LEWISVILLE CITY COUNCIL

REGULAR SESSION

SEPTEMBER 17, 2018

Present:

Rudy Durham, Mayor

Council Members:

TJ Gilmore Bob Troyer R Neil Ferguson Brent Daniels, Mayor Pro Tem Brandon Jones, Deputy Mayor Pro Tem

City Staff:

Donna Barron, City Manager (absent) Eric Ferris, Deputy City Manager Claire Swann, Assistant City Manager Melinda Galler, Assistant City Manager Julie Worster, City Secretary Lizbeth Plaster, City Attorney

WORKSHOP SESSION - 6:30 P.M.

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Mayor Durham at 6:30 p.m. on Monday, September 17, 2018, in the City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas. All City Department Heads were in attendance.

Discussion of Overview of Utility Payment Channels

(Agenda Item A)

At the request of Deputy City Manager Ferris, Finance Director Brenda Martin and Fiscal Services Manager Clifford Howard conducted the attached PowerPoint Presentation regarding Discussion of Overview of Utility Payment Channels.

Discussion of Regular Agenda Items and Consent Agenda Items

(Agenda Item B)

Mayor Durham reviewed Agenda Item A, Invocation. There was no discussion on this item.

Mayor Durham reviewed Agenda Item B, Pledge to the American and Texas Flags. There was no discussion on this item.

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WORKSHOP SESSION – 6:30 P.M

Discussion of Regular Agenda Items and Consent Agenda Items (cont'd)

(Agenda Item B)

Mayor Durham reviewed Agenda Item C, <u>Proclamations</u>: 1) Declaring the Week of September 24, 2018 as the Lewisville City Council's Week of Support in the Fight to end Alzheimer's; and 2) Declaring the Month of September 2018 as "Live United Month." There was no discussion on this item.

Mayor Durham reviewed Agenda Item D-1, <u>Continued Public Hearing</u>: Consideration of an Ordinance Granting a Zone Change Request From General Business District (GB) to Planned Development - Estate Townhouse District (PD-ETH) for a Proposed Residential Development Consisting of 32 Single-Family Detached Units and Two Open Space Lots with Two Associated Variances Regarding Screening; on an Approximately 5.371-Acre Tract of Land Legally Described as Lot 1, Block A and Lots 2 & 3, Block B, Boyd Addition, Located on the North and South Sides of McCartt Drive, Approximately 250 Feet West of State Highway 121 Business; as Requested by Noah Flabiano, of Skorburg Company, on Behalf of Charis Partners, Ltd. the Property Owner. (Case No. PZ-2018-08-09). There was no discussion on this item.

Mayor Durham reviewed Agenda Item D-2, <u>Public Hearing:</u> Consideration of the 2018 Land Use Assumptions, Water and Wastewater Capital Improvements Plan, and Impact Fee Assessment as Recommended by Engineering Consultant, Birkhoff, Hendricks & Carter; and Consideration of an Ordinance Amending Chapter 2, Article VIII, Fees Section 2 201, Exhibit "A" and Chapter 16, Article IV, Water and Sewer Extensions, Section 16 207(c) of the Lewisville City Code by Amending the Schedule of Capital Recovery Fees. City Attorney Plaster advised the City Council that due to no emergency clause on this ordinance, the ordinance was required to be read at three separate meetings; therefore, they would see it on the next two agendas. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item E, Visitors/Citizens Forum. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-3, Approval of a Bid Award for an Annual Requirements Contract for Street Sweeping to Mister Sweeper, Dallas, Texas, for an Estimated Amount of \$104,210; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-4, Approval of a Grant From the Texas Department of Transportation for the Traffic Safety Program; and Authorization for the City Manager to Execute the Grant Agreement. There was no discussion on this item.

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WORKSHOP SESSION – 6:30 P.M

Discussion of Regular Agenda Items and Consent Agenda Items (cont'd)

(Agenda Item B)

Mayor Durham reviewed Agenda Item G-5, Consideration of a Variance to the Lewisville City Code Section 2 201, Fee Schedule, Regarding Waiving Fees Associated with the Shared Table Fundraiser on October 14, 2018, and to Provide In Kind Equipment and Staff Support, as Requested by Main & Mill Business Association. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-6, Consideration of a Variance to the Lewisville City Code Section 11 14 (6) Prohibited Signs, to Allow Two Signs Placed on Retaining Walls, Located at 2316 Denton Tap Road, and Requested by George W. Cooley, Representing Mary Kay Inc, the Property Owner. City Attorney Lizbeth Plaster advised she would like to take the City Council into closed session regarding this item. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item G-7, Consideration of Two Variances to the Lewisville City Code, Section 6 144 Screening Devices, for Avalon Memory Care, a Proposed Memory Care Facility Located on the North Side of Round Grove Road Between Valley Parkway and Old Orchard Lane; Further Identified as the Avalon Addition, Lots 1 3, Block A; as Requested by G&A Consultants LLC on Behalf of 3 Willows Land Development the Property Owner. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-8, Consideration of an Ordinance Adopting the FY2018 2019 Tax Rate. City Attorney Lizbeth Plaster reminded the City Council that the specific language was needed for the motion on this item. There was no further discussion on this item. Deputy Mayor Pro Tem Troyer expressed his frustration that the language indicated there was an increase; however, there was no increase to the rates. Discussion was held that this was required per state law. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item G-9, Consideration of an Ordinance Adopting the FY 2018/2019 Operating Budget.

Mayor Durham reviewed Agenda Item G-10, Consideration of an Ordinance Amending the FY 2017 18 Adopted Budget. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-11, Consideration of an Ordinance Amending the Lewisville Code of Ordinances, Chapter 2, Article VIII, Section 2 201 Fee Schedule. There was no discussion on this item.

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WORKSHOP SESSION – 6:30 P.M

Discussion of Regular Agenda Items and Consent Agenda Items (cont'd)

(Agenda Item B)

Mayor Durham reviewed Agenda Item G-12, Consideration of an Ordinance of the City of Lewisville Approving the 2018 2019 Annual Service Plan Update to the Service and Assessment Plan and Assessment Roll for Public Improvements for the Josey Lane Public Improvement District with Chapter 372, Texas Local Government Code, as Amended. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-13, Consideration of a Resolution of the City Council of the City of Lewisville, Texas, Approving a Negotiated Settlement Between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid Tex Division Regarding the Company's 2018 Rate Review Mechanism Filings; Declaring Existing Rates to be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent with the Negotiated Settlement; Finding the Rates to be Set by the Attached Settlement Tariffs to be Just and Reasonable and in the Public Interest; Approving an Attached Exhibit Establishing a Benchmark for Pensions and Retiree Medical Benefits; Approving an Attached Exhibit Regarding Amortization of Regulatory Liability; and Requiring the Company to Reimburse ACSC's Reasonable Ratemaking Expenses. There was no discussion on this item.

Mayor Durham reviewed Agenda Item H, Reports. There was no discussion on this item.

Mayor Durham reviewed Agenda Item I-Closed Session. There was no discussion on this item.

Mayor Durham adjourned the workshop session of the Lewisville City Council into Closed Session at 6:49 p.m. Monday, August 6, 2018, in accordance with the requirements of the Open Meetings Law.

<u>Closed Session</u> (Agenda Item H)

In accordance with <u>Texas Government Code</u>, Subchapter D, Section 551.071 (Consultation with Attorney), the Lewisville City Council convened into Closed Session at 6:49 p.m. on Monday, September 17, 2018, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining to Agenda Item G-6, Consideration of a Variance to the Lewisville City Code Section 11 14 (6) Prohibited Signs, to Allow Two Signs Placed on Retaining Walls, Located at 2316 Denton Tap Road, and Requested by George W. Cooley, Representing Mary Kay Inc, the Property Owner.

