUNTY** in this Agreement and as set forth in "Exhibit A," attached hereto and incorporated herein by reference.

It is recognized that the officers and employees of the **AGENCY** have the duty and responsibility of rendering ambulance services to citizens of the **AGENCY** and citizens of the **COUNTY** residing in the agreed area. In the performance of these duties and responsibilities, it shall be within the sole responsibility and discretion of the officers and employees of the **AGENCY** to determine priorities in the dispatching and use of such equipment and personnel and the judgment of said officers or employees shall be final.

The **COUNTY** shall designate the County Judge to act on behalf of the **COUNTY** and to serve as "Liaison Officer" between the **COUNTY** and the **AGENCY**. The County Judge, or her designated substitute, shall devote sufficient time and attention to insure the performance of all duties and obligations of the **COUNTY** under this Agreement and shall provide for the immediate and direct supervision of employees, agents, contractors, sub-contractors and/or laborers of the **COUNTY** engaged in the performance of this Agreement.

IV. **PERFORMANCE OF SERVICES**

The **AGENCY** shall devote sufficient time and attention to insure the performance of all duties and obligations of the **AGENCY** under this Agreement and shall provide immediate and direct supervision of the **AGENCY**'s employees, agents, contractors, sub-contractors and/or laborers engaged in the performance of this Agreement.

V. **COMPENSATION**

COUNTY agrees to pay to the **AGENCY** an estimated fee of \$53,152.00 (amount rounded to the nearest dollar) based on a funding formula as follows:

1. A fixed sum based on a population percentage .4815 per capita; said sum computes to \$50,218.83
2. A fixed sum of \$250.9870 per ambulance transport. There were no transports made by **AGENCY** in fiscal year 2016.
3. A fixed sum based on 4.28 rural miles in the agreed operating territory; said sum computes to \$2,933.45.

The first and third sums are based upon population and mileage figures obtained from the North Central Texas Council of Governments. The second sum is based upon the definition of an

“emergency ambulance call” for purposes of this Agreement. Payment shall not be allowed for any instance in which a patient is not transported. Consistent with the reporting procedures described below, the **AGENCY** shall receive payment for transporting the patient regardless of the service delivery area in which the call originated.

Requests for payment shall be submitted on the standardized ambulance transportation reporting form approved and provided by the **COUNTY**. It shall be the responsibility of the **AGENCY** to fully complete the forms and to provide complete and accurate patient information. Requests for payment shall be submitted within five (5) days of the performance of service by the **AGENCY**. Requests not timely submitted shall not be considered for payment. Requests for payment may be submitted by personal delivery, U.S. Mail, facsimile or computer telephone link to the office of the Denton County Fire Marshal. The date of submission shall be the date the fully documented request is received in said office.

VI.
FINANCIAL RECORDS

The **AGENCY** agrees to make its financial records available for audit and/or review by the **COUNTY**, upon request by the **COUNTY**.

VII.
RESPONSIBILITY OF THE COUNTY

The **COUNTY**, to the extent permitted by law, shall be responsible for the acts, omissions and negligence of all officers, employees and agents of the **COUNTY** who are engaged in the performance of this Agreement.

VIII.
RESPONSIBILITY OF THE AGENCY

The **AGENCY**, to the extent permitted by law, shall be responsible for the acts, omissions and negligence of all officers, employees and agents of the **AGENCY** who are engaged in the performance of this Agreement.

IX.
APPLICABLE LAW

The **COUNTY** and the **AGENCY** understand and agree that liability under this contract is governed by Texas Government Code, Chapter 791 and Texas Health and Safety Code, Section 774.003. This Agreement is made in contemplation of the applicability of these laws to the Agreement. Insofar as legally possible the **COUNTY** and the **AGENCY** agree to be bound by the above mentioned statutes as they exist as of the date of this Agreement.

X.
DEFAULT

In the event of default of any of the covenants herein contained, this Agreement may be terminated at the discretion of the non-defaulting party if such default continues for a period of ten (10) days after notice to the other party in writing of such default and the intent to terminate this Agreement due to the default. Unless the default is cured, this Agreement shall terminate.

XI.
TERMINATION

This Agreement may be terminated at any time by either the **COUNTY** or the **AGENCY** by giving sixty (60) days advance written notice to the other party. In the event of termination by either party, the **AGENCY** shall be compensated pro rata for all services performed to termination date together with reimbursable expenses then due as authorized by this Agreement. In the event of such termination, should the **AGENCY** be overcompensated on a pro rata basis for all services performed to the termination date and/or be overcompensated for reimbursable expenses, the **COUNTY** shall be reimbursed pro rata for all such overcompensation. Acceptance of such reimbursement shall not constitute a waiver of any claim that may otherwise arise out of this Agreement.

XII.
GOVERNMENTAL IMMUNITY

The fact that the **COUNTY** and the **AGENCY** accept certain responsibilities relating to the rendering of ambulance services under this Agreement as a part of their responsibility for providing protection for the public health makes it imperative that the performance of these vital services be recognized as a governmental function and that the doctrine of governmental immunity shall be, and is hereby, invoked to the extent permitted under the law. Neither the **AGENCY**, nor the **COUNTY** waive, nor shall be deemed to have hereby waived any immunity or defense that would otherwise be available to it against claims arising from the exercise of governmental powers and functions.

XIII.
ENTIRE AGREEMENT

This Agreement represents the entire Agreement between the **COUNTY** and the **AGENCY** and supersedes all prior negotiations, representations and Agreements, either written or oral. This Agreement may be amended only by written instrument signed by both parties.

XIV.
LAW OF CONTRACT

This Agreement and any of its terms or provisions, as well as the rights and duties of the parties hereto, shall be governed by the laws of the State of Texas. The venue for any dispute, or matter, arising under this Agreement shall lie in Denton County, Texas.

XV.
SEVERABILITY

In the event that any portion of this Agreement shall be found to be contrary to law, it is the intent of the parties hereto that the remaining portions of this Agreement shall remain valid and in full force and effect to the fullest extent possible.

XVI.
AUTHORITY

The undersigned officer or agents of the parties are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the Parties.

XVII.
SERVICE AREA

Acceptance of this Agreement constitutes approval of the service area set out in attached Exhibit "A".

EXECUTED in triplicate originals on the dates set forth below.

COUNTY:

Denton County, Texas
110 West Hickory Street, 2nd Floor
Denton, Texas 76201

By: _____
Mary Horn
Denton County Judge

AGENCY:

City of Lewisville
P.O. Box 299002
Lewisville, Texas 75029-9002

By: _____
Name _____
Title _____

Acting on behalf of and by
the authority of Denton County
Commissioners Court of Denton, Texas

Acting on behalf of and by the
authority of the City of Lewisville

DATED: _____

DATED: _____

ATTEST:

ATTEST:

BY: _____
Denton County Clerk

BY: _____
City Secretary, Lewisville

APPROVED AS TO CONTENT:

APPROVED AS TO CONTENT:

Denton County Fire Marshal

Chief, Lewisville Fire Department

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Assistant District Attorney

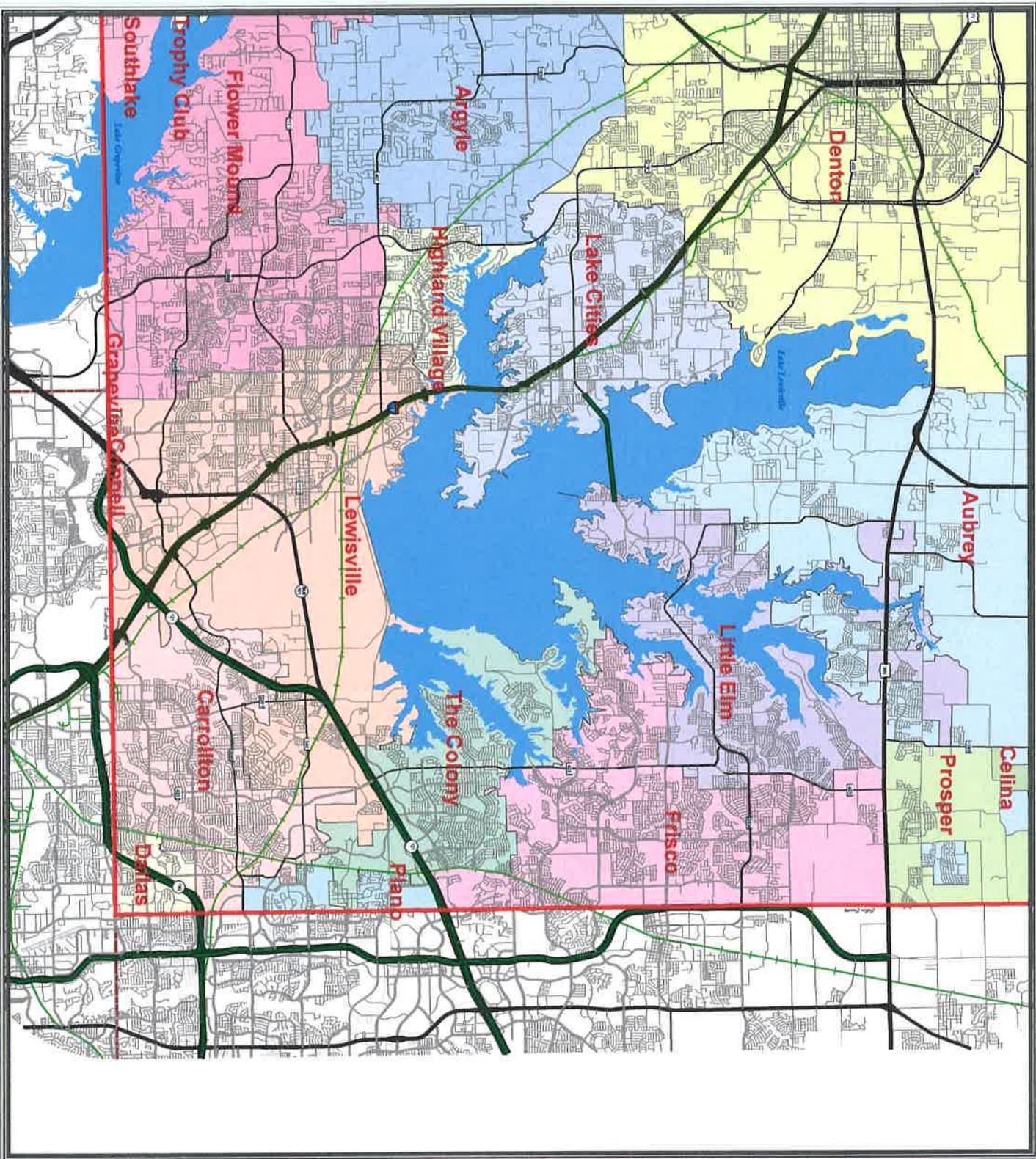
City Attorney

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ _____ to
accomplish and pay the obligation of Denton County under this Agreement.

