



City of Lewisville, TX

City Council

Agenda

151 W Church Street
Lewisville, Texas 75057

Monday, April 15, 2024

6:45 PM

Lewisville City Hall

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 5:45 p.m. prior to the meeting.

Call to Order and Announce Quorum is Present

Workshop Session - 6:45 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](#)

Regular Session - 7:00 P.M.

- A. **Invocation - Councilmember Brandon Jones**
- B. **Pledge to the American and Texas Flags - Deputy Mayor Pro Tem Patrick Kelly**
- C. **Proclamation**
 - 1. [Proclamation Declaring the Month of May, 2024 as “Mental Health Month” and May 9, 2024 as “Children’s Mental Health Awareness Day.”](#)
 - 2. [Proclamation Declaring the Week of April 15-19, 2024 as “National Public Safety Telecommunicators Week”](#)
- D. **Presentation**
 - 1. [Council Canines](#)

ADMINISTRATIVE COMMENTS:

The Gene Carey Animal Shelter and Adoption Center is currently at capacity for

large dogs. A City Council member will highlight a large dog for adoption. The adoption fee for this pet has been waived and all adoptions come with sterilization, microchip, rabies vaccination, and one year of City registration (if Lewisville resident). The Gene Carey Animal Shelter and Adoption Center is located at 995 E. Valley Ridge Blvd. Adoption Center hours are Tuesday from 12 p.m. - 7 p.m., Wednesday - Friday from 10 a.m. - 5 p.m., and Saturday from 12 p.m. - 5 p.m.

E. Public Hearing

F. 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.

G. 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 April 1, 2024, Workshop Session, and Regular Session.](#)
2. [Approval of an Agreement with Skyrim Studios, Inc. in the Amount of \\$320,000 for Creation and Installation of a Permanent Work of Art at the Tittle McFadden Public Safety Center; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

As part of the 2023-24 budget, based on a recommendation in the Public Art Master Plan for including works of Public Art at City facilities, City Council approved an artwork being commissioned for installation outside the main public entrance of the new Tittle McFadden Public Safety Center. The Arts Advisory Board received 218 submissions and conducted a series of evaluations and interviews that culminated with the selection of artist Blessing

Hancock, owner of Skyrim Studios, Inc., to complete the project. The proposed artwork was shared with City Council at the February 5 meeting workshop.

RECOMMENDATION:

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

3. [Approval of a Contract with Integrated Environmental Solutions, LLC., McKinney, Texas in the Estimated Annual Amount of \\$92,775 for Urban Forest Management Services; and Authorization for the City Manager, or Her Designee, to Execute the Contract.](#)

ADMINISTRATIVE COMMENTS:

The Urban Forest Management contract is intended to serve as a tree care or riparian restoration professional to assist the City of Lewisville with the planning and implementation of an urban forestry management plan. A total of twenty-seven (27) requests for proposals were downloaded from Bonfire. Three (3) proposals were received and opened on February 13, 2024. Based on the evaluation matrix included in the request for proposals, Integrated Environmental Solutions, LLC, received the highest evaluation score for the project and is being recommended for award. The term of the contract will be twelve (12) months, with options to extend for up to three (3) additional twelve (12) month periods. Funding is available through the Parks and Recreation department project budgets.

RECOMMENDATION:

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

4. [Approval of a Contract for Construction Services for the Corporate Drive Segments 4 and 5 Project to Sundt Construction, Inc., Irving, TX, in the Amount of \\$29,758,039 and Authorization for the City Manager, or Her Designee, to Execute the Contract.](#)

ADMINISTRATIVE COMMENTS:

A total of ninety-nine (99) requests for proposals were downloaded from Bonfire. Two (2) proposals were received and opened on March 11, 2024. An

evaluation of proposals was performed, and it was determined that Sundt Construction, Inc. offered the best value for the City to complete work at Corporate Drive Segments 4 and 5, and is being recommended for award. Funding for these services is available in the Corporate Drive capital project accounts.

RECOMMENDATION:

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

5. [Approval of a Quitclaim Deed for a 0.242-Acre Portion of an Abandoned Segment of East Main Street Located Between Existing East Main Street and Valley Ridge Blvd within Lot 1, Block A, Green Industrial Addition in the City of Lewisville and Authorization for the City Manager, or Her Designee, to Execute the Quitclaim Deed.](#)

ADMINISTRATIVE COMMENTS:

The subject segment of roadway to be abandoned was part of the old alignment of East Main Street. This portion of East Main Street was realigned in 2008 with the construction of Valley Ridge Boulevard south of State Highway 121 Business. The original alignment of East Main Street was apparently not dedicated or at least there appears to be no record of it available. The current property owner, CB GREEN INVESTMENTS LLC, owns both parcels that abut the old roadway and has requested the City to abandon claim to the area. The subject area has the old roadway pavement, an active 8-inch public water line that runs parallel to the roadway, and a 30-inch water line that is located at the far west side of the property and runs perpendicular to old East Main Street. A 20-foot-wide water line easement for the 8-inch water line and a 30-foot-wide water line easement for the 30-inch water line will be established with the Plat.

RECOMMENDATION:

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

6. [Approval of a Professional Services Agreement Between the City of Lewisville and Kimley-Horn and Associates for Architectural and Engineering Design Services for the Old Town Lewisville Gateways in the Amount of \\$95,000; and Authorization for the City Manager, or Her](#)

[Designee, to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

In March 2023, the Community Relations and Tourism Department presented a concept plan for the pursuit of entry features for Old Town Lewisville. The Agreement being considered includes services for concept plans, design, data collection, bidding, and contract administration for the development of the gateways.

RECOMMENDATION:

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

7. [Approval of a Professional Services Agreement with Birkhoff, Hendricks & Carter, L.L.P., Dallas, TX, in the Amount of \\$1,599,500 for Professional Engineering Services for the Midway Branch Force Main; and Authorization for the City Manager, or her Designee, to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

The 2011 and 2018 Collection System Master Plans determined that an additional lift station would be required to service the east side of the city. Birkhoff, Hendricks & Carter L.L.P., (BHC) originally designed the Midway Branch Lift Station with a force main utilizing the utility corridor running through the Lewisville Lake Environmental Learning Area (LLELA) in 2015. It has now been determined that Upper Trinity Regional Water District maintains exclusive access through this corridor forcing the City of Lewisville to evaluate alternate routes. A study in 2023 identified a new route; the change in the force main alignment from the Midway Branch Lift Station necessitates a new agreement for design services from BHC in the amount of \$1,599,500.

RECOMMENDATION:

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

8. [Approval of a Bid Award for Landscape Services at Lewisville City Hall and the Visitor Information Center in the Amount of \\$240,890.70 to American Landscape Systems; and