The Closed Session was adjourned at 6:52 p.m. on Monday, September 17, 2018.

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Reconvene into Regular Session and Consider Action, if any, on Items Discussed in Closed Session

(Agenda Item I)

Mayor Durham reconvened the Workshop Session of the Lewisville City Council at 6:52 p.m. on Monday, September 17, 2018, in the City Council Conference Room of the Lewisville City Hall.

Mayor Durham opened the floor for action to be taken on the items discussed in the Closed Session. There was no action taken on the items discussed during the Closed Session.

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:53 p.m. on Monday, September 17, 2018.

REGULAR SESSION – 7:00 P.M.

With a quorum of the Council Members present, the regular session of the Lewisville City Council was called to order by Mayor Durham at 7:00 p.m. on Monday, September 17, 2018, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

<u>Invocation</u> (Agenda Item A)

At the request of Mayor Durham, Deputy Mayor Pro Tem Troyer gave the invocation.

Pledge to the American and Texas Flags

(Agenda Item B)

Mayor Durham gave the pledge to the American and Texas flags.

<u>Proclamation</u>: Declaring the Week of September 24, 2018 as the Lewisville City Council's Week of Support in the Fight to End Alzheimer's

(Agenda Item C-1)

Councilman Daniels read and presented a proclamation declaring the week of September 24, 2018 as the Lewisville City Council's week of support in the fight to end Alzheimer's to Kimberly Pardi, Tiffani Hayes, Liia Harmon, Bevin Baskin, Aubyn Baskin, and Sean McLeod.

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Proclamation: Declaring the Month of September 2018 as "Live United Month"

(Agenda Item C-2)

Councilman Daniels read and presented a proclamation declaring the month of September 2018 as "Live United Month" to the following representatives with United Way of Denton County: Gary Henderson, Nancie Rodems, and Josh Asaford.

Continued Public Hearing: Consideration of Ordinance No. 0062-18-ZON Granting a Zone Change Request From General Buisness **District** (GB) Planned to **Development Estate Townhouse District** (PD ETH) for a Proposed Residential **Development Consisting of 32 Single Family** Detached Units and Two Open Space Lots with Two Associated Variances Regarding Screening; on an Approximately 5.371 Acre Tract of Land Legally Described as Lot 1 Block A and Lots 2 & 3, Block B, Boyd Addition, Located on the North and South Sides of McCartt Drive, Approximately 250 Feet West of State Highway 121 Business; as Requested by Noah Flabiano, of Skorburg Company, on Behalf of Charis Partners, Ltd. the Property Owner. (Case No. PZ 2018 08 09)

(Agenda Item D-1)

The purpose of the Planned Development District is to accommodate innovative design concepts and provide flexibility in order to achieve a more desirable development. The proposed development features a rear-entry product with enhanced building materials and landscaped open spaces on a property surrounded by a variety of land uses. The planned development is in accordance with Big Move #5, "New Housing Choices" of the Lewisville 2025 Vision Plan. The applicant is requesting two variances alongside the Planned Development: a) to maintain the existing wood fence and vegetation in lieu of the required screening wall on the southern boundary of the development adjacent to the multi-family zoned property and b) to allow a tubular steel fence with masonry columns in lieu of the required screening wall along the western boundary of the development adjacent to the multi-family zoned property. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request at their meeting on August 7, 2018. This public hearing was continued from the September 10, 2018 City Council Meeting at the applicant's request.

The City staff's recommendation was that the City Council approve the ordinance and requested variances as set forth in the caption above.

Continued Public Hearing: Consideration of Ordinance No. 0062-18-ZON Granting a Zone Change Request General From **Buisness District** (GB) **Planned** to **Estate Townhouse District Development** (PD ETH) for a Proposed Residential **Development Consisting of 32 Single Family** Detached Units and Two Open Space Lots with Two Associated Variances Regarding Screening; on an Approximately 5.371 Acre Tract of Land Legally Described as Lot 1, Block A and Lots 2 & 3, Block B, Boyd Addition, Located on the North and South Sides of McCartt Drive, Approximately 250 Feet West of State Highway 121 Business; as Requested by Noah Flabiano, of Skorburg Company, on Behalf of Charis Partners, Ltd. the Property Owner. (Case No. PZ 2018 08 09) (cont'd)

(Agenda Item D-1)

Richard E. Luedke, Planning Director, was available to address any questions posed by the City Council.

Mayor Durham opened the public hearing.

MOTION: Upon a motion made by Mayor Pro Tem Jones and seconded by Councilman Daniels, the Council voted five (5) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

"An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Rezoning Approximately 5.371-Acres Legally Described as Lot 1, Block A and Lots 2 and 3, Block B, Boyd Addition, Located on the North and South Sides of McCartt Drive, Approximately 260 Feet West of State Highway 121 Business, From General Business District (GB) Zoning to Planned Development – Estate Townhouse District (PD-ETH) 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, a Penalty, and an Effective Date; and Declaring an Emergency."

Continued Public Hearing: Consideration of Ordinance No. 0062-18-ZON Granting a Zone Change Request **From** General District (GB) **Buisness** to **Planned Estate Townhouse District Development** (PD ETH) for a Proposed Residential **Development Consisting of 32 Single Family** Detached Units and Two Open Space Lots with Two Associated Variances Regarding Screening; on an Approximately 5.371 Acre Tract of Land Legally Described as Lot 1, Block A and Lots 2 & 3, Block B, Boyd Addition, Located on the North and South Sides of McCartt Drive, Approximately 250 Feet West of State Highway 121 Business; as Requested by Noah Flabiano, of Skorburg Company, on Behalf of Charis Partners, Ltd. the Property Owner. (Case No. PZ 2018 08 09) (cont'd)

(Agenda Item D-1)

MOTION:

Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Councilman Ferguson, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 0062-18-ZON**, as previously captioned; and approve the following variances: a) to maintain the existing wood fence and vegetation in lieu of the required screening wall on the southern boundary of the development adjacent to the multi-family zoned property and b) to allow a tubular steel fence with masonry columns in lieu of the required screening wall along the western boundary of the development adjacent to the multi-family zoned property. The motion carried.

Public Hearing: Consideration of the 2018 Land Use Assumptions, Water Wastewater Capital Improvements Plan, and Impact Fee Assessment as Recommended by **Engineering Consultant, Birkhoff, Hendricks** & Carter: and Consideration of an Ordinance Amending Chapter 2, Article VIII, Fees Section 2-201, Exhibit "A" and Chapter 16, Article IV, Water and Sewer Extensions, Section 16-207(c) Lewisville City Code by Amending the **Schedule of Capital Recovery Fees**

(Agenda Item D-2)

Texas Local Government Code Chapter 395 requires a political subdivision imposing an impact fee to review and evaluate the Capital Improvements Plan every five years. Engineering consultant, Birkhoff, Hendricks & Carter, has completed the review and determination of water and sewer impact fees. The report sets the maximum allowable water and sewer fees at \$2,614.89 and \$3,949.72, respectively, for the five-year period. Staff recommends impact fees of \$2,614 per living unit equivalency for water, and \$2,724 per living unit equivalency for wastewater.

The City staff's recommendation was that the City Council conduct a public hearing and approve the ordinance as set forth in the caption above.

Mayor Durham opened the public hearing.

MOTION: Upon a motion made by Councilman Gilmore and seconded by Councilman Ferguson, the Council voted five (5) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

"An Ordinance of the Lewisville City Council Amending Chapter 2, Article VIII, Fees, Section 2-201, Exhibit "A" and Chapter 16, Article IV, Water and Sewer Extensions, Section 16-207(c) of the Lewisville City Code by Amending the Schedule of Capital Recovery Fees and the Effective Date for Said Fees; Providing a Repealer; Severability; and an Effective Date."

