

**A G E N D A**

**LEWISVILLE CITY COUNCIL MEETING  
JANUARY 9, 2017**

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

**WORKSHOP SESSION – 5:40 P.M.**

**REGULAR SESSION – 7:00 P.M.**

Call to Order and Announce a Quorum is Present.

**WORKSHOP SESSION - 5:40 P.M.**

- A. Discussion of Capital Project Prioritization
- B. Discussion of Regular Agenda Items and Consent Agenda Items

**REGULAR SESSION – 7:00 P.M.**

- A. **INVOCATION:** Councilman Ferguson
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Deputy Mayor Pro Tem Vaughn
- C. **PROCLAMATION:** Recognizing Local Marathon Champion Keith Pierce
- D. **PUBLIC HEARINGS:**
  - 1. **Public Hearing:** Consideration of an Ordinance Adopting Camp Standards of Care in Compliance With Texas Administrative Code 745.115(3) Municipal for Recreational Camp Programs.

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**ADMINISTRATIVE COMMENTS:**

The Department of Family and Protective Services provides an exemption to the license requirement for child-care facilities for municipal recreation programs. The City's camp program meets the criteria for said exemption but requires the Council's adoption of the proposed ordinance setting for the standards of care. This is the same standards of care as approved by City Council the past six years with the addition last year of the LLELA Nature Preserve Camps.

**RECOMMENDATION:**

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

- 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.
2. **APPROVAL OF MINUTES:** City Council Minutes of the December 19, 2016, Workshop Session and Regular Session.
3. **Approval of a Professional Service Agreement with Marquis Restoration & Preservation, Ponder, Texas, for Rehabilitation Work to the Split Rail Fence Surrounding the 1850's Homestead Complex Located in the Lewisville Lake Environmental Learning Area, in the Amount of \$7,200; and Authorization for the City Manager to Execute the Agreement.**

**ADMINISTRATIVE COMMENTS:**

This past September, Staff contracted with Marquis Restoration & Preservation to restore the barn located at the 1850's homestead for a price of \$48,700. The work on the barn has been completed and now staff would like to have the split rail fence restored in the same manner as the barn. Marquis Restoration & Preservation utilizes materials and workmanship that would have been available in the 1850's. The split rail fence is a continuation of the overall restoration that is occurring at the homestead. This work, however, will cause the value of both improvements to exceed \$50,000 which requires City Council approval.

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**RECOMMENDATION:**

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

- 4. Approval of a Resolution Calling the May 6, 2017 Lewisville City Council General Election; Authorization of an Election Calendar; and Authorization for the Mayor to Sign the Election Order.**

**ADMINISTRATIVE COMMENTS:**

An election calendar has been prepared for the May 6, 2017, City Council election, which will include Place Nos. 1 and 3 on the ballot. State law requires that canvassing of the election be held between the 3<sup>rd</sup> and 11<sup>th</sup> day following an election. City staff recommends conducting the canvassing at the City Council meeting scheduled for May 15, 2017. City staff will be meeting with both Denton and Dallas Counties in the coming weeks and an item authorizing contracts for election services with both counties will be brought back for City Council consideration. These contracts will address polling locations for both early voting and Election Day.

**RECOMMENDATION:**

That the City Council approve the proposed resolution and election calendar as set forth in the caption above.

- 5. Approval of a Resolution Adopting the City's Legislative Agenda for the 2017 Texas Legislature and Authorizing the Mayor and City Manager to Communicate the City's Adopted Legislative Priorities.**

**ADMINISTRATIVE COMMENTS:**

The 85<sup>th</sup> Texas Legislature convenes on January 10 and is expected to consider legislation on a wide range of issues with a direct impact on municipal government in general and on Lewisville in particular. This resolution officially adopts the city's 2017 Legislative Agenda, establishes priorities, and authorizes the mayor or city manager to sign letters and other documents in keeping with the adopted Agenda.

**RECOMMENDATION:**

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

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- 6. Approval of a Request by Denton County Transportation Authority (DCTA) for a Letter of Support on its Application for the Environmental Protection Agency's (EPA) Brownfields Assessment Grant.**

**ADMINISTRATIVE COMMENTS:**

Denton County Transportation Authority (DCTA) has requested a letter of support from the City of Lewisville for its application for the Environmental Protection Agency's (EPA) Brownfields Assessment grant to perform Phase II subsurface assessment activities. The project site is located in Lewisville at the DCTA Lewisville Maintenance Facility at East Highway 121 and South Railroad Street. The letter of support is included as an attachment.