James Wells, Denton County Auditor

DENTON COUNTY Lewisville EMS District

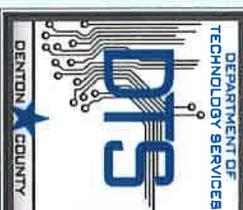


City Population
 Denton > 100,000
 Lewisville > 100,000
 Frisco > 100,000
 Carrollton > 100,000
 Dallas > 1,000,000

- INTERSTATE
- U.S. HIGHWAY
- STATE HIGHWAY
- MAJOR THROUGH/ARTERIAL
- MAJOR ROADS
- CHARTER
- RAILROADS
- AIRPORTS
- STREETS
- LAKES & PONDS

1 inch = 5 miles
 October 23, 2018

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MEMORANDUM

TO: Donna Barron, City Manager

FROM: Tim Tittle, Fire Chief

DATE: December 05, 2016

SUBJECT: **Approval of the Fiscal Year 2016-2017 Fire Protection Services Interlocal Cooperation Agreement Between Denton County and the City of Lewisville; and Authorization for the City Manager or Her Designee to Execute the Agreement.**

BACKGROUND

The Lewisville Fire Department provides fire protection service to unincorporated areas of Denton County through an interlocal cooperation agreement. This agreement has been in effect for many years and is approved annually for the period of October 1 through September 30.

The Fire Protection Service Agreement provides for Denton County to pay a fixed readiness fee, and a sum per fire call in designated unincorporated areas of Denton County, Texas. The 4.28 rural miles is the Castle Hills area, Lewisville Lake bridge, as well as a small amount of property owned by the Corps of Engineers. Each year the Denton County Fire Marshal supplies data and recommendations for the proposed Agreement.

For last fiscal year the fixed readiness fee was \$10,000 and the fee per fire call was \$500. The Fire Marshal had estimated 16 calls based on our billing history. We billed for 22 calls, resulting in \$11,000 being paid by the county for fire calls.

ANALYSIS

The proposed Fire Protection Services Agreement for Fiscal Year 16-17 provides for Denton County to pay for the full performance of this agreement the sum of Ten Thousand Dollars (\$10,000.00) upon execution of this agreement and the sum of Five Hundred and Twenty Five 00/100 Dollars (\$525.00) per fire call in designated unincorporated areas of Denton County, Texas. The Denton County Fire Marshal has estimated 25 runs (\$13,125), projecting a total payment of \$23,125 for FY 16-17.

The City Attorney has approved the Agreement as to form, and I have approved it as to content.

Subject: Interlocal Cooperation Agreement For Fire Protection Services
December 5, 2016
Page 2

RECOMMENDATION

It is City staff's recommendation that the City Council approve the agreement as set forth in the caption above.

THE COUNTY OF DENTON

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**CITY OF LEWISVILLE
FIRE DEPARTMENT**

STATE OF TEXAS

**INTERLOCAL COOPERATION AGREEMENT
FIRE PROTECTION SERVICES**

THIS AGREEMENT, which has an effective date of October 1, 2016, is made and entered into by and between Denton County, a political subdivision of the State of Texas, hereinafter referred to as "the **COUNTY**," and the City of Lewisville, a municipal corporation, located in Denton County, Texas, hereinafter referred to as "the **AGENCY**".

WHEREAS, the **COUNTY** is a duly organized political subdivision of the State of Texas engaged in the administration of county government and related services for the benefit of the citizens of Denton County; and

WHEREAS, the **AGENCY** is a municipal corporation, duly organized and operating under the laws of the State of Texas and engaged in the provision of fire protection services and related services for the benefit of the citizens of the City of Lewisville; and

WHEREAS, the **AGENCY** is the owner and operator of certain fire protection vehicles and other equipment designed for the extinguishing of fire and prevention of damage to property and injury to persons from fire and has in its employ trained personnel whose duties are related to the use of such vehicles and equipment; and

WHEREAS, the **COUNTY** and the **AGENCY** mutually desire to be subject to and contract pursuant to provisions of the Texas Government Code, Chapter 791 and the Texas Local Government Code, Chapter 352, and

NOW, THEREFORE, the **COUNTY** and the **AGENCY**, for the mutual promises, covenants, Agreements and consideration stated herein, agree as follows:

**I.
TERM**

The term of this Agreement shall be for the period beginning of October 1, 2016, and ending September 30, 2017.

**II.
SERVICES**

The services to be rendered in accordance with this Agreement by the **AGENCY** are the fire protection services normally rendered by the **AGENCY** to citizens of the City of Lewisville in circumstances of emergency, but which services will now be extended to all citizens of the

COUNTY residing in the unincorporated areas of the **COUNTY** within the operating territory or jurisdiction of the **AGENCY**, as agreed to by the **AGENCY** and the **COUNTY** in this Agreement and as set forth in "Exhibit A," attached hereto and incorporated herein by reference. These services are rendered in consideration of the basic funding and the separate per call fee set forth in this Agreement for the common good and benefit and to serve the public convenience and necessity of the citizens of the **COUNTY** who are not otherwise protected with respect to fire prevention, extinguishment, safety and rescue services. The services to be rendered are as follows:

- A. The **AGENCY** shall make available and provide emergency fire prevention, extinguishment, safety and rescue services within the agreed or specified territory or jurisdiction of the **AGENCY**.
- B. The **AGENCY** shall respond to requests for fire protection services made within the portion of the **COUNTY** designated as "Lewisville" as set out in Exhibit "A".
- C. The **COUNTY** agrees that, in the event a fire in the **AGENCY**'s unincorporated designated area which the **AGENCY** considers to be of an incendiary nature and upon request by the **AGENCY**, the County Fire Marshal will dispatch investigation personnel to the fire scene within a response time sufficient to legally maintain and protect all evidence of said fire and will conduct all appropriate investigation and assist in the prosecution of any case of arson. The **AGENCY** shall not be responsible for investigations of suspected incendiary fires in the unincorporated areas, but shall cooperate with the County Fire Marshal in immediately relating all pertinent information possible to the investigator(s).
- D. The **COUNTY** agrees that the County Fire Marshal may assist in the conduct of appropriate investigations of a fire which the **AGENCY** considers to be of incendiary nature in the **AGENCY**'s incorporated area upon request of the **AGENCY**.
- E. The **AGENCY** shall submit monthly statements on the Texas Fire Incident Reporting System's standardized forms to the Denton County Fire Marshal, 9060 Teasley Lane, Denton, Texas 76210-4010. This form will serve as the billing statement to the **COUNTY** for reimbursement of calls made in the unincorporated area. The Denton County Fire Marshal shall provide the forms upon request from the **AGENCY**.
- F. The **AGENCY**, in the performance of its duties and responsibilities under this Agreement, shall have the responsibility, within the sole discretion of the officers and employees of the **AGENCY**, to determine priorities in the dispatching and use of the **AGENCY**'s equipment and personnel, and the judgment of any such officer or employee as to such matters shall be the final determination.

The **COUNTY** shall designate the County Judge to act on behalf of the **COUNTY** and to serve as "Liaison Officer" between the **COUNTY** and the **AGENCY**. The County Judge, or her designated substitute, shall devote sufficient time and attention to insure the performance of all duties and obligations of the **COUNTY** under this Agreement and shall provide immediate and direct supervision of employees, agents, contractors, sub-contractors and/or laborers of the **COUNTY** engaged in the performance of this Agreement for the mutual benefit of the **COUNTY** and the **AGENCY**.

III.
PERFORMANCE OF SERVICE

The **AGENCY** shall devote sufficient time and attention to insure the performance of all duties and obligations of the **AGENCY** under this Agreement and shall provide immediate and direct supervision of the **AGENCY's** employees, agents, contractors, sub-contractors and/or laborers engaged in the performance of this Agreement for the mutual benefit of the **AGENCY** and the **COUNTY**.

IV.
COMPENSATION

The **COUNTY** agrees to pay to the **AGENCY** for the full performance of services as provided in this Agreement the sum of **\$10,000.00**, payable upon execution of this Agreement, and further agrees to pay the sum of **\$525.00** per fire call in the designated unincorporated areas of the **COUNTY** from October 1, 2016, to September 30, 2017. The **COUNTY** anticipates the **AGENCY** to run approximately **25** fire calls for a total funding of **\$13,125.00** for fire calls. The total payments by the **COUNTY** to the **AGENCY** pursuant to this Agreement are estimated to be **\$23,125.00**. The **COUNTY** will make no payment to the **AGENCY** for service provided outside the agreed service district whether by Mutual Aid Agreement or otherwise. The **AGENCY** understands and agrees that payment by the **COUNTY** to the **AGENCY** shall be made in accordance with the normal and customary processes and business procedures of the **COUNTY** and in conformance with applicable state law.

V.
FINANCIAL RECORDS

The **AGENCY** agrees to make its financial records available for audit and/or review by the **COUNTY**, upon request by the **COUNTY**.

VI.
RESPONSIBILITY OF THE COUNTY

The **COUNTY**, to the extent permitted by law, shall be responsible for the acts, negligence and omissions of all officers, employees and agents of the **COUNTY** who are engaged in the performance of this Agreement.

VII.
RESPONSIBILITY OF THE AGENCY

The **AGENCY**, to the extent permitted by law, shall be responsible for the acts, negligence and omissions of all officers, employees and agents of the **AGENCY** who are engaged in the performance of this Agreement.

VIII.
APPLICABLE LAW

The **COUNTY** and the **AGENCY** understand and agree that liability under this contract is governed by the Texas Government Code, Chapter 791 and the Texas Local Government Code, Chapter 352. This Agreement is made in contemplation of the applicability of these laws to the Agreement. Insofar as legally possible the **COUNTY** and the **AGENCY** agree to be bound by the above mentioned statutes as they exist as of the date of this Agreement.

