

**TO:** Donna Barron, City Manager

**FROM:** Tim Ippolito, Development Manager/Fire Marshal

**DATE:** February 12, 2019

**SUBJECT:** **Approval of an Economic Development Agreement between the City of Lewisville and Lizzie B Properties LLC to Obtain Ownership and Provide Public Easements for portions of the Fire Sprinkler System Located at 143 and 139 W. Main Street and to Provide for the Installation of a Fence at 125 North Mill Street and Authorization for the City Manager to Execute the Agreement.**

### **BACKGROUND**

The City of Lewisville desires to install automatic fire sprinkler systems in those buildings facing Main Street between Charles Street and Mill Street (the "Program"). Under the Program, the City is paying for the full installation of fire sprinkler systems. Lizzie B Properties LLC, the owner of the buildings located at 143 and 139 W. Main Street ("Owner"), previously installed a fire sprinkler system in their buildings. Under a previous economic development agreement (prior to the establishment of the Program), the city reimbursed the Owner for only a portion of their sprinkler system costs -- backflow device, vault, tap, and double check detector check. At that time, the Owner also dedicated those portions of their sprinkler system to the city.

### **ANALYSIS:**

Due to the Program, the city now needs to own the bulk main and riser to be able to most efficiently and cost-effectively provide fire water to the other buildings in the quadrant. Because the city is having to buy existing infrastructure rather than install a new system in these buildings, this agreement had to be structured differently than the agreements with other property owners that are part of the Program.

In further consideration, the Owner has agreed to install a decorative fence with an open-design on her property located at 125 N. Mill Street. This property previously had an opaque metal fence that blocked the view of the commercial businesses that backed onto the Wayne Ferguson Plaza alley. An improved and see-through fence will beautify the area and allow for further activation of the alley, thereby promoting greater commercial activity in our Old Town core.

In exchange for the city's ownership of the existing bulk main and riser assembly, along with all required public easements and the Owner's installation of an open-concept fence at 125 N. Mill Street, the city has agreed to pay the Owner the amount of \$35,291. This amount would not reimburse the Owner for any portion of their sprinkler system that has already been dedicated to the city.

**RECOMMENDATION:**

That the City Council approve the economic development agreement as set forth in the caption above; and authorize the City Manager to execute the agreement.