



# City of Lewisville, TX

## City Council

### Agenda

151 W Church Street  
Lewisville, Texas 75057

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**Monday, February 5, 2024**

**6:30 PM**

**Lewisville City Hall**

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*Anyone wishing to submit comments prior to the meeting may do so through e-comments. To access e-comments, go to <https://cityoflewisville.legistar.com/Calendar.aspx> and utilize the e-comments link located to the far right hand side of the line containing this meeting details and agenda. E-comments will be accepted until 5:30 p.m. prior to the meeting.*

### **Call to Order and Announce Quorum is Present**

### **Workshop Session - 6:30 P.M.**

*\*\*Items discussed during Workshop Session may be continued during the Regular Session if time does not permit holding or completing discussion of the item during Workshop Session.*

- A. [Discussion of Regular Agenda Items and Consent Agenda Items](#)
- B. [Artist Recommendation for Tittle McFadden Public Safety Building Public Art](#)

### **Regular Session - 7:00 P.M.**

- A. **Invocation - Councilmember Troyer**
- B. **Pledge to the American and Texas Flags - Mayor Pro Tem Meridith**
- C. **Presentation**
  - 1. [Swearing In Ceremony for Lewisville Police Chief Brook Rollins](#)
- D. **Visitor/Citizens Forum**

*Speakers must address their comments to the Mayor rather than to individual Council members or staff. Speakers should speak clearly and state their name and address prior to beginning their remarks. Speakers will be allowed 5 minutes for testimony. Speakers making personal, impertinent, profane or slanderous remarks may be removed from the meeting. Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted. In accordance with the Texas Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.*

## **E. 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 or e-comment must be filled out and submitted to the City Secretary.*

1. [APPROVAL OF MINUTES: City Council Minutes of the January 22, 2024, Workshop Session, and Regular Session.](#)
2. [Approval of the Public Art Master Plan Update.](#)

### **ADMINISTRATIVE COMMENTS:**

The city hired nationally known art consultant Todd Bressi to provide an update to the City's Public Art Master Plan. A draft plan of this update was shared with City Council at the December 18, 2023 council workshop. The final plan is now being submitted for consideration and adoption by the City Council.

### **RECOMMENDATION:**

That the City Council adopt the Public Art Master Plan Update as set forth in the caption above.

3. [Approval of Professional Services Agreement Amendment No. 5 with Halff Associates, Inc. in the Amount of \\$684,896 for Additional Construction Administration and Inspection Services Related to Corporate Drive - Segments 2, 3, & 4 from Railroad Street to Holford's Prairie Road and Authorization for the City Manager, or Her Designee, to Execute the Contract Amendment.](#)

### **ADMINISTRATIVE COMMENTS:**

This project consists of constructing Corporate Drive from Railroad Street to

just west of Holford's Prairie Road, a four - lane divided roadway over the Elm Fork of the Trinity River including storm sewer improvements, a new water line, relocating a sanitary sewer line, a new sidewalk, a multipurpose trail, streetlights, and landscaping. Construction for Segments 2 & 3, including a half mile long bridge over the Elm Fork Trinity River, was bid and a contract was awarded to Sundt Construction, Inc. on December 4, 2023, with an anticipated start of February 5, 2024. During design, the length and scope of the bridge component became much larger than anticipated and it became apparent that the City would need to hire a third-party inspector to inspect the bridge and associated retaining walls as those services are outside the expertise of the City's inspection staff. Staff reached out to the design consultant Half Associates, Inc. to negotiate amendment #5 in the amount of \$684,896 to add construction inspection and some administrative services for the bridge and associated retaining walls.

**RECOMMENDATION:**

That the City Council approve the Agreement as set forth in the caption above and authorize the City Manager, or her designee, to execute the agreement.

**AVAILABLE FOR QUESTIONS:**

David Salmon P.E., City Engineer

4. [Approval of an Agreement with OccuMed for Occupational Health Services; and Authorization for the City Manager, or Her Designee, To Execute all Necessary Documents.](#)

**ADMINISTRATIVE COMMENTS:**

Under Texas Local Government Code 2254.002, the City may enter into a Professional Service Agreement for licensed physicians and medical services on the basis of demonstrated competence. Concentra Urgent Care currently provides this service to the city and will continue to do so. However, staff recommends adding an additional occupational health provider to reduce wait times and allow employees an option to select a provider of choice. OccuMed exclusively provides treatment for work-related injuries, drug screenings, physical therapy, physical exams, and pre-employment services for persons employed in North Texas and the surrounding areas at competitive prices. OccuMed is utilized by many North Texas municipalities. Staff recommends contracting with OccuMed for a one-year period, with an option to renew for three additional one-year periods.

**RECOMMENDATION:**

That the City Council approve the agreement and authorize the City Manager, or her designee, to execute all necessary documents as set forth in the caption above.