IX.
DEFAULT

In the event of default of any of the covenants herein contained, this Agreement may be terminated at the discretion of the non-defaulting party if such default continues for a period of ten (10) days after notice to the other party in writing of such default and the intent to terminate this Agreement due to the default. Unless the default is cured, this Agreement shall terminate.

X.
TERMINATION

This Agreement may be terminated any time, by either the **COUNTY** or the **AGENCY** by giving sixty (60) days advance written notice to the other party. In the event of termination by either party, the **AGENCY** shall be compensated pro rata for all services performed to the termination date together with reimbursable expenses then due as authorized by this Agreement. In the event of such termination, should the **AGENCY** be overcompensated on a pro rata basis for all services performed to the termination date and/or be overcompensated reimbursable expenses, the **COUNTY** shall be reimbursed pro rata for all such overcompensation.

Acceptance of such reimbursement shall not constitute a waiver of any claim that may otherwise arise out of this Agreement.

XI.
GOVERNMENTAL IMMUNITY

The fact that the **COUNTY** and the **AGENCY** accept certain responsibilities relating to the rendition of fire protection services under this Agreement as part of their responsibility for providing protection for the public health makes it imperative that the performance of these vital services be recognized as a governmental function and that the doctrine of governmental immunity shall be, and it is hereby, invoked to the extent permitted by law. Neither the **AGENCY**, nor the **COUNTY** waive, nor shall be deemed to have hereby waived, any immunity or defense that would otherwise be available to it against claims arising from the exercise of government powers and functions.

XII.
ENTIRE AGREEMENT

This Agreement represents the entire Agreement between the **COUNTY** and the **AGENCY** and supersedes all prior negotiations representations and Agreements, either written or oral. This Agreement may be amended only by written instrument signed by both parties.

XIII.
LAW OF CONTRACT

This Agreement and any of its terms or provisions, as well as the rights and duties of the parties hereto, shall be governed by the laws of the State of Texas. The venue for any dispute, or matter, arising under this Agreement shall lie in Denton County, Texas.

XIV.
SEVERABILITY

In the event that any portion of this Agreement shall be found to be contrary to law, it is the intent of the parties hereto that the remaining portions shall remain valid and in full force and effect to the fullest extent possible.

XV.
AUTHORITY

The undersigned officer or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the parties.

XVI.
SERVICE AREA

Acceptance of this Agreement constitutes approval of the service area set out in attached Exhibit "A".

EXECUTED in triplicate originals on the dates set forth below.

COUNTY

Denton County, Texas
110 West Hickory Street, 2nd Floor
Denton, Texas 76201

AGENCY

City of Lewisville
P.O. Box 299002
Lewisville, Texas 75029

By _____
Mary Horn
Denton County Judge

By _____
Name _____
Title _____

Acting on behalf of and by the
authority of Denton County
Commissioners Court of
Denton County, Texas.

Acting on behalf of and by the
authority of the City of Lewisville

DATED: _____

DATED: _____

ATTEST:

ATTEST:

BY: _____
Denton County Clerk

BY: _____
City Secretary

APPROVED AS TO CONTENT:

APPROVED AS TO CONTENT:

Denton County Fire Marshal

Chief, Lewisville Fire Department

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Assistant District Attorney
Denton County

City Attorney

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$_____ to
accomplish and pay the obligation of Denton County under this Contract/Agreement.

James Wells, Denton County Auditor

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Richard E. Luedke, Planning Manager

DATE: December 5, 2016

SUBJECT: **Acceptance of Property Located on a Portion of 944 Lakeland Drive; Further Identified as a Portion of Lot 5, Block F, Lakeland Terrace No. 2 Addition, Being Conveyed to the City of Lewisville, Texas by Donation Deed from Toney Garrett.**

BACKGROUND

The Texas Department of Transportation (TxDOT) has been planning the proposed I-35E highway expansion for some time. TxDOT schematics have identified certain properties that lie within the proposed future expansion area and have begun right-of-way acquisitions. Some properties will be taken in their entirety while others only have a portion being acquired. TxDOT has acquired a portion of this lot required for the highway expansion. The residence has since been demolished.

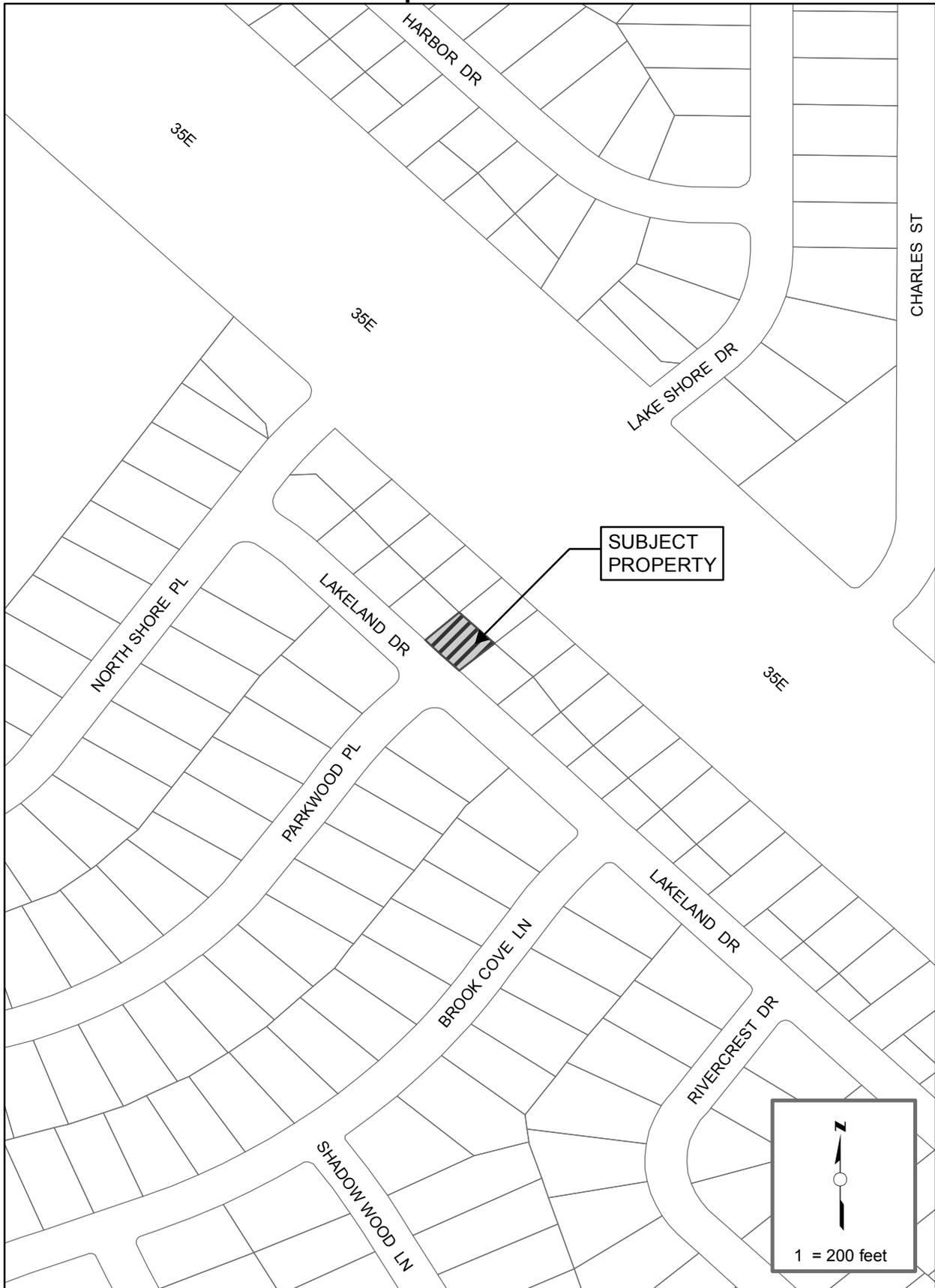
ANALYSIS

The portion acquired by TxDOT bisects the existing lot and leaves the remaining portion of the General Business (GB) lot unbuildable. The property being donated is the remainder of the lot that fronts onto Lakeland Drive. There are no existing liens on the property being donated. The short term strategy of the I-35E Redevelopment Plan for this area is for tracts such as the subject property to act as a landscape buffer or possible parking area for surrounding parcels. The vacant property will be maintained by PALS.

RECOMMENDATION

It is City staff's recommendation that the City Council accept that Portion of Lot 5, Block F, Lakeland Terrace No. 2 Addition being conveyed to the City of Lewisville, Texas by the Toney Garrett Donation Deed.

Location Map - 944 Lakeland Dr.



Parcel Impacts

Both commercial and residential property impacts could occur, primarily along the west edge of the highway. The widening could require building acquisitions from parcels 38 to 47. Additional residential, commercial and light industrial acquisitions could occur east of the highway between Fox Avenue and Business 121. In addition to building impacts, large parcels adjacent to the corridor could experience either land or parking impacts. For example, parcel 34 is an existing strip mall set back from the IH-35E corridor with commercial pad sites along the frontage road. Although the strip mall could remain in operation in the short-term, its future use and building configuration could benefit from a more comprehensive strategy for long-term redevelopment.