**RECOMMENDATION:**

That the City Council approve the request for a letter of support as set forth in the caption above.

**G. REGULAR HEARINGS:**

- 7. Consideration of a Variance to the Lewisville City Code, Section 4-28, Temporary Structures and Uses, Regarding a Temporary Sales and Marketing Trailer at 1216 Lake Falls Terrace Part of Lakewood Hills West Phase I, a Single Family Detached Development Located South of Windhaven Parkway West of Josey Lane, as Requested by Greg Olaniyan, Representing Pulte Group, the Property Owner.**

**ADMINISTRATIVE COMMENTS:**

Pulte Homes is currently developing a 133-unit single family detached residential project on a 44.860-acre property zoned PUD, located south of Windhaven Parkway west of Josey Lane. The minimum unit size is 2,000 sf. A variance is being requested to place a temporary sales and marketing trailer on their site for the purpose of pre-sales before the model home is completed. The City of Lewisville building code does not allow portable buildings to be placed in the City for the purposes of sales offices of this type.

**RECOMMENDATION**

That the City Council approve the variance as set forth in the above caption not to exceed twelve (12) months or at the issuance of a Certificate of Occupancy of the model home located at 1216 Lake Falls Terrace, whichever occurs first.

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

- 8. Consideration of an Ordinance Repealing Ordinance 3829-12-2010, Which Established the Arts Advisory Board, and Ordinance 3966-10-2012, Which Adds a Duty to the Board, and Replacing Said Ordinances in Their Entirety.**

**ADMINISTRATIVE COMMENTS:**

City Council established the Arts Advisory Board by ordinance in 2010. This new ordinance will replace the existing one in order to add language clarifying the purpose of the Art Support Grants program and its intended connection to tourism. This change was discussed by City Council at its November 21, 2016, workshop.

**RECOMMENDATION:**

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

**PRESENTATION:** - James Kunke, Community Relations & Tourism Director

- 9. Consideration of Declaring a Vacancy Exists in Place No. 3 of the Board of Directors of the Lewisville Local Government Corporation; and Consideration of an Appointment to Place No. 3 of the Board of Directors of the Lewisville Local Government Corporation.**

**ADMINISTRATIVE COMMENTS:**

When this Corporation was first formed, the City Council wanted to have five Council Members serve on this Corporation. A roster of the corporation members has been prepared for City Council review. Due to Greg Tierney no longer serving as a City Council Member, City Council will need to consider declaring a vacancy in Place No. 3 should they wish to maintain the original intention of having only City Council Members serve on this board. The Articles of Incorporation for this board state that the Board of Directors consist of five (5) persons who are residents of the City shall be appointed by the City Council and that the Board Members may be members of the City Council. Should the City Council declare the vacancy, Place No. 3 will need to be filled by either Mayor Pro Tem Gilmore or Councilman Jones.

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**RECOMMENDATION:**

That the City Council declare the vacancy and consider the appointment to Place No. 3 of the Board of Directors of the Lewisville Local Government Corporation.

- 10. Provide Direction to City Staff Regarding a Potential Date for a Charter Amendment Election.**

**ADMINISTRATIVE COMMENTS:**

City Council reviewed the 2015 Charter Review Commission's final recommendations at the July 20, 2015, City Council workshop. Since no decision was made at that time related to the calling of a charter election, the topic was brought back for consideration at the January 25, 2016, City Council meeting. Direction was given at that time to bring the item back before the City Council in January 2017. At this time, City staff is requesting that this topic be discussed at the City Council Retreat scheduled for February 3 and 4, 2017.

**RECOMMENDATION:**

That the City Council provide direction to City staff regarding a potential date for a Charter Amendment Election.

- 11. Consideration of a Professional Services Agreement with Todd Bressi in the Amount of \$62,000 for Consulting Services Related to Creating a Public Art Master Plan.**

**ADMINISTRATIVE COMMENTS:**

A selection team of city staff and arts community representatives reviewed proposals and chose Todd Bressi (with Meridith McKinley) to develop a public art master plan for the city. Bressi and McKinley have completed more than a dozen similar plans for other cities, including four in North Texas. Funding is available in the FY 2016-17 Hotel Fund budget. Completion of the Public Art Master Plan is anticipated by Fall of 2017.

**RECOMMENDATION:**

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

**PRESENTATION:** - James Kunke, Community Relations & Tourism Director

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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 551.071 (Consultation with Attorney): Consideration of Settlement of Contractual Dispute with Atlas Barnett, LLC f/k/a Titan Operating, LLC
  - 2. Section 551.072 (Real Estate): Property Acquisition
  - 3. 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).