MOTION: Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Mayor Pro Tem Jones, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Ordinance**, as previously captioned. The motion carried.

^{*}Due to this ordinance requiring three readings, an ordinance number will not be assigned until the final reading scheduled for October 15, 2018.

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Visitors/Citizens Forum

(Agenda Item E)

No one appeared to speak at this time.

CONSENT AGENDA

(Agenda Item F)

MOTION:

Upon a motion made by Councilman Ferguson and seconded by Councilman Gilmore, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt all items on the Consent Agenda, as recommended and as follows:

- 3. Approval of a Bid Award for an Annual Requirements Contract for Street Sweeping to Mister Sweeper, Dallas, Texas, for an Estimated Amount of \$104,210; and Authorization for the City Manager to Execute the Agreement.
- 4. Approval of a Grant From the Texas Department of Transportation for the Traffic Safety Program; and Authorization for the City Manager to Execute the Grant Agreement.

The motion carried.

END OF CONSENT AGENDA

Consideration of a Variance to the Lewisville City Code Section 2-201, Fee Schedule, Regarding Waiving Fees Associated With the Shared Table Fundraiser on October 14, 2018, and to Provide In Kind Equipment and Staff Support, as Requested by Main & Mill Business Association

(Agenda Item G-5)

Main & Mill Business Association is requesting a fee waiver, expected to total \$2,019.88, in connection with the Shared Table event to be held October 14, 2018 in Wayne Ferguson Plaza. A similar waiver was approved in 2017, and event proceeds were dedicated to a mural project in Old Town.

The City staff's recommendation was that the City Council approve the requested fee waivers and in-kind support as set forth in the caption above.

James Kunke, Community Relations & Tourism Director, was present to respond to any question posed by the City Council.

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Consideration of a Variance to the Lewisville City Code Section 2-201, Fee Schedule, Regarding Waiving Fees Associated With the Shared Table Fundraiser on October 14, 2018, and to Provide In Kind Equipment and Staff Support, as Requested by Main & Mill Business Association (cont'd)

(Agenda Item G-5)

MOTION:

Upon a motion made by Councilman Daniels and seconded by Councilman Ferguson, the Council voted five (5) "ayes" and no (0) "nays" to approve a variance to the Lewisville City Code Section 2-201, Fee Schedule, Regarding waiving fees associated with the Shared Table Fundraiser on October 14, 2018, and to provide in kind equipment and staff support, as requested by Main & Mill Business Association. The motion carried,

Consideration of a Variance to the Lewisville City Code Section 11-14 (6) Prohibited Signs, to Allow Two Signs Placed on Retaining Walls, Located at 2316 Denton Tap Road, and Requested by George W. Cooley, Representing Mary Kay Inc, the Property Owner

(Agenda Item G-6)

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 square foot research and development facility. The property owner is requesting a variance for two signs to be attached directly to the face of the retaining walls.

The City staff's recommendation was that the City Council approve the variance as set forth in the caption above.

Wayne K. Snell, Director of Neighborhood & Inspection Services, was present to respond to any questions posed by the City Council.

MOTION:

Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Councilman Daniels, the Council voted five (5) "ayes" and no (0) "nays" to approve a variance to the Lewisville City Code Section 11-14 (6) Prohibited Signs, to allow two signs to be attached directly to the face of the retaining walls, located at 2316 Denton Tap Road, and requested by George W. Cooley, representing Mary Kay Inc, the property owner. The motion carried.

Consideration of Two Variances to the Lewisville City Code, Section 6-144 Screening Devices, for Avalon Memory Care, a Proposed Memory Care Facility Located on the North Side of Round Grove Road Between Valley Parkway and Old Orchard Lane; Further Identified as the Avalon Addition, Lots 1-3, Block A; as Requested by G&A Consultants LLC on Behalf of 3 Willows Land Development the Property Owner

(Agenda Item G-7)

This variance request was originally approved by City Council on February 6, 2017. The approved site plan and variance request have since expired and must be reapproved. The proposed memory care center meets minimum requirements of the City's Land Development Regulations except for two variances to the screening wall requirement: a) To allow a tubular steel fence with brick columns and trees in lieu of the required masonry screening wall along the northern property line and b) to allow the existing live screening along the western property line to remain in lieu of a six-foot masonry screening wall. Staff has no objection to these variances.

The City staff's recommendation was that the City Council approve the variance as set forth in the caption above.

Richard E. Luedke, Planning Director, and Doug Weaver, G&A McAdams Engineering, 111 Hillside Drive, Lewisville, Texas, were both available to address any questions posed by the City Council.

MOTION:

Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Jones, the Council voted five (5) "ayes" and no (0) "nays" to approve the following two variances to the Lewisville City Code, Section 6-144 - Screening Devices, for Avalon Memory Care, a proposed Memory Care Facility located on the north side of Round Grove Road between Valley Parkway and Old Orchard Lane; further identified as the Avalon Addition, Lots 1-3, Block A: a) to allow a tubular steel fence with brick columns and trees in lieu of the required masonry screening wall along the northern property line and b) to allow the existing live screening along the western property line to remain in lieu of a six foot masonry screening wall; as requested by G&A Consultants LLC on behalf of 3 Willows Land Development the property owner. The motion carried.

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Consideration of Ordinance No. 0063-18-ORD Adopting the FY2018 2019 Tax Rate

(Agenda Item G-8)

This action will adopt the City's annual ad valorem tax rate for all taxable property at \$0.436086 per \$100 of assessed valuation. The rate combines the following: Maintenance and Operations \$0.313766 and Principal and Interest on Debt \$0.122320 for a total tax rate of \$0.436086. While the proposed total tax rate for FY 2018-2019 is the same as the 2017-2018 tax rate of \$0.436086, the proposed tax rate exceeds the effective tax rate of \$0.415706. Therefore, specific language is required in the ordinance; the vote on this ordinance must be a record vote and approved by at least 60 percent of the members of the governing body. For the City of Lewisville, this would equal at least four voting members. The specific language of the motion to adopt the ordinance must be made in the following form: "I move that the property tax rate be increased by the adoption of a tax rate of \$0.436086, which is effectively a 4.9025 percent increase in the tax rate."

The City staff's recommendation was that the City Council approve the proposed ordinance adopting the FY 2018 2019 tax rate with the following motion: "I move that the property tax rate be increased by the adoption of a tax rate of \$0.436086, which is effectively a 4.9025 percent increase in the tax rate."

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

"An Ordinance of the City Council of the City of Lewisville, Texas, Establishing the Tax Rate and Tax Levy for the City of Lewisville, Texas for the Year 2018-2019, Upon all Taxable Property in Said City in Conformity With the Laws of the State of Texas, and the Charter Provisions and all Ordinances of Said City; Providing a Repealer; Providing for Severability; Providing for an Effective Date; and Declaring an Emergency."

MOTION:

Upon a motion made by Mayor Pro Tem Jones and seconded by Councilman Daniels, the Council voted five (5) "ayes" and no (0) "nays" I move that the property tax rate be increased by the adoption of a tax rate of \$0.436086, which is effectively a 4.9025 percent increase in the tax rate by adopting **Ordinance No. 0063-18-ORD**, as captioned previously. The motion carried.

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Consideration of Ordinance No. 0064-18-ORD Adopting the FY 2018/2019 Operating Budget

(Agenda Item G-9)

The proposed operating budget for all funds has been prepared by staff and reviewed by the City Council. Approval of this ordinance adopts an operating budget for all funds beginning October 1, 2018 and ending September 30, 2019. A draft budget document is available for public review at the City Secretary's Office, the Library, and on the City website.

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

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

"An Ordinance of the City Council of the City of Lewisville, Texas, Adopting and Approving a Budget for the City of Lewisville, Texas for the Year Beginning October 1, 2018, and Ending September 30, 2019; Providing for an Effective Date; and Declaring an Emergency."

MOTION: Upon a motion made by Mayor Pro Tem Jones and seconded by Councilman Daniels, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt Ordinance No. 0064-18-ORD, as captioned previously. The motion carried.

Consideration of Ordinance No. 0065-18-ORD Amending the FY 2017-18 Adopted Budget

(Agenda Item G-10)

The purpose of this ordinance is to amend the FY 2017-18 adopted budget to include all supplements and changes approved by Council throughout the year. A large percentage of these appropriations include the routine supplement completed each year for prior year encumbrances (purchases) that overlap into the next fiscal year. Many of the remaining supplements were discussed during the mid-year workshop held in June. Others relate to actions taken to fund unbudgeted items during the year.

The City staff's recommendation was that the City Council approve the ordinance as set forth in the caption above.

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

"An Ordinance of the City Council of the City of Lewisville, Texas, Amending the Previously Adopted and Approved Budget Ordinance for the Fiscal Year October 1, 2017 to September 30, 2018; by Providing Supplemental Appropriations to the Various Funds; Providing an Effective Date; and Declaring an Emergency."

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Consideration of Ordinance No. 0065-18-ORD Amending the FY 2017-18 Adopted Budget (cont'd)

(Agenda Item G-10)

MOTION:

Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Councilman Gilmore, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 0065-18-ORD**, as captioned previously. The motion carried.

Consideration of Ordinance No. 0066-18-ORD Amending the Lewisville Code of Ordinances, Chapter 2, Article VIII, Section 2-201 Fee Schedule

(Agenda Item G-11)

As part of the annual budget process, changes to the fee schedule based on an analysis of current charges as compared to cost recovery goals and/or fee equity with surrounding entities is conducted. In addition, fees are reviewed to make sure they are still applicable. Resulting modifications are proposed by the departments. Details for each recommended change are included in the back up information.

The City staff's recommendation was that the City Council approve the ordinance as set forth in the caption above.

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

"An Ordinance of the City Council of the City of Lewisville, Texas Amending the Lewisville Code of Ordinances, Chapter 2, Section 2-201 Fee Schedule With Various Fees Charged by Several Departments of the City; Providing a Repealer; Providing for Severability; Providing an Effective Date; and Declaring an Emergency."

MOTION:

Upon a motion made by Councilman Ferguson and seconded by Councilman Daniels, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 0066-18-ORD**, as captioned previously. The motion carried.

Consideration of Ordinance No. 0067-18-ORD of the City of Lewisville Approving the 2018-2019 Annual Service Plan Update to the Service and Assessment Plan and Assessment Roll for Public Improvements for the Josey Lane Public Improvement District with Chapter 372, Texas Local Government Code, as Amended

(Agenda Item G-12)

On October 6, 2014, the City created Josey Lane Public Improvement District for construction of street and water/wastewater improvements in a designated area located along Josey Lane north of FM544 and south of Windhaven Drive. An update to the service plan and assessment roll must be considered and approved by City Council. This plan identifies public improvement costs to be provided by the PID along with the manner of assessing the property in the PID and the assessment roll.

The City staff's recommendation was that the City Council consider and approve the ordinance as set forth in the caption above.

Joshua Arendt, 222 West Las Colinas Blvd, Suite 16306, Irving, Texas, spoke before the City Council in support of this item.

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

"An Ordinance of the City of Lewisville Approving the 2018-2019 Annual Service Plan Update to the Service and Assessment Plan and Assessment Roll for Public Improvements for the Josey Lane Public Improvement District With Chapter 372, Texas Local Government Code, as Amended; Providing a Repealer, Severability, and an Effective Date; and Declaring an Emergency."

MOTION: Upon a motion made by Councilman Gilmore and seconded by Mayor Pro Tem Jones, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 0067-18-ORD**, as captioned previously. The motion carried.

Consideration of Resolution No. 0068-18-RES of the City Council of the City of Lewisville, Texas, Approving a Negotiated Settlement Between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid Tex Division Regarding the Company's 2018 Rate Review Mechanism Filings; Declaring Existing Rates to be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent with the Negotiated Settlement; Finding the Rates to be Set by the Attached Settlement Tariffs to be Just and Reasonable and in the Public Interest; Approving an Attached Exhibit Establishing a Benchmark for Pensions and Retiree Medical Benefits; Approving an Attached Exhibit Regarding Amortization of Regulatory Liability; and Requiring the Company to Reimburse ACSC's Reasonable **Ratemaking Expenses**

(Agenda Item G-13)

The City, along with 171 other mid Texas cities served by Atmos Energy Corporation, Mid Tex Division ("Atmos" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). On or about April 1, 2018, the Company filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost of service in a test year ending December 31, 2017, entitled it to additional system wide revenues of \$42.0 million. Application of the standards set forth in ACSC's RRM Tariff required Atmos to reduce its request to \$27.4 million. After review of the consultants' report, the Company offered to settle for a system wide increase of \$25.9 million. Following further negotiations, ACSC's Executive Committee agreed to recommend a system wide rate increase of \$24.9 million. That increase when allocated to ACSC members results in an increase of \$17.8 million. The effective date for new rates is October 1, 2018. ACSC members should take action approving the resolution before the end of September.

The City staff's recommendation was that the City Council consider the resolution as set forth in the caption above.

Consideration of Resolution No. 0068-18-RES of the City Council of the City of Lewisville, Texas, Approving a Negotiated **Settlement Between the** Atmos Cities Steering Committee and Atmos Energy Corp., Mid Tex Division Regarding the Company's 2018 Rate Review Mechanism Filings; Declaring Existing Rates to be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent with Negotiated Settlement; Finding the Rates to be Set by the Attached Settlement Tariffs to be Just and Reasonable and in the Public Interest; Approving an Attached Exhibit Establishing a Benchmark for Pensions and Retiree Medical Benefits; Approving an Attached Exhibit Regarding Amortization of Regulatory Liability; and Requiring the Company to Reimburse ACSC's Reasonable **Ratemaking Expenses**

(Agenda Item G-13)

MOTION:

Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Mayor Pro Tem Jones, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt Resolution No. 0068-18-RES, a Resolution of the City Council of the City of Lewisville, Texas, Approving a Negotiated Settlement Between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division Regarding the Company's 2018 Rate Review Mechanism Filings; Declaring Existing Rates to be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent With the Negotiated Settlement; Finding the Rates to be set by the Attached Settlement Tariffs to be Just and Reasonable and in the Public Interest; Approving an Attached Exhibit Establishing a Benchmark for Pensions and Retiree Medical Benefits; Approving an Attached Exhibit Regarding Amortization of Regulatory Liability; Requiring the Company to Reimburse ACSC's Reasonable Ratemaking Expenses; Determining That This Resolution was Passed in Accordance With the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; and Requiring Delivery of This Resolution to the Company and the ACSC's Legal Counsel. The motion carried.

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Reports (Agenda Item H)

- Director of Public Services Keith Marvin gave an updated status regarding the lake.
- Councilman Daniels reminded everyone that Western Days was coming up. He encouraged everyone to come out and attend all, or just their favorite part.
- Councilman Gilmore reviewed upcoming events at the library and advised of the upcoming 50th anniversary celebration of the library.
- Councilman Ferguson reviewed upcoming events at the MCL grand. He reminded everyone that they had to be at Western Days prior to 7 p.m. or it would cost \$10 per person.
- Mayor Durham thanked the Police Officers present for their service to the community

There were no additional reports at this time.