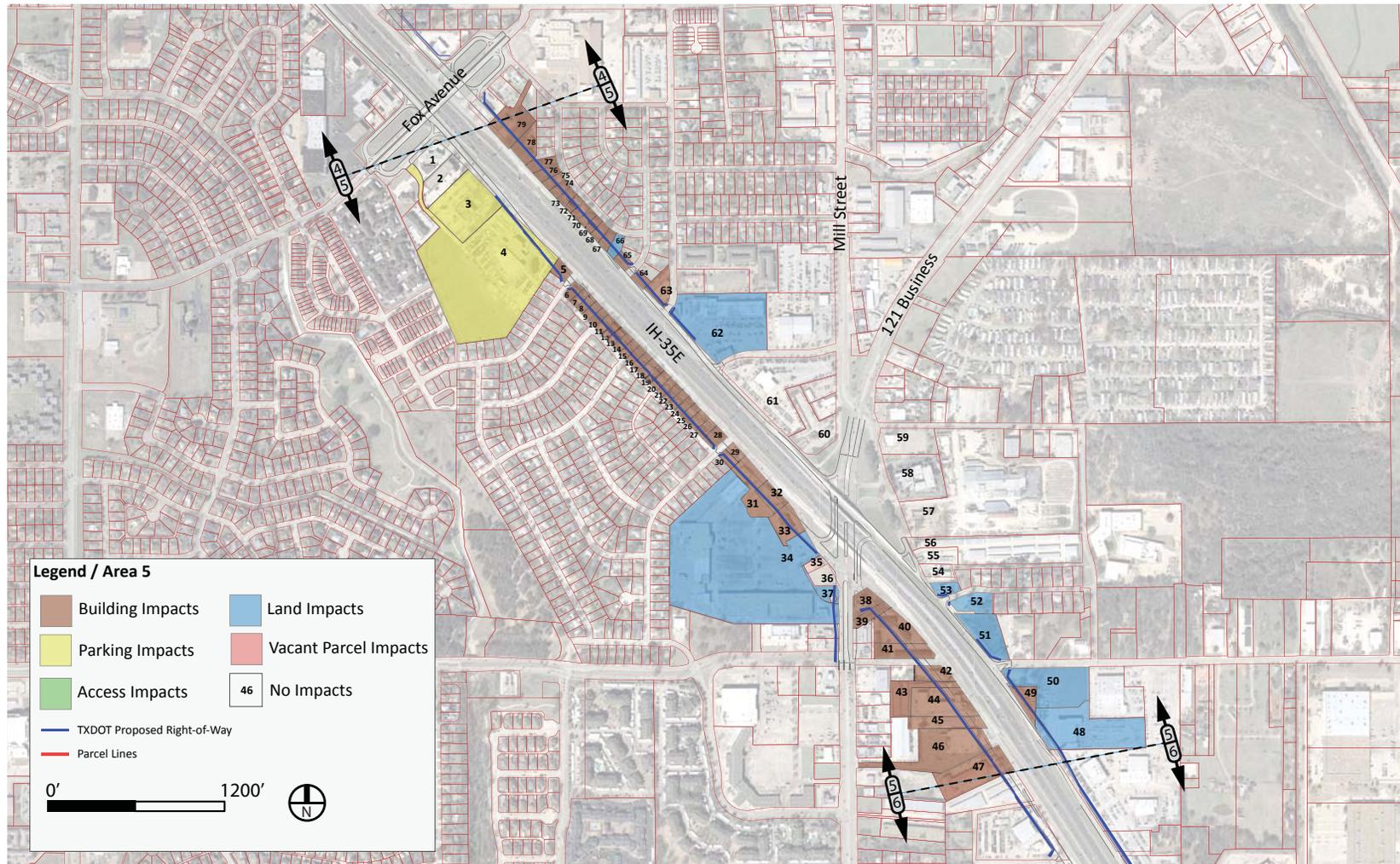


Figure C34: Subarea 5 - Parcel Impact Analysis Map

Parcel	Existing Land Use	Zoning	Impact Classification	Description of Impact	Redevelopment Strategy
1	GS	GB	No Impact	No impact.	Business remains in operation.
2	HM	GB	No Impact	No impact.	Business remains in operation.
3	RR	GB	"Parking/ Site"	Minor impact to parking area, setback and/or screening.	Business remains in operation (with allowance of parking and setback variance).
4	CB	GB	"Parking/ Site"	Minor impact to parking area, setback and/or screening.	Business remains in operation (with allowance of parking and setback variance).
5	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
6	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
7	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
8	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
9	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
10	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
11	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
12	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
13	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
14	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
15	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
16	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
17	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
18	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
19	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
20	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels
21	SF	GB	Building	Building could be demolished due to proposed right-of-way alignment.	Consider remaining parcel area for parking or landscaping for adjacent parcels

Figure C35: Subarea 5 - Parcel Impact Matrix - continued on next page

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DONATION DEED

THE STATE OF TEXAS

§

ROW CSJ: 0196-02-115

COUNTY OF DENTON

§

§

That, **TONEY BELL GARRETT**, of the County of Denton, State of Texas, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of One Dollar (\$1.00) to Grantors in hand paid by City of Lewisville, a municipal corporation, of the County of Denton, State of Texas, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day Donated and by these presents do Grant, Give and Convey unto **CITY OF LEWISVILLE, a municipal corporation**, of the County of Denton, State of Texas, all that certain tract or parcel of land lying and being situated in the County of Denton, State of Texas, more particularly described as follows:

Lot 5, in Block F, of Lakeland Terrace No. 2, an addition to the City of Lewisville, Denton County, Texas, according to the Map or Plat thereof recorded in Cabinet A, Page 53, Plat Records, Denton County, Texas, **SAVE AND EXCEPT** that property more particularly described in **Exhibit "A"**, which is attached hereto and incorporated herein for any and all purposes.

Grantors reserve all of the oil, gas and sulphur in and under the land herein conveyed but waive all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the Grantee, its successors and assigns, to take and use all other minerals and materials thereon, therein and thereunder.

TO HAVE AND TO HOLD the premises herein described and herein conveyed together with all and singular the rights and appurtenances thereto in any wise belonging unto City of Lewisville, Texas, and its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors, administrators, successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto City of Lewisville, Texas, and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, this instrument is executed on this the 21st day of NOVEMBER, 2016.

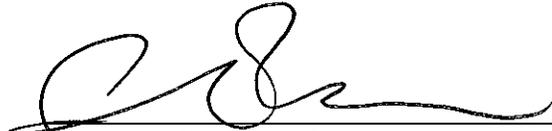

Toney Bell Garrett

Acknowledgement

State of Texas,
County of Denton:

This instrument was acknowledged before me on November 21, 2016, by Toney Bell
Garrett.





Notary Public, State of Texas

Exhibit "A"

County: Denton
Highway: Interstate Highway 35-E
R.O.W. CSJ: 0196-02-115

Page 1 of 3
June 22, 2012



Description for Parcel 52

BEING 4,582 square feet of land, situated in the Eli Pickett Survey, Abstract No. 1014, City of Lewisville, Denton County, Texas, and being part of a tract of land conveyed to Otto C. Garrett and wife, Toni Garrett by deed recorded in Volume 457, Page 165 of the Deed Records of Denton County, Texas (D.R.D.C.T) and being further described as part of Lot 5 in Block F of "Lakeland Terrace No. 2", an addition to the City of Lewisville, Texas as recorded in Cabinet A, Page 53 of the Plat Records of Denton County, Texas (P.R.D.C.T.) and being more particularly described by metes and bounds as follows:

COMMENCING at a point for the most southerly corner of said Lot 5 and the most westerly corner of a tract of land conveyed to Terry P. Billings by deed recorded in Volume 4244, Page 01196 of the (D.R.D.C.T), same being the most westerly corner of Lot 6 in said Lakeland Terrace No. 2 Addition, and located in the existing northeasterly right of way line of Lakeland Drive (a 50.00 foot R.O.W.), from which point a 5/8" iron rod, controlling monument (CM), found for the most westerly corner of said Lot 5 bears North 44°01'49" West, a distance of 61.00 feet;

THENCE North 45°58'17" East, departing the existing northeasterly right of way line of said Lakeland Drive and along the common northwesterly line of said Lot 6 and the southeasterly line of said Lot 5, a distance of 53.88 feet to a 5/8" iron rod with aluminum cap marked "TXDOT" set in the new southwesterly right of way line of Interstate Highway 35-E (a variable width R.O.W.) for the POINT OF BEGINNING having N.A.D. 83 (1993) Texas State Plane, North Central Zone (4202) surface coordinate of North 7063485.83, East 2429031.36;

- 1) THENCE North 42°16'57" West, departing the northwesterly line of said Lot 6 and the southeasterly line of said Lot 5 and along the new southwesterly right of way line of said Interstate Highway 35-E, a distance of 61.03 feet to a 5/8" iron rod with aluminum cap marked "TXDOT" set for the most easterly corner of the residual of a tract of land conveyed to Daniel Ford and Jodee S. Ford by deed recorded in Denton County Clerk File (D.C.C.F.) No. 2005-112243 of the (D.R.D.C.T) and the most southerly corner of a called 0.1026 acre tract of land conveyed to the State of Texas by deed recorded in (D.C.C.F.) No. 2011-109165 of the (D.R.D.C.T), same being the northwesterly line of Lot 5 and the southeasterly line of Lot 4 in said Lakeland Terrace No. 2 Addition;
- 2) THENCE North 45°58'17" East, departing the new southwesterly right of way line of said Interstate Highway 35-E and the most easterly corner of the residual of said Ford tract, and along the common northwesterly line of said Lot 5 and the southeasterly line of said Lot 4, a distance of 74.19 feet to a point for the most northerly corner of said Lot 5, same being the most northerly corner of said Garrett tract, and located in the existing southwesterly right of way line of Interstate Highway 35-E (a variable width R.O.W.), from which point a 1/2" iron rod found bears South 15°25'12" East, a distance of 0.39 feet;

County: Denton
Highway: Interstate Highway 35-E
R.O.W. CSJ: 0196-02-115



Description for Parcel 52

- 3) THENCE South 44°01'00" East, departing the southeasterly line of said Lot 4, same being the southeasterly line of said State of Texas 0.1026 acre tract and along the common existing southwesterly right of way line of said Interstate Highway 35-E and the northeasterly line of said Garrett tract, a distance of 61.00 feet to a point for the most easterly corner of said Lot 5 and the most northerly corner of said Lot 6, from which point a ½" iron rod found bears North 05°47'47" East, a distance of 0.37 feet;
- 4) THENCE South 45°58'17" West, departing the existing southwesterly right of way line of said Interstate Highway 35-E and along the common southeasterly line of said Lot 5 and the northwesterly line of said Lot 6, a distance of 76.04 feet to the POINT OF BEGINNING and containing 4,582 square feet [0.1051 acre] of land, more or less.

Basis of Bearings is a line between Texas Department of Transportation GPS Satellite Station R0610096 (North 7047746.872, East 2445861.919 Grid Coordinates) and Texas Department of Transportation GPS Satellite Station R0610058 (North 7091813.057, East 2418964.426 Grid Coordinates), North American Datum 1983 (1993), which is North 31°23'58" West - Texas State Plane, North Central Zone (4202).