**F. Regular Hearing**

5. [Consideration of an Alternative Standard Associated With Screening Requirements for a Commercial Amusement Facility \(Outdoor\) on Approximately 3.175-Acres, out of the S.M. Hayden Survey, Abstract Number 537, Zoned Light Industrial \(LI\) District, Located on the East Side of Barfknecht Lane, Approximately 1,540 Feet South of Midway Road, as Requested by Ronald Wygal, Endurance Development, on Behalf of Pathfinder Sports LLC, the Property Owner. \(23-07-9-ALTSTD\)](#)

**ADMINISTRATIVE COMMENTS:**

The City Council approved a special use permit for a cricket sports facility on September 18, 2023. The applicant planned to meet the Unified Development Code screening requirements for portions of the development that are adjacent to an existing single-family home. To meet the request of the adjacent property owner, the applicant proposes an alternative standard to replace the required six-foot (6') masonry screening wall with an eight-foot (8') board-on-board capped fence with steel fence posts facing the indoor cricket facility, to reduce the required landscape buffer adjacent to the entry drive by 50%, and to eliminate the required street trees along the northern portion of the property. The Planning and Zoning Commission recommended unanimous approval (6-0) on January 16, 2024.

**RECOMMENDATION:**

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

**AVAILABLE FOR QUESTIONS:**

Richard E. Luedke, AICP, Planning Director

6. [Consideration of an Ordinance of the City Council of the City of Lewisville, Texas, Calling a General Municipal Election to be Held on Saturday, May 4, 2024, a Uniform Election Date, within the City, to Elect At-large a Mayor and](#)

[a City Council Member Place 2 to a Full Three-Year Term; and an Ordinance of the City Council of the City of Lewisville, Texas, Calling a Bond Election to be Held on Saturday, May 4, 2024, a Uniform Election Date, within the City, for the Purpose of City Fire Fighting Facilities; Expansion of the Animal Shelter/Adoption Center; Park, Open Space and Recreation Improvements and Facilities; and Street and Roadway Improvements; Providing for Early Voting and for Notice of Election; Providing for Other Matters Relating to the Elections; Providing for a Repealer, Severability, and an Effective Date, and Declaring an Emergency.](#)

**ADMINISTRATIVE COMMENTS:**

This agenda item accomplishes two goals. (1) It recommends adoption of an ordinance calling for the general municipal election to elect Mayor and Council Member for Place 2; and (2) It recommends adoption of an ordinance calling a bond election for voters to vote FOR or AGAINST the issuance of general obligation bonds for City Fire Fighting Facilities; expansion of the Animal Shelter/Adoption Center; Park, Open Space and Recreation Improvements Facilities; and Street and Roadway Improvements.

**RECOMMENDATION:**

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

**AVAILABLE FOR QUESTIONS:**

Thomas Harris III, City Secretary

David Erb, Director of Finance

7. [Consideration of An Ordinance Amending the Lewisville City Code, Section 15-87\(C\), Limitations on Turning Around, Prohibiting U-Turns at the Following Intersections: Both Median Openings on State Highway 121 Business, either side of Huffines Boulevard, FM 544 across From Killian Middle School, West Vista Ridge Mall Drive at Highview Lane, and Valley Ridge Parkway at Valley Ridge Circle; Providing for a Repealer, Severability, Penalty, and an Effective Date; and Declaring an Emergency.](#)

**ADMINISTRATIVE COMMENTS:**

To improve the safety of the residents and drivers in the City of Lewisville, City staff is recommending prohibiting U-Turns at several locations throughout the City.

These locations include two median openings on State Highway 121 Business approximately 1400 ft east of the Huffines Blvd. intersection and 900 ft west of the Huffines Blvd. intersection, the median opening on F.M. 544 approximately 480 feet east of the Killian Middle School Entrance, the intersection of West Vista Ridge Mall Drive at Highview Lane, and the intersection of Valley Ridge Blvd. at Valley Ridge Cir.

**RECOMMENDATION:**

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

**AVAILABLE FOR QUESTIONS:**

David Salmon, P.E., City Engineer

**G. Reports** Reports about items of community interest regarding which no action will be taken.

1. [City Council Reports](#)
2. [Staff Reports](#)

**H. Return to Workshop Session if Necessary**

**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.*
3. *Section 551.071 (Consultation with Attorney): Legal issues related to short-term rental properties.*

**J. Reconvene** into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.

**K. Adjournment**

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## NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City will provide appropriate auxiliary aids and services, including sign language interpreters and assisted listening devices, whenever necessary to ensure effective communication with members of the public who have hearing, sight or speech impairments, unless doing so would result in a fundamental alteration of its programs or an undue financial burden. A person who requires an accommodation or auxiliary aid or service to participate in a City program, service or activity, should contact the sponsoring Department, or the Human Resource Department at 972-219-3450 or by Fax at 972-219-5005 as far in advance as possible but no later than 48 hours before the scheduled event.

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).

The Texas Open Meetings Act, codified in Chapter 551 of the Texas Government Code, does not require an agenda posting where there is a gathering of a quorum of the City Council at a social function unrelated to the public business that is conducted by the City Council, or the attendance by a quorum of the City Council at a regional, state or national convention or workshop, ceremonial event or press conference if formal action is not taken and any discussion of public business is incidental to the social function, convention, workshop, ceremonial event or press conference. The City Secretary's Office may occasionally post agendas for social functions, conventions, workshops, ceremonial events or press conferences; however, there is no legal requirement to do so and in the event a social function, convention, workshop, ceremonial event or press conference is not posted by the City Secretary's Office, nothing shall preclude a quorum of the City Council from gathering as long as "deliberations" within the meaning of the Texas Open Meetings Act do not occur.

I do hereby certify that the above notice of meeting of the City of Lewisville City Council was posted at City Hall, City of Lewisville, Texas in compliance with Chapter 551, Texas Government Code on \_\_\_\_\_, 2024 at \_\_\_\_\_ AM.

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Thomas Harris III, City Secretary