Mayor Durham advised that there were no Closed Session items to be discussed.

Adjournment (Agenda Item K)

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Gilmore, the Council voted five (5) "ayes" and no (0) "nays" to adjourn the Regular Session of the Lewisville City Council at 7:34 p.m. on Monday, September 17, 2018. The motion carried.

These minutes approved by the Lewisville City Council on the 1st day of October, 2018.

	APPROVED	
	Rudy Durham MAYOR	
ATTEST:		
Julie Worster		
CITY SECRETARY		

Overview of Utility Payment Channels

How Did We Get Here?

- City's existing Interactive Voice Response (IVR) system discontinued due to escalating costs from service provider
 - Impact to Utility Customer Service staff
 - Added workload average of 15 minutes per payment call
 - Estimate 160-175 calls per week
- Customers #1 request—recurring payments via credit cards
 - Also wanted to pay by text or other mobile, more convenient options
 - City wanted to limit sensitive customer information on our network so we resisted developing options in-house that would requiring storage of this information

How Did We Get Here?

- Action Step requested FY 2016-17 budget to find a service provider for enhanced payment solutions for utility billing
 - Funding approved
- Bid awarded July 17, 2017 to Paymentus
- Testing & implementation most of FY2017-18
- IVR system live June 21
- Online/Mobile solutions went live on Aug 24
- Utility kiosk originally purchased for MARTY was transferred to City Hall, replacing night drop and went live August 27

Still Available:



Mail – processed offsite via Lockbox



Bank Draft — with a \$1.50 monthly discount



Walk In - over the counter personal assistance



Located at the Annex

Payments Accepted











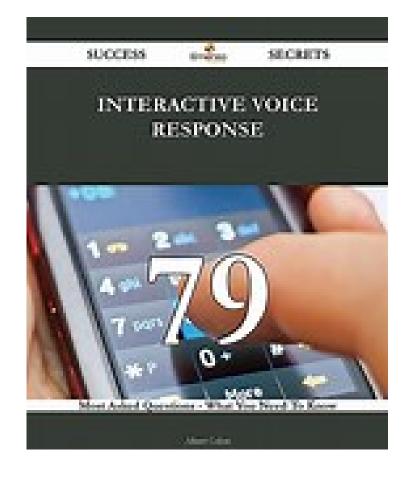


Kiosk from Marty to OTCH West Parking Lot







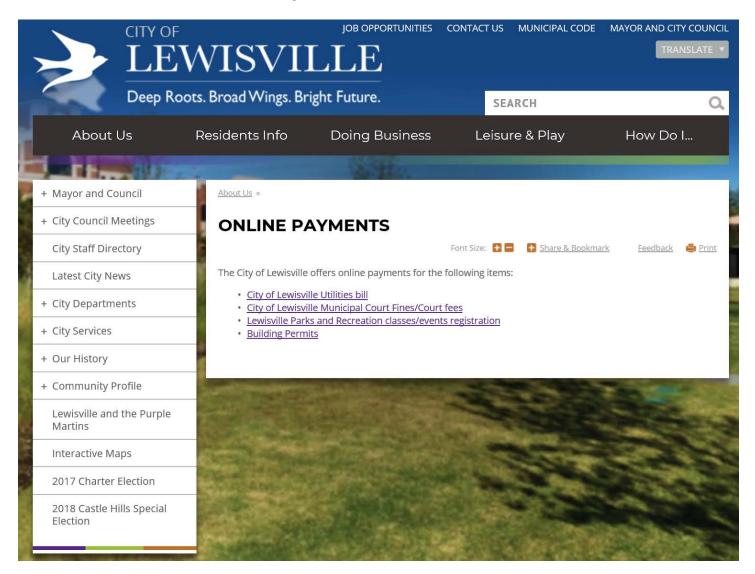


Interactive voice response

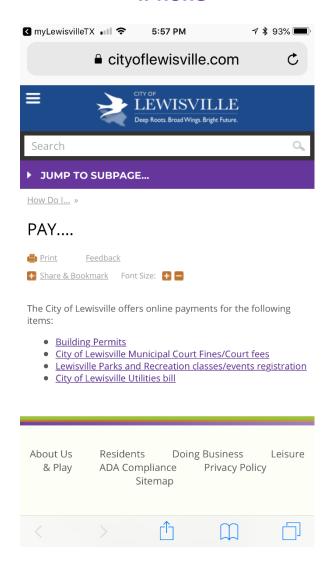
Toll Free access: 1-844-410-6783

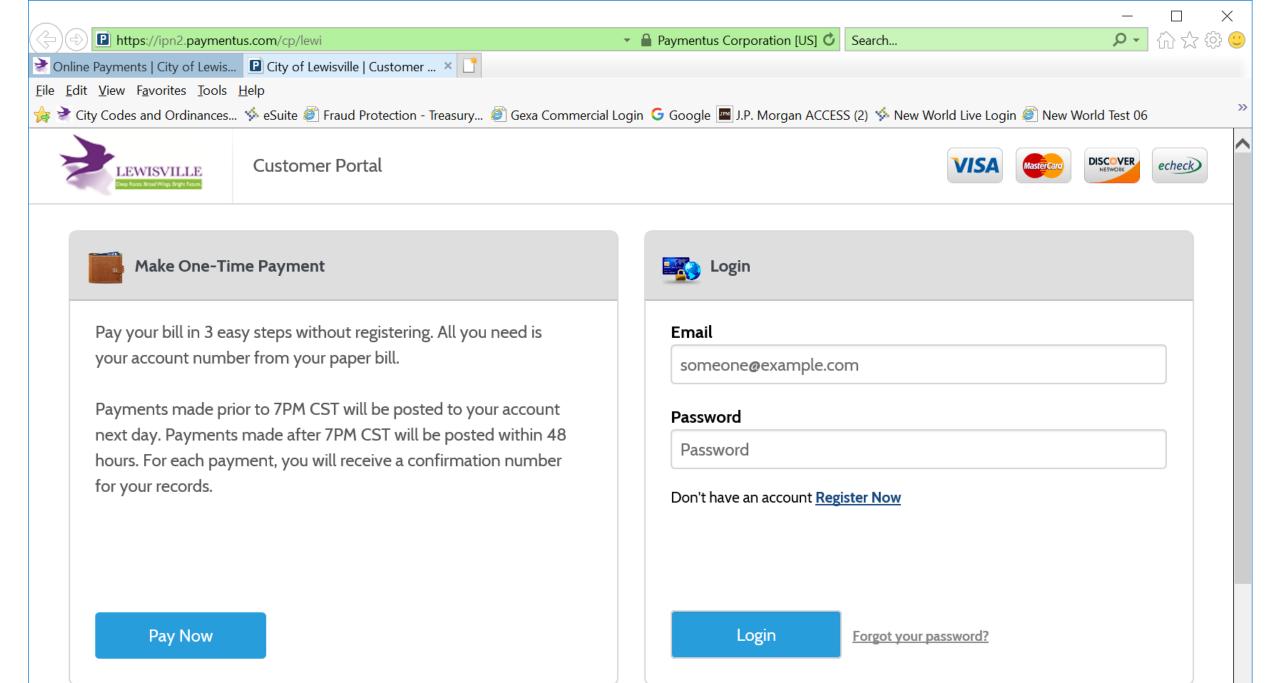
Web Payments

Computer / Tablet

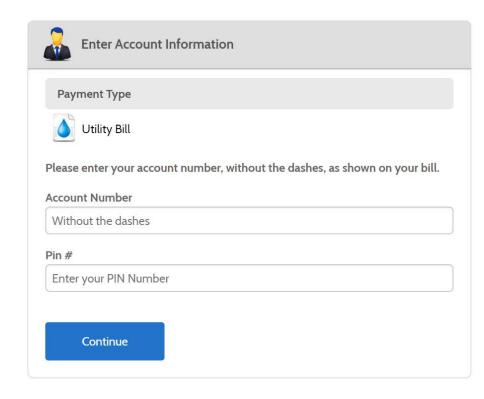


iPhone





One Time Payment





Simplify your life?

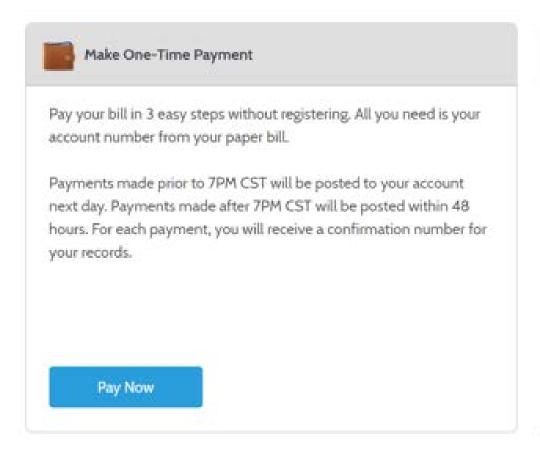
Register to use the Customer Portal and get access to more information and features than ever before.

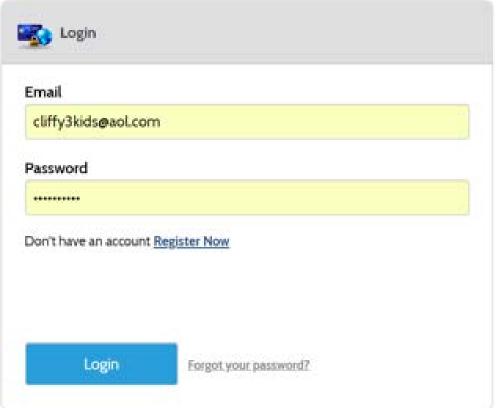
- Set-up and manage monthly AutoPay
- Manage and pay multiple accounts
- Manage multiple saved payment methods

Login



Back to the Customer Portal Sign in





Customer Portal





Accounts



Pay My Bill



AutoPay



Bill History



Payment History



My Wallet

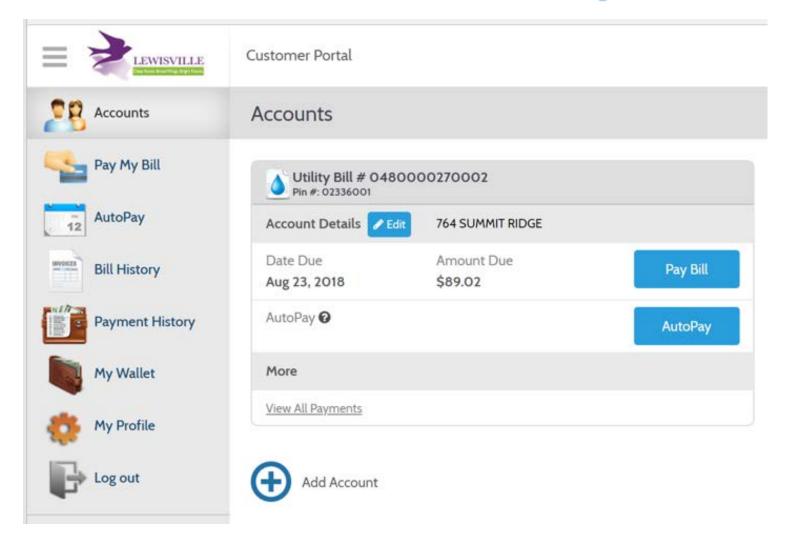


My Profile

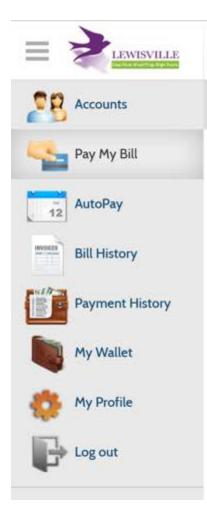


Log out

Account Summary

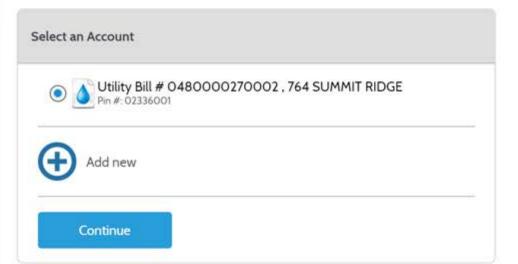


Pay My Bill



Pay My Bill

Customer Portal



Did You Know?

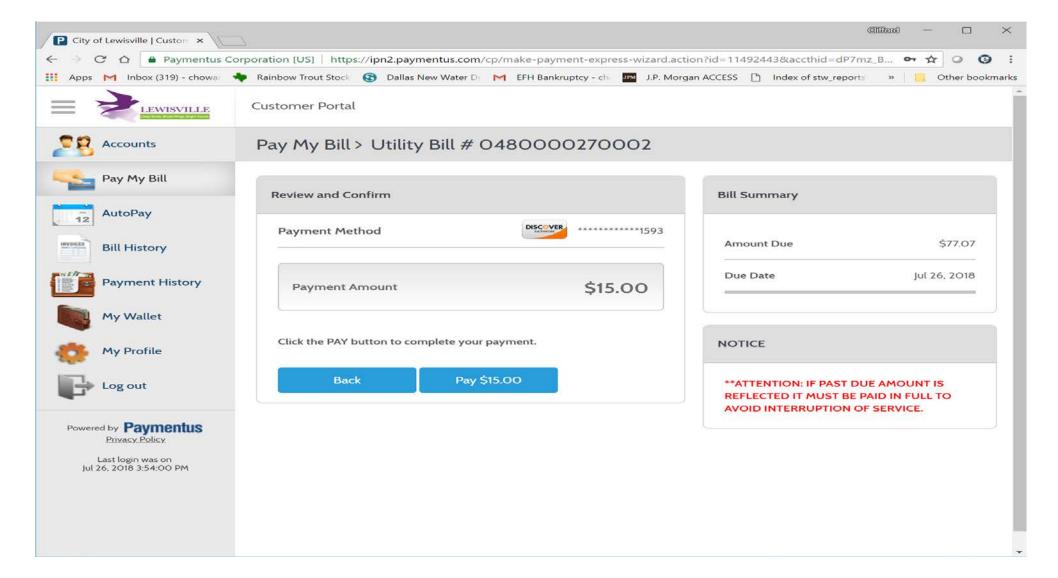
You can schedule automatic payments!

Click the "AutoPay" option and easily set up recurring payments

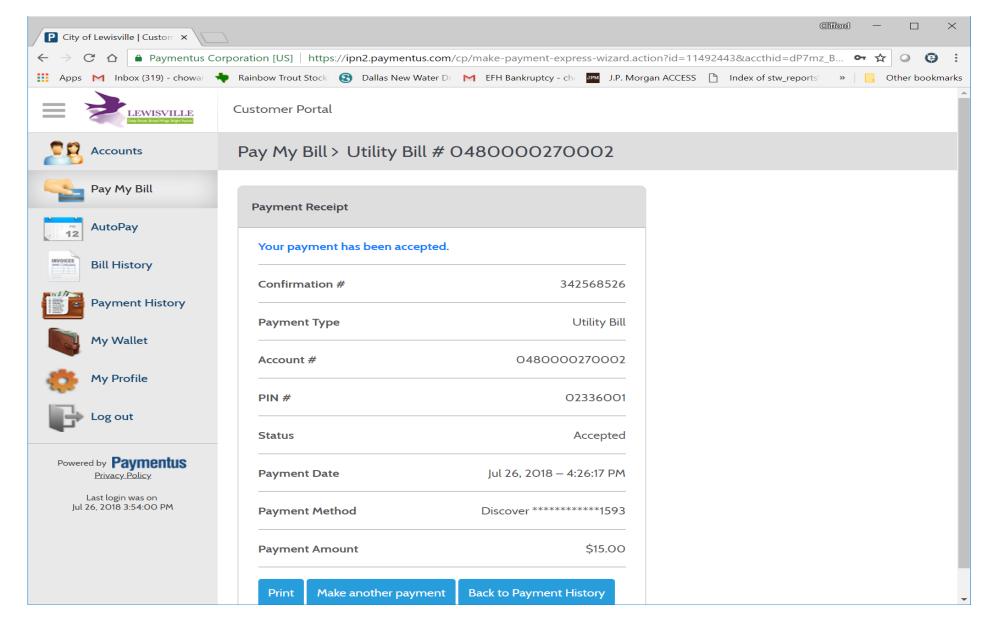
NOTICE

**ATTENTION: IF PAST DUE AMOUNT IS REFLECTED IT MUST BE PAID IN FULL TO AVOID INTERRUPTION OF SERVICE.

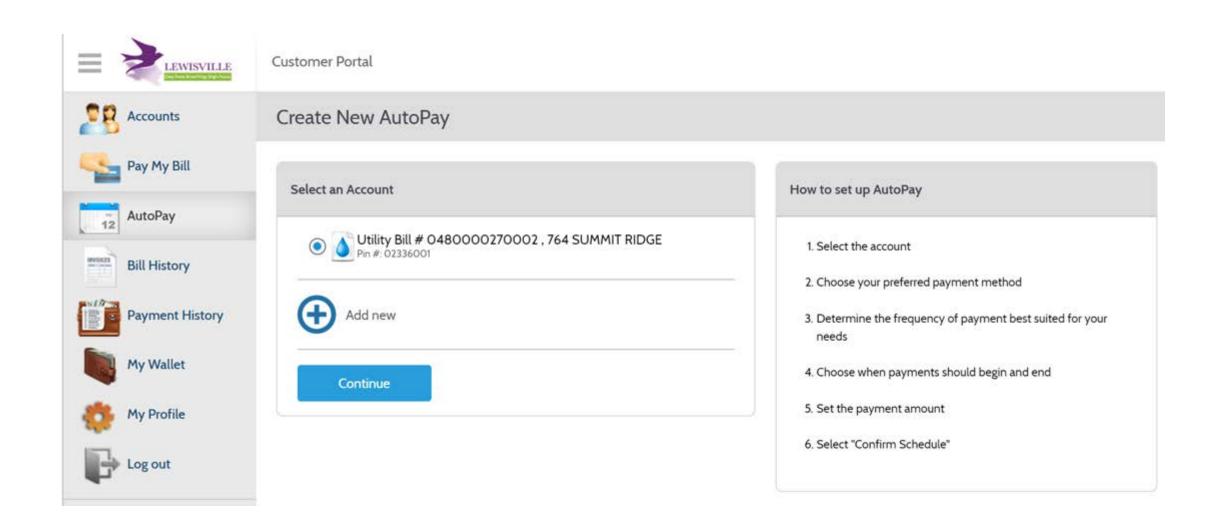
Pay My Bill



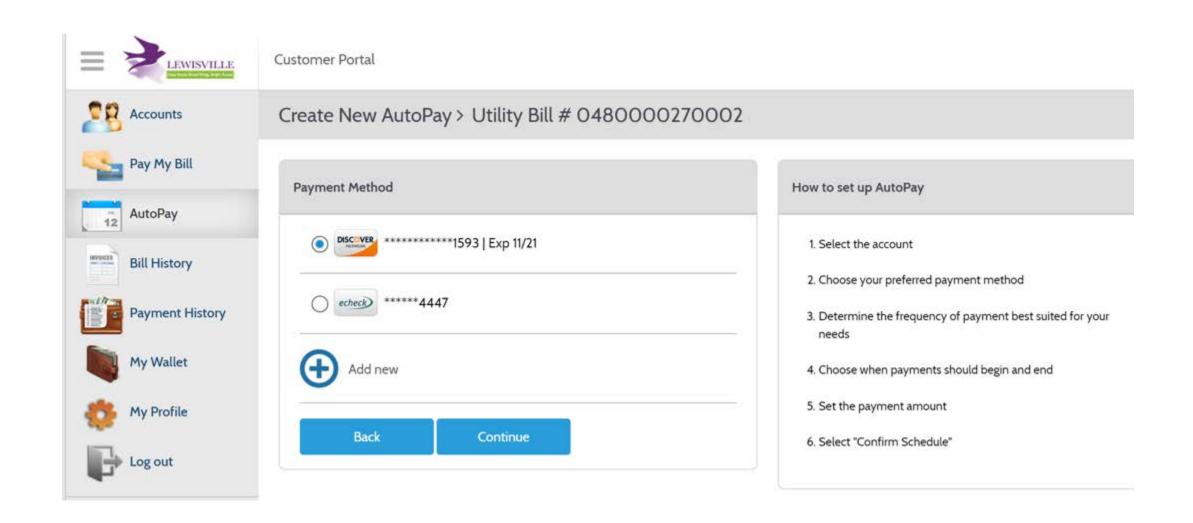




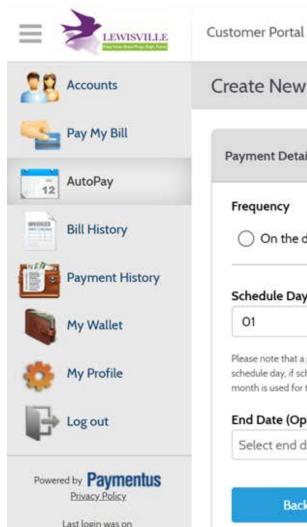
Setup AutoPay



Select Payment Method



Frequency

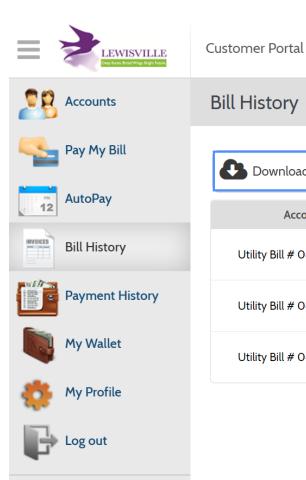


Create New AutoPay > Utility Bill # 0480000270002

On the due date of each bill Monthl	y - bill amount
Schedule Day	
01	,
Please note that a payment for the amount on the bill will be process	ed each month on the specified
schedule day, if schedule day is greater than the last day of the sched month is used for the schedule day End Date (Optional)	ule month then the last day of th

How	to set up AutoPay
1. 5	Select the account
2. 0	Choose your preferred payment method
	Determine the frequency of payment best suited for your needs
4. (Choose when payments should begin and end
5. 9	Set the payment amount
6. 9	Select "Confirm Schedule"

Billing History



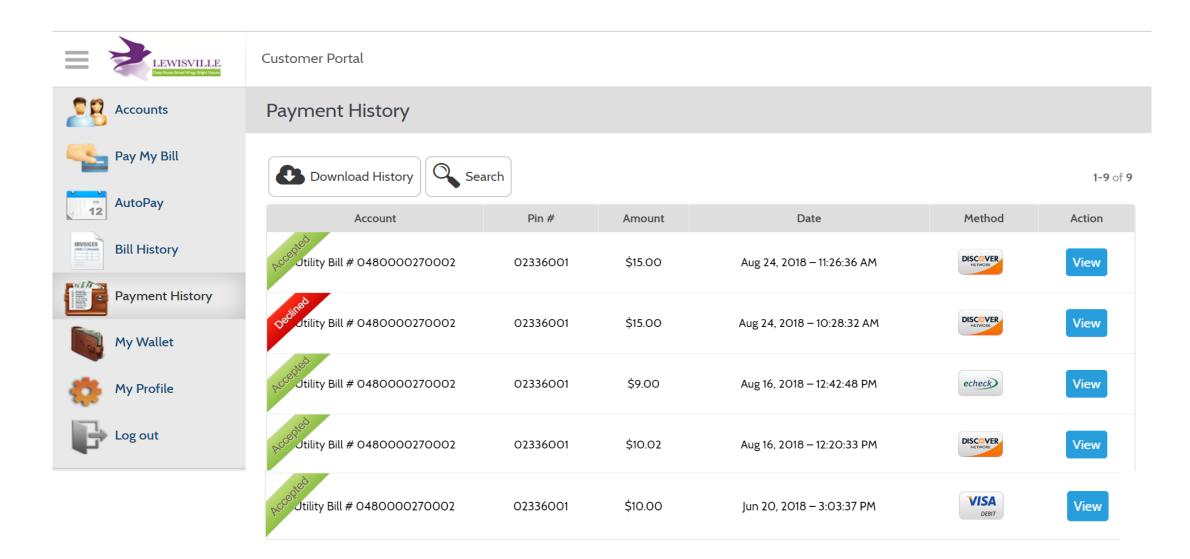
Bill History



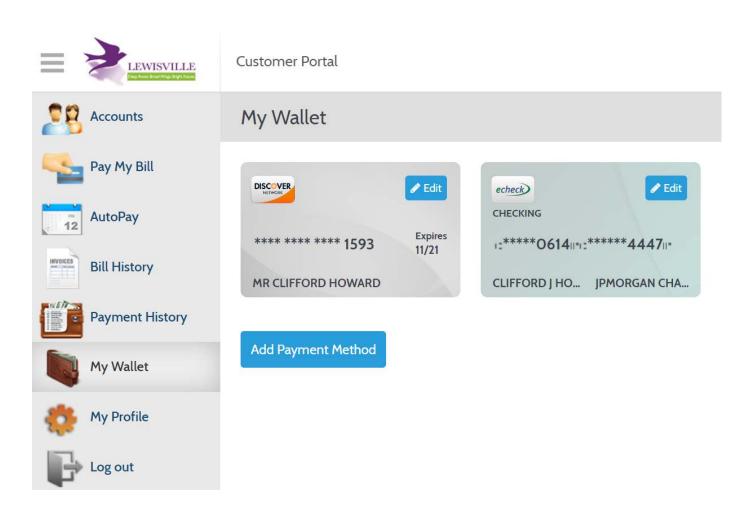
1-3 of 3

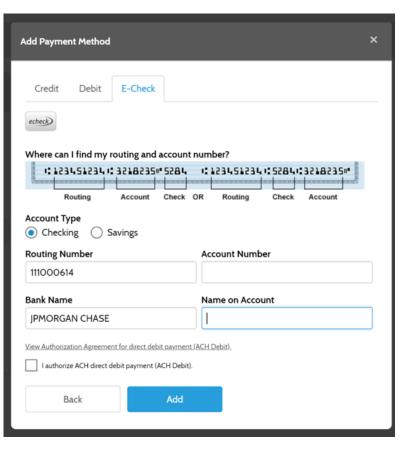
Account Info	Pin #	Statement Balance	Date Due	Action
Utility Bill # 0480000270002	02336001	\$55.00	Aug 23, 2018	
Utility Bill # 0480000270002	02336001	\$62.70	Jul 26, 2018	
Utility Bill # 0480000270002	02336001	\$51.21	Jun 28, 2018	

Payment History



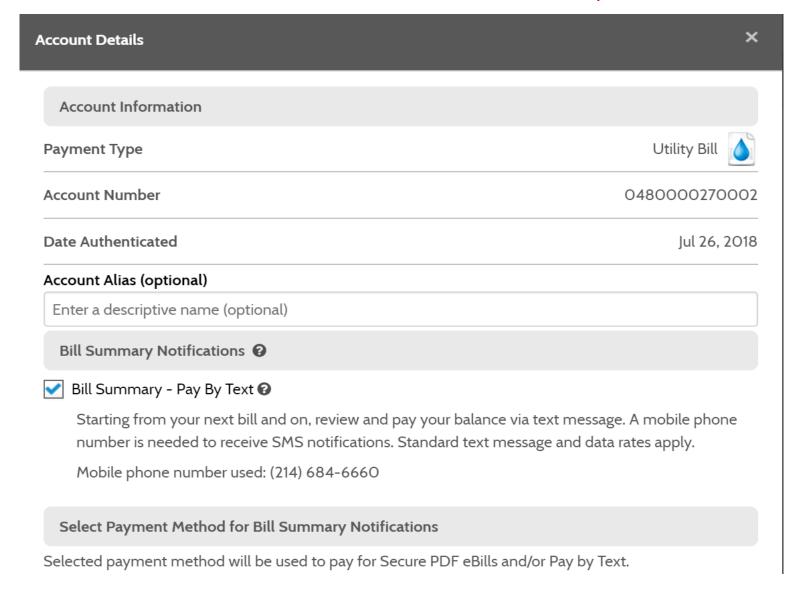
My Wallet



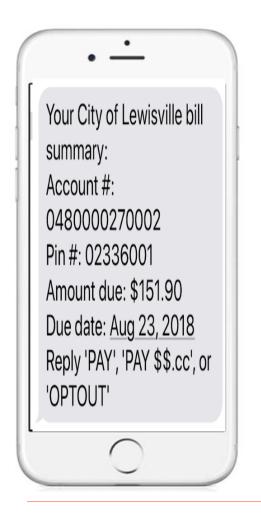


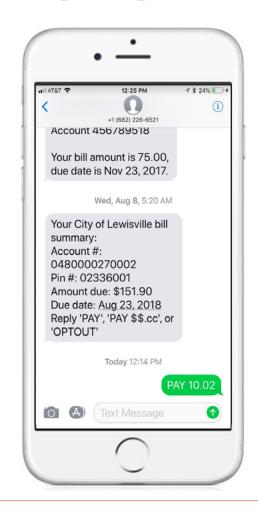
Pay by Text Setup

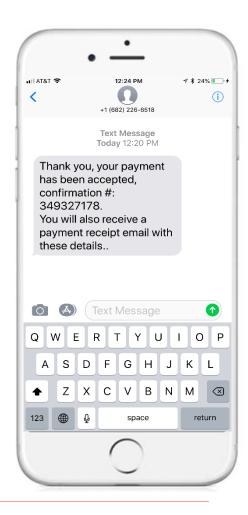
Press the 'EDIT' button on the Account Summary



Pay-by-Text







Check a balance and pay in seconds. No website to visit. No email to open. No password to remember.

Lewisville Utility Customer Service





Self-Service Portal



Kiosk



IVR



Paperless eBilling



AutoPay



Online Quick Pay



Pay-by-Text



Customer Communication

Bank Draft







Questions?