All coordinates shown are surface unless otherwise noted and may be converted to grid by dividing by the TxDOT combined scale factor of 1.00015063.

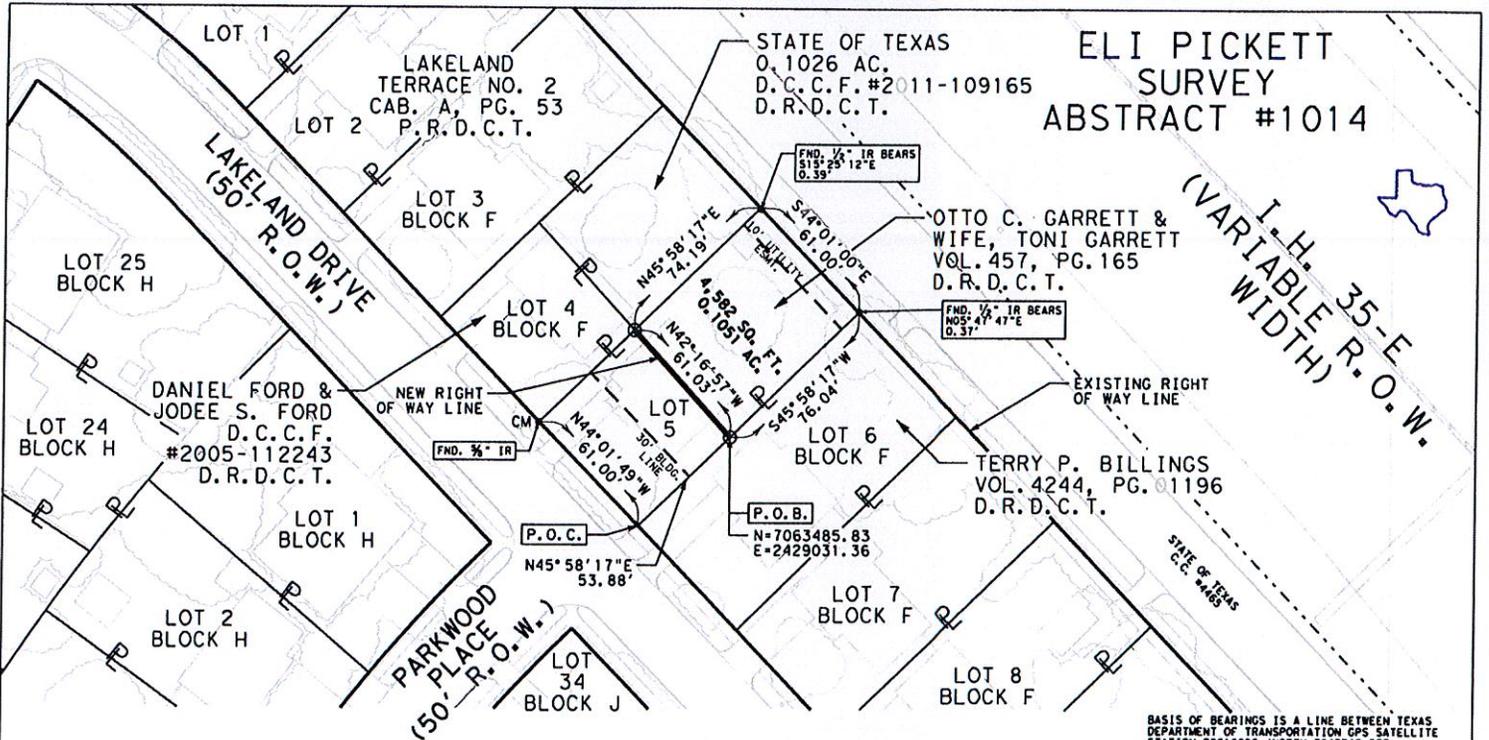
I, Marvin King, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the land description and plat represent an actual survey made on the ground under my supervision.



Marvin King 6/27/12
 Marvin King, R.P.L.S. Date
 Texas Registration No. 5581

Lina T. Ramey & Associates, Inc.
1349 Empire Central, Suite 900
Dallas, Texas 75247
Ph. 214-979-1144

ELI PICKETT SURVEY
ABSTRACT #1014

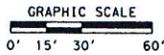


I-H-35-E
(VARIABLE WIDTH)
R.O.W.



LEGEND

- EXISTING ROADWAY RIGHT OF WAY BOUNDARY LINE
- EXISTING RIGHT OF WAY LINE
- NEW RIGHT OF WAY LINE
- PROPERTY LINE
- SURVEY LINE
- EXISTING EASEMENT LINE
- TXDOT ALLUMINIUM CAP SET ON TOP OF A 5/8-INCH IRON ROD UNLESS OTHERWISE NOTED (AD)
- TXDOT BRASS DISK (BD)
- SET 5/8-INCH IRON ROD WITH RED PLASTIC CAP MARKED "LTRA"
- FOUND MONUMENT (AS NOTED)
- CM - CONTROLLING MONUMENT



CITY OF LEWISVILLE
A PLAT OF A SURVEY OF
PARCEL 52
FOR INTERSTATE HIGHWAY 35-E
RIGHT OF WAY CSJ: 0196-02-115
A 4,582 SQ. FT., 0.1051 AC.]
TRACT OF LAND IN THE
ELI PICKETT SURVEY
ABSTRACT NO. 1014
CITY OF LEWISVILLE
DENTON COUNTY, TEXAS

BASIS OF BEARINGS IS A LINE BETWEEN TEXAS DEPARTMENT OF TRANSPORTATION GPS SATELLITE STATION R0610096 (NORTH 7047746.872, EAST 2445861.919 GRID COORDINATES) & TEXAS DEPARTMENT OF TRANSPORTATION GPS SATELLITE STATION R0610058 (NORTH 7091813.037, EAST 2418964.426 GRID COORDINATES), NORTH AMERICAN DATUM 1983 (1993), WHICH IS N31°23'58"W-TEXAS STATE PLANE, NORTH CENTRAL ZONE (42021). ALL COORDINATES SHOWN ARE SURFACE UNLESS OTHERWISE NOTED AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE TXDOT COMBINED SCALE FACTOR OF 1.00015063.



Marvin King 6/27/12
MARVIN KING, R.P.L.S. NO. 5581 DATE

**THE MONUMENT DESCRIBED AND SET IN THIS CALL IF DESTROYED DURING CONSTRUCTION, MAY BE REPLACED WITH A TXDOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR EITHER EMPLOYED OR RETAINED BY TXDOT.

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Cleve Joiner, Director of Neighborhood Services

DATE: November 21, 2016

SUBJECT: **Consideration of Two Variances to the Lewisville City Code to Allow a Reduction in Required Parking From 955 to 808 Spaces and to Allow an Existing Sign to Remain That Exceeds the Height Restrictions of a Freestanding Sign by Two Feet, Located at 2613 Denton Tap Road, and Requested by Mark C. Spears and David J. Day, Representing Mary Kay Inc, the Property Owner.**

BACKGROUND

The subject site is a 28.6-acre lot zoned Light Industrial (LI) within the Campbell Ranch Addition. The property owner, Mary Kay Inc. is developing a 478,000 sf research and development facility. The property owner is requesting two variances: (a) to allow a reduction in parking from 955 to 808 spaces; and (b) to allow an existing sign to remain that exceeds the city's height restrictions by two feet.

ANALYSIS

a.) To allow the reduction in parking

For the proposed research and development facility, Lewisville City Code Section 6-162 requires one parking space per 500 square feet of floor area. This means that the Mary Kay facility will be required to provide 955 parking spaces. The property owner, however, has requested a reduction in parking by 16% or 147 spaces for a total of 808 spaces to be provided. They have compared their existing facility operations against the proposed facility operations and determined that 808 spaces would meet their parking needs. Staff is also aware that the city's parking requirements do not take into account that a significant portion of Mary Kay's gross floor area will be occupied by fixed manufacturing equipment. For these reasons, staff is in support of this variance.

b.) To allow an existing sign to remain higher than the permitted 40-foot height

Lewisville City Code Section 11-10(g) requires a freestanding sign that is greater than 150 square feet to be limited to 40 feet in height. When Mary Kay bought its site, there was an existing nonconforming billboard that advertised off-premise goods and services. This billboard was also bought by Mary Kay as part of their purchase. The sign is 360 square feet in area and 42 feet in height (two feet taller than is allowed). Mary Kay proposes to no longer use the sign for billboard advertising, but rather to use it solely as their business's freestanding sign. The site will be allowed a total of two freestanding signs, aggregating 500 square feet in area. This sign's area will be included in the ultimate calculation of their total signage for the property. For these reasons, staff is in support of this variance.

Subject: Mary Kay Variance
November 21, 2016
Page 2 of 2

RECOMMENDATION

It is staff's recommendation that the City Council approve the variances as set forth in the caption above with the condition that the existing sign shall become a freestanding sign which may only be used for on-premise advertising.



1999 Bryan Street, Suite 1200
Dallas, Texas 75201
United States
T +1.214.583.8500
F +1.214.638.0447
www.jacobs.com

October 24, 2016

Mr. George Babineaux II
Building Inspection
City of Lewisville
151 West Church Street
Lewisville, Texas 75057

Project Name: Mary Kay - Regal Row Relocation Project
Project Number: F8Z93400

Subject: Variance Request of City of Lewisville's Code of Ordinances Sec. 6-162

Dear Mr. Babineaux,

On behalf of Mary Kay Inc., we respectfully request the City of Lewisville consideration of a parking variance associated with the proposed Mary Kay Regal Road Relocation project.

Section 6-162 requires for Manufacturing/Office/Lab (332,374 SF), 1 parking space for each 300 SF of gross floor area or 1,108 spaces and for Warehouse (146,469 SF) 1 parking space for each 2,000 SF of gross floor area or 73 spaces for a total of 1,181 spaces. A significant portion of the gross floor area is occupied by fixed manufacturing equipment thus reducing the Manufacturing/Office/Lab and Warehouse floor area and parking requirements to 269,325 SF/ 898 spaces and 114,245 SF/ 57 spaces, respectively. This floor area reduction would result in 955 spaces required.

Mary Kay reviewed their existing Regal Row operation and the proposed facility operation and determined that 808 parking spaces would meet their existing and future needs. Based on this analysis, we respectfully request a variance to the Code of Ordinances Section 6-162 off-street parking requirements to allow 808 spaces at the proposed facility.

Thank you for your consideration of this variance request.

Sincerely,

Mark C. Spear, P.E.
Program Manager
214.920.8099
Mark.Spear@Jacobs.com

MCS/shb



1999 Bryan Street, Suite 1200
Dallas, Texas 75201
United States
T +1.214.583.8500
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www.jacobs.com

November 21, 2016

Mr. George Babineaux II
Building Inspection
City of Lewisville
151 West Church Street
Lewisville, Texas 75057

Project Name: Mary Kay - Regal Row Relocation Project
Project Number: F8Z93400

**Subject: Variance Request of City of Lewisville's Code of Ordinances Sec. 11-10
Existing Freestanding Sign**

Dear Mr. Babineaux,

On behalf of Mary Kay Inc., we respectfully request the City of Lewisville consideration of a height variance associated with the existing freestanding sign located on the site of the proposed Mary Kay Regal Road Relocation project. Based upon our analysis of the existing sign, we believe that the overall size (10' x 36') and setback from the property line (75') are in compliance with the ordinance for the site (28.55 acres).

The allowable height under the ordinance for a site over twenty-five acres is forty (40) feet above finished grade. Based upon our proposed grading plan, the finished grade at the centerline of the sign will be at elevation 553.43'. Based upon our on-site survey done last week, the top of the centerline of the sign is at elevation 594.58'. Therefore, after completion of our final grading, the existing height of the sign exceeds the allowable under the ordinance by 1.15' (about 1'-2").

Mary Kay will use the sign exclusively for their own use under the terms of the ordinance. Based on this analysis, we respectfully request a variance to the Code of Ordinances Section 11-10 to allow the existing freestanding sign to remain as is.

Thank you for your consideration of this variance request.

Sincerely,

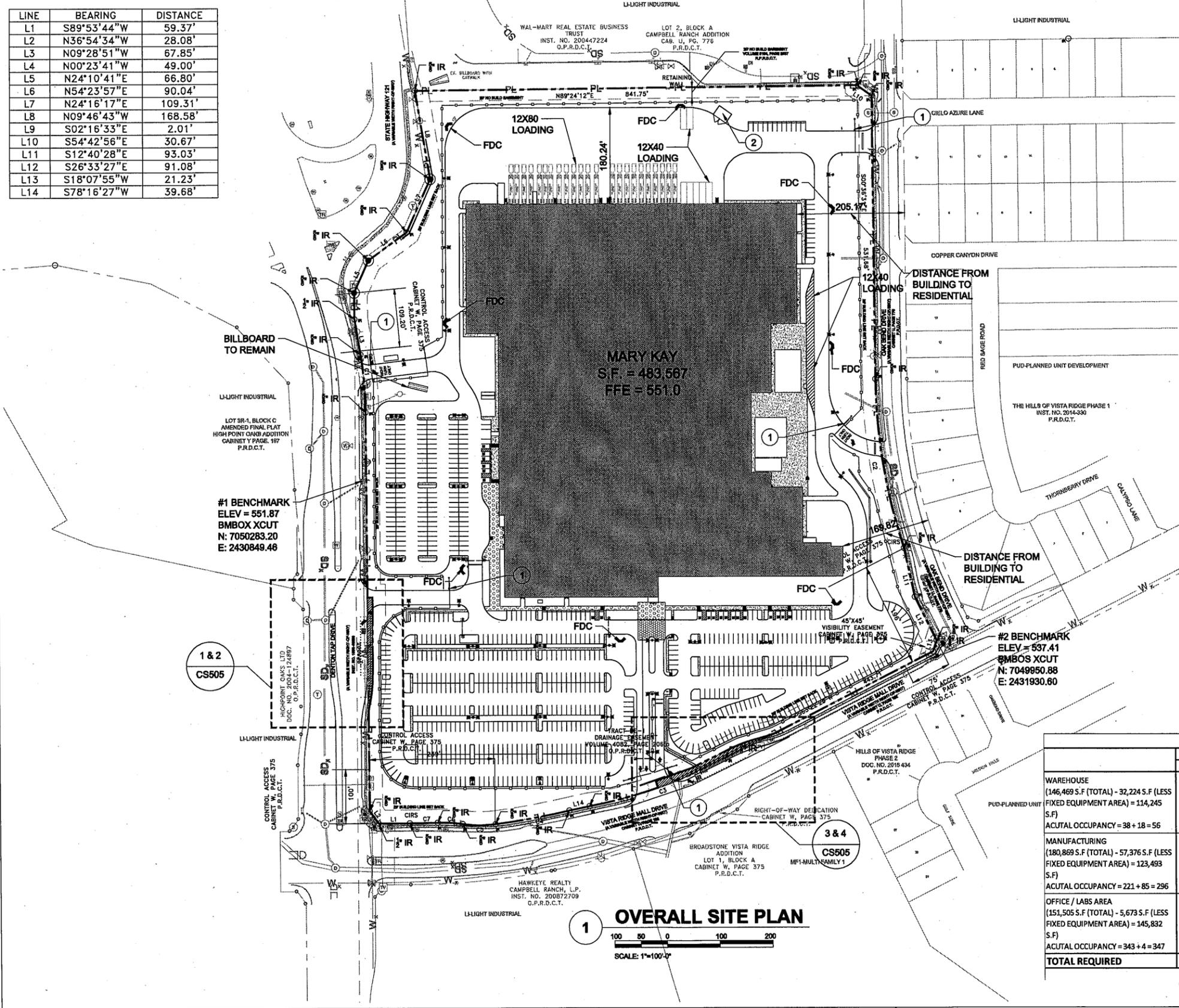
David J. Day, AIA, LEED AP

Project Manager
214.583.8507
david.day@Jacobs.com

djd/shb

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	676.60'	108.31'	108.19'	N04°53'42"W	09°10'19"
C2	1030.00'	320.98'	319.68'	S09°32'10"E	17°51'18"
C3	987.50'	272.91'	272.04'	S71°17'27"W	15°50'04"
C4	1350.50'	141.31'	141.25'	S79°57'07"W	05°59'43"
C5	237.50'	62.79'	62.60'	N89°28'37"W	15°08'48"
C6	262.50'	47.70'	47.63'	N87°06'34"W	10°24'41"
C7	1338.50'	53.43'	53.42'	S88°49'42"W	02°17'13"

LINE	BEARING	DISTANCE
L1	S89°53'44"W	59.37'
L2	N36°54'34"W	28.08'
L3	N09°28'51"W	67.85'
L4	N00°23'41"W	49.00'
L5	N24°10'41"E	66.80'
L6	N54°23'57"E	90.04'
L7	N24°16'17"E	109.31'
L8	N09°46'43"W	168.58'
L9	S02°16'33"E	2.01'
L10	S54°42'56"E	30.67'
L11	S12°40'28"E	93.03'
L12	S26°33'27"E	91.08'
L13	S18°07'55"W	21.23'
L14	S78°16'27"W	39.68'



GENERAL NOTES

- REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS.
- REFER TO LANDSCAPING PLANS FOR ADDITIONAL SITE AND FEATURES.
- NO OUTSIDE STORAGE IS PROPOSED.
- REFER TO CS111-CS116 FOR DIMENSIONAL CONTROL PLAN & GEOMETRY POINT DATA.
- REFER TO CS120 FOR THE PAVING PLAN.
- SECURITY FENCE TO BE 8' TALL GALVANIZED STEEL PICKET FENCE (NO PAINT). IF THE FENCE IS LOCATED ON TOP OF THE PROPOSED RETAINING WALLS, IT WILL HAVE TO HAVE THE 4" PICKET SPACING.
- #1 BENCHMARK ON CURB INLET.
- #2 BENCHMARK ON CURB INLET.

SITE PLAN LEGEND

- PROPERTY LINE
- 8' PERIMETER FENCE, ORNAMENTAL METAL
- ⊙ LIGHT POLE
- ⊙ LIGHT POLE
- ⊙ FIRE DEPARTMENT CONNECTION (FDC)
- ⊙ CONCRETE TxDOT MONUMENT FOUND
- ⊙ IR 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "KHA" FOUND UNLESS DESCRIBED OTHERWISE
- ⊙ CIRS 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JACOBS" SET

KEYED NOTES

- ALL GATES CROSSING THE FIRE LANE SHALL BE EQUIPPED WITH A KNOX BREAKAWAY AS WELL AS A STROBE OPENER (OPTICOM OR OTHER COMPATIBLE DEVICE)
- DUMPSTER

IMPERVIOUS AREA TABLE	
TOTAL ACRES	TOTAL IMPERVIOUS AREA
1.245,990.82 SQ. FT.	658,609 SQ. FT.
28.6 ACRES	15.12 ACRES

	OFF-STREET PARKING		OFF-STREET LOADING	
	NET PARKING REQUIRED	PARKING PROVIDED	NET LOADING REQUIRED	LOADING PROVIDED
WAREHOUSE (146,469 S.F. (TOTAL) - 32,224 S.F. (LESS FIXED EQUIPMENT AREA) = 114,245 S.F.) ACUTAL OCCUPANCY = 38 + 18 = 56	57		11	11
MANUFACTURING (180,869 S.F. (TOTAL) - 57,376 S.F. (LESS FIXED EQUIPMENT AREA) = 123,493 S.F.) ACUTAL OCCUPANCY = 221 + 85 = 296	412		12	12
OFFICE / LABS AREA (151,505 S.F. (TOTAL) - 5,673 S.F. (LESS FIXED EQUIPMENT AREA) = 145,832 S.F.) ACUTAL OCCUPANCY = 343 + 4 = 347	486		9	9
TOTAL REQUIRED	955	808*	32	32

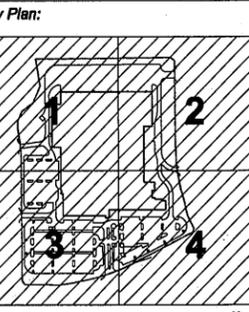
* VARIANCE IS REQUIRED



DECLARATION
ATTACHMENT OF THIS SEAL TO THIS DOCUMENT IS MADE ONLY FOR THE PURPOSE OF AUTHENTICATING THIS DOCUMENT. RESPONSIBILITY FOR ALL OTHER DOCUMENTS RELATED TO THIS PROJECT IS OBTAINED.

REV	DESCRIPTION	DATE
01	DRAFT DESIGN DEVELOPMENT	07/28/2016
02	CITY COMMENTS	09/28/2016
03	CITY COMMENTS	10/28/2016

MARY KAY
REGAL ROW RELOCATION
 A MANUFACTURING, RESEARCH & DEVELOPMENT,
 OFFICE AND WAREHOUSE FACILITY.
 NEC DENTON TAP &
 VISTA RIDGE MALL DR.
 CAMPBELL RANCH ADDITION
 LOT 3 BLOCK A
 28.604 ACRES
 ZONED: LIGHT INDUSTRIAL

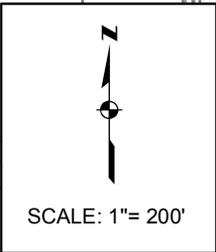


Scales:

Jacobs Project No.: FBZ93400

Drawing Title:
OVERALL SITE PLAN

Date: 29 JULY 2016
 Designed: DAG
 Drawn: DAG
 Checked: YAK
 Drawing No.:
CS100



ROUND GROVE RD

PROJECT LOCATION

OAKBEND DR

DENTON TAP RD

VISTA RIDGE MALL DR

VARIANCE REQUEST
FOR
2613 DENTON TAP ROAD
MARY KAY RESEARCH
AND
DEVELOPMENT FACILITY



PROJECT LOCATION

N
SCALE: 1" = 200'

VARIANCE REQUEST
FOR
2613 DENTON TAP ROAD
MARY KAY RESEARCH
AND
DEVELOPMENT FACILITY

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Lisa Weaver, Sustainability Manager

VIA: Eric Ferris, Assistant City Manager

DATE: November 18, 2016

SUBJECT: **Consideration of a Resolution of the City Council of the City of Lewisville, Texas, Acknowledging the 2017 Waste Management Cost of Service Rates for Franchised Solid Waste and Recycling Services.**

BACKGROUND

In April 2014, Council approved Ordinance No. 4062-04-2014 establishing a franchise agreement with Waste Management (WM) for solid waste/recycling collection services for residential and multi-family customers and solid waste collection and disposal services for commercial customers. Ordinance No. 4062-04-2014 became effective August 4, 2014. Per the agreement, the WM cost of service rates are to be adjusted annually by the percentage increase in the DFW Consumer Price Index (CPI) for the preceding twelve month period. Adjustments take effect on January 1 of the subsequent contract year.

Due to the August 2014 effective date for the current franchise agreement and the resulting rate changes associated with the new agreement, no CPI adjustment was made to cost of service rates in 2015 by mutual agreement of the City and WM. The first CPI adjustment to the 2014 rates was planned for January 1, 2016. However, the CPI decreased for 2015, and no adjustments were made to rates for 2016.

ANALYSIS

The current CPI for the DFW area as published by the Bureau of Labor Statistics reflects an increase of 2.0 percent. WM is therefore planning an adjustment of 2.0 percent to the cost of service rates for 2017. The CPI increase impacts all residential, multi-family and commercial customer rates. City Council acknowledgement of rate adjustments must be provided to WM by December 20 each year per the franchise agreement.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the Resolution as set forth in the caption above.



WASTE MANAGEMENT OF TEXAS

520 E Corporate Dr Suite 100
PO Box 276
Lewisville, TX 75057
(214) 626-8800
(214) 626-8893 Fax

November 14, 2016

Lisa Weaver
Sustainability Manager
City of Lewisville
151 W. Church Street
Lewisville, Texas 75029

Ms. Weaver:

It has been an exciting second year for Waste Management and The City of Lewisville as we began the new collection, disposal and multi-family service agreement. We are thankful for our relationship and pledge to continue to work to always improve all aspects of our partnership.

As per the terms and conditions of the new service agreement (Attachment E), Waste Management is required to provide documentation showing the percentage of increase for the preceding twelve month period in the Consumer Price Index for the Dallas/Fort Worth area. The month pertaining to the calculation is to be September.

Waste Management has utilized the proper index which reflects a two percent (2%) increase from September 2015 – September 2016. The calculation table and new pricing matrix has been provided to the City of Lewisville to show the reflected increase to the Consumer Price Index and the resulting increase to all residential, commercial and multi-family lines of services provided.

The Price Matrix sheet also includes the Sludge/Special Waste price calculation as well. Waste Management accepts the City Of Lewisville adjustment increasing the Per-Ton cost to \$11.79 which also is being accessed the Two-Percent (2%) increase to \$12.02 per disposal ton.

If you have any questions concerning this, please do not hesitate to call me at any time!

Sincerely:

A handwritten signature in black ink that reads 'Steve Kellar'.

Steve Kellar
Public Sector Marketing Manager
Waste Management
817-454-7504
skellar@wm.com

From everyday collection to environmental protection, Think Green.® Think Waste Management.

Lewisville, Texas

1/1/2017

FOR THE CUSTOMER TAB

RESIDENTIAL RATES

1X Wk 96 Gal Cart	\$11.69	<i>Two (2) 39 Gallon bags allowed outside of the cart</i>
Senior Citizen Rate	\$9.35	
Disabled Carryout	\$11.69	
Extra Cart - trash or recycle	\$5.10	
Replace Missing/Stolen Cart	\$66.30	

SERVICE ENCHANCEMENT OPTIONS

Yard Waste Collection Option	\$2.61
At Your Door/HHW	\$1.22
Once Per Month Yardwaste and Bulky Collection	\$2.09
Recyclebank Incentive Program	\$0.67

COMMERCIAL HAND COLLECT

	1XWK	2XWK
Hand Collect 96 Gal Cart 1X	\$ 21.99	N/A
Extra Cart - 4 Cart Maximum	\$ 5.10	N/A
Redelivery for non payment	\$ 53.83	N/A
Replace Stolen/Missing Cart	\$ 66.30	N/A

COMMERCIAL FRONT LOAD RATES

Container Size / Type	FREQUENCY PER WEEK							
	1XWK	2XWK	3XWK	4XWK	5XWK	6XWK	7XWK	EXTRA PU
2 Yard FEL Container	\$ 63.90	\$ 112.00	\$ 160.12	\$ 208.23	\$ 256.35	\$ 304.47	\$ 352.56	\$ 25.47
3 Yard FEL Container	\$ 72.79	\$ 126.63	\$ 180.46	\$ 234.33	\$ 288.17	\$ 342.03	\$ 395.86	\$ 30.00
4 Yard FEL Container	\$ 81.44	\$ 141.02	\$ 200.59	\$ 260.18	\$ 319.75	\$ 379.34	\$ 438.93	\$ 36.58
6 Yard FEL Container	\$ 97.75	\$ 168.81	\$ 239.86	\$ 310.91	\$ 381.96	\$ 453.01	\$ 524.07	\$ 43.12
8-Yard FEL Container	\$ 112.86	\$ 195.38	\$ 277.91	\$ 360.41	\$ 442.95	\$ 525.45	\$ 607.98	\$ 55.43

See other Fees and Charges Below

Lock Bar, MONTHLY	\$ 10.76
Casters MONTHLY	\$ 10.76

VERTICAL COMPACTORS

Size	1x	2x	3x	4x	5x	6x	7x	XPU
2 Yard FEL Compactor	\$ 155.38	\$ 310.74	\$ 466.12	\$ 621.49	\$ 776.85	\$ 932.22	\$ 1,087.99	\$ 40.12
3 Yard FEL Compactor	\$ 178.10	\$ 356.18	\$ 534.29	\$ 712.36	\$ 890.42	\$ 1,068.52	\$ 1,246.62	\$ 43.28
4 Yard FEL Compactor	\$ 200.92	\$ 401.60	\$ 602.42	\$ 803.23	\$ 1,004.04	\$ 1,204.82	\$ 1,405.64	\$ 49.25
6 Yard FEL Compactor	\$ 246.25	\$ 492.48	\$ 738.74	\$ 984.97	\$ 1,231.20	\$ 1,477.44	\$ 1,723.69	\$ 61.17
8 Yard FEL Compactor	\$ 312.61	\$ 625.25	\$ 937.86	\$ 1,250.47	\$ 1,563.09	\$ 1,875.71	\$ 2,188.32	\$ 77.95

MULTI-FAMILY RECYCLING RATES

Apartment Bin/Per Unit	\$ 0.15
Replacement Bin	\$ 10.20
2-4-6-8 yard frontload container per apartment unit	\$ 0.87

ROLL-OFF RATES

Container Size / Type	Delivery Rate	Rental Rate	BY Month or Day Rate	Haul Rate per Pull	Disposal Rate per ton
10 Yard (Open-Top)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
12 Yard (Open-Top)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
18Yard (Open-Top)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
20 Yard (Open-Top)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
24 Yard (Open-Top)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
30 Yard (Open-Top)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
40 Yard (Open-Top)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
10 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
12 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98

15 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
17 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
18 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
20 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
24 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
25 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
27 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
30 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
34 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
35 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
38 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
40 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
42 Yard (Compactor)	\$ 94.18	\$ 161.46	Month	\$ 153.38	\$ 20.98
Box Only	N/A	\$ 173.27			
Self-Contained Unit	N/A	\$ 393.92			
Compactor Head and Box	N/A	\$ 393.92			

NOTES / FREE SERVICES

DISASTER MANAGEMENT/PER TRUCK/PER HOUR

Rear-End Loader \$127.50
 Grapple Truck \$153.00

Miscellaneous Rates:

Compactor Cleaning Service \$201.82
 Trip Charge \$ 94.18
 Compactor Removal \$ 94.18
 Container Relocation \$ 94.18
 Exchange of Compactors \$ 94.18
 Liners for Rolloff Containers \$ 53.83
 Service Reinstatement Service \$ 45.90
 Frontload Compactor Rental 4 cubic yard compactor \$245.24 6 cubic yard compactor \$265.12
 Any Special Services, Negotiated Services, Or Other Services Not Specifically Stated within The Fee Ordinance: Quoted Cost plus 17.46%

Sludge/Special Waste

Per Ton \$12.02

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, ACKNOWLEDGING THE 2017 WASTE MANAGEMENT COST OF SERVICE RATES FOR FRANCHISED SOLID WASTE AND RECYCLING SERVICES.

WHEREAS, City Council approved Ordinance No. 4062-04-2014 in April 2014 with an effective date of August 4, 2014, which ordinance sets forth the franchise agreement terms between the City and Waste Management (WM) for Residential and Multi-Family Solid Waste/Recycling Services and Commercial Solid Waste Collection and Disposal Services; and,

WHEREAS, Ordinance No. 4062-04-2014 identifies WM's 2014 cost of service rates for all services provided under the franchise agreement; and,

WHEREAS, Ordinance No. 4062-04-2014 provides a method for WM to adjust cost of service rates annually using the Dallas Fort Worth (DFW) area Consumer Price Index; and,

WHEREAS, the applicable DFW CPI as of September 2016 reflects an increase of 2.0 percent and WM is therefore seeking an increase of 2.0 percent in cost of service rates for 2017;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT:

SECTION 1. WM's cost of service rates as established by Ordinance No. 4062-04-2014 shall be increased by 2.0 percent effective January 1, 2017.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, ON THIS THE 5th DAY OF DECEMBER, 2016.

RESOLUTION NO. _____

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APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Heinze, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Lisa Weaver, Sustainability Manager

VIA: Eric Ferris, Assistant City Manager

DATE: November 18, 2016

SUBJECT: **Consideration of an Ordinance Amending the Lewisville Code of Ordinances, Chapter 2, Article VIII, Section 2-201, Fee Schedule, Related to Solid Waste and Recycling Rates.**

BACKGROUND

In April 2014, Council approved Ordinance No. 4062-04-2014 establishing a franchise agreement with Waste Management (WM) for solid waste/recycling collection services for residential and multi-family customers and solid waste collection and disposal services for commercial customers. Ordinance No. 4062-04-2014 became effective August 4, 2014, and set forth the WM cost of service rates for franchised solid waste and recycling services. Per the franchise agreement, the WM cost of service rates are to be adjusted annually by the percentage increase in the DFW Consumer Price Index (CPI) for the preceding twelve month period. Adjustments take effect on January 1 of the subsequent contract year.

Customer rates are established by the City Council. After the franchise agreement was approved, Council approved Ordinance No. 4094-07-2014 and Ordinance No. 4133-11-2014, which established customer rates for all services. Customer rate increases have historically matched the CPI percentage increase applied to WM cost of service rates.

ANALYSIS

Due to the August 2014 effective date for the current franchise agreement and the resulting rate changes associated with the new agreement, no CPI adjustment was made to WM cost of service rates in 2015 by mutual agreement of the City and WM. The first CPI adjustment to the 2014 rates was planned for January 1, 2016. However, the CPI decreased the previous twelve months, and no adjustments were made to rates for 2016.

Since CPI adjustments did not occur in 2015 or 2016, cost of service rates and customer rates have remained the same for two years. The current CPI for the DFW area as published by the Bureau of Labor Statistics reflects an increase of 2.0 percent, and WM is therefore seeking a 2.0 percent increase to cost of service rates for 2017. Council has the option to adjust customer rates by the CPI as done in the past to maintain an equitable customer rate structure. Such CPI increase of 2.0 percent would apply to all residential, multi-family and commercial customer rates. City Council established customer rates for 2017 must be provided to WM by December 20, 2016, per the franchise agreement.

Subject: Waste Management Customer Rate
November 18, 2016
Page 2 of 2

RECOMMENDATION

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, AMENDING THE LEWISVILLE CODE OF ORDINANCES, CHAPTER 2, ARTICLE VIII, SECTION 2-201, FEE SCHEDULE, FOR SOLID WASTE AND RECYCLING SERVICES; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Lewisville, Texas, has determined that for the health, welfare, and safety of its citizens, it is desirable that certain amendments to Chapter 2, Article VIII, Section 2-201 of the Lewisville City Code are necessary;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT:

SECTION 1. AMENDMENT. City Code, Chapter 2, Article VIII, Section 2-201, Fee Schedule, Solid Waste, is hereby amended by deleting the current fees in their entirety, and in their place inserting the following fees:

COMMERCIAL REFUSE STORAGE CART RATES:

Container	Rate
96 gallon cart, collected 1 x week (per cart/month)	25.83
Additional 96 gallon cart, collected 1 x week (per cart/month); 4 cart maximum	5.99
Redelivery rate for nonpayment (per occurrence)	63.22
Replace stolen/missing cart (one-time fee)	77.88

COMMERCIAL FRONT END LOADER (FEL) CONTAINER RATES:

FEL NON-COMPACTOR COLLECTION								
Container Type/Size	1x Week	2x Week	3x Week	4x Week	5x Week	6x Week	7x Week	Extra Pickup
2 cy container	75.06	131.55	188.08	244.59	301.10	357.63	414.12	29.92
3 cy container	85.50	148.75	211.97	275.25	338.48	401.75	464.98	35.23
4 cy container	95.66	165.64	235.62	305.61	375.57	445.57	515.56	42.96
6 cy container	114.81	198.29	281.74	365.19	448.65	532.11	615.57	50.64
8 cy container	132.57	229.49	326.43	423.33	520.28	617.20	714.13	65.11
Casters/Locks	12.64							
FEL VERTICAL COMPACTOR COLLECTION								
Container Type/Size	1x Week	2x Week	3x Week	4x Week	5x Week	6x Week	7x Week	Extra Pickup
2 cy compactor	182.51	365.00	547.51	729.99	912.49	1094.98	1277.96	47.12
3 cy compactor	209.20	418.37	627.58	836.74	1045.89	1255.09	1464.28	50.84
4 cy compactor	236.00	471.73	707.60	943.47	1179.34	1415.19	1651.06	57.84
6 cy compactor	289.24	578.46	867.71	1156.95	1446.17	1735.40	2024.64	71.85
8 cy compactor	367.19	734.42	1101.61	1468.80	1836.00	2203.21	2570.40	91.56
FEL VERTICAL COMPACTOR RENTAL								
Container Size					Rate per Month			
4 cy compactor					288.06			
6 cy compactor					311.41			

COMMERCIAL ROLL-OFF (RO) CONTAINER RATES:

RO NON-COMPACTOR				
Container Size	Haul Rate per Pull	Disposal Rate per Ton	Delivery Rate	Rental Rate
10 cy container	180.15	23.32	103.15	172.20
12 cy container	180.15	23.32	103.15	172.20
18 cy container	251.49	23.32	103.15	172.20
20 cy container	251.49	23.32	103.15	172.20
24 cy container	265.69	23.32	103.15	172.20
30 cy container	286.96	23.32	103.15	172.20
40 cy container	362.11	23.32	103.15	172.20
RO COMPACTOR				
Container Size	Haul Rate per Pull	Disposal Rate per Ton	Delivery Rate	Rental Rate
10 cy compactor	244.72	23.32	103.15	172.20
12 cy compactor	244.72	23.32	103.15	172.20
15 cy compactor	258.57	23.32	103.15	172.20
17 cy compactor	267.78	23.32	103.15	172.20
18 cy compactor	274.51	23.32	103.15	172.20
20 cy compactor	281.62	23.32	103.15	172.20
24 cy compactor	300.07	23.32	103.15	172.20
25 cy compactor	304.69	23.32	103.15	172.20
27 cy compactor	317.11	23.32	103.15	172.20
30 cy compactor	327.77	23.32	103.15	172.20
34 cy compactor	343.04	23.32	103.15	172.20
35 cy compactor	346.60	23.32	103.15	172.20
38 cy compactor	369.47	23.32	103.15	172.20
40 cy compactor	379.93	23.32	103.15	172.20
42 cy compactor	387.02	23.32	103.15	172.20

COMPACTOR UNIT RENTAL RATES:

Unit Type	Rate
Box Only	189.76
Self-contained unit	431.44
Compactor head and box	431.44

COMMERCIAL MISCELLANEOUS RATES:

Service Description	Rate
Compactor cleaning fee	221.03
Trip charge	103.15
Compactor removal	103.15
Container relocation	103.15
Exchange of compactors	103.15
Liners for roll-off containers	58.95
Service reinstatement fee	53.92
Special services, negotiated services, or any other services not specifically stated within the fee ordinance	Quoted cost plus 17.46%

MULTI-FAMILY RECYCLING RATES:

Container	Rate per Apartment Unit
2 cubic yard front loader	1.02
4 cubic yard front loader	1.02
6 cubic yard front loader	1.02
8 cubic yard front loader (up to three containers)	1.02
Recycling bin for each apartment unit	0.18
Replacement apartment bin	11.99

RESIDENTIAL TRASH AND RECYCLING COLLECTION RATES:

Service	Container	Rate Per Month
Once a week trash collection; two 39-gallon bags allowed outside cart	WM 96-gallon cart	11.69
Once a week recycling collection; nothing allowed outside cart	WM 96-gallon cart	Included
Once a week Bulky Waste collection	Resident container/bundled or large item set-out; maximum 3 CY	Included
Once a week Yard Waste collection	Resident bundle, residential container set out; maximum 3 CY	Included
Senior citizen, same service as above	Same set-out containers; can request smaller cart but will pay same rate	9.35
Special carry-out trash/recycling service (does not include Bulky Waste and Yard Waste)	Same set-out containers; can request smaller cart but will pay same rate	11.69
Second trash or recycling cart	WM 96-gallon cart	5.10
Replacement of damaged cart	WM 96-gallon cart	Free
Replacement of missing/stolen cart (1-time charge)	WM 96-gallon cart	66.30

RESIDENTIAL SERVICE ENHANCEMENT OPTIONS RATES:

Service Enhancement Option	Rate per Month
Once a week Yard Waste Collection Program (delivery of Yard Waste to reuse, composting, or other non-disposal facility)	2.61
At Your Door HHW collection (unlimited)	1.22
Once a month unlimited Yard Waste and Bulky Waste collection	2.09
Recyclebank incentive program	0.67

SECTION 2. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION 3. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective immediately upon its passage and publication as required by law.

SECTION 5. EMERGENCY. It being for the public welfare that this ordinance be passed creates an emergency and public necessity, and the rule requiring this ordinance be read on three separate occasions be, and the same is hereby waived, and this ordinance shall be in full force and effect from and after its passage and approval and publication, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF _____ TO _____, ON THIS THE 5th DAY OF DECEMBER, 2016.

APPROVED:

Rudy Durham, MAYOR

ORDINANCE NO. _____

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ATTEST:

Julie Heinze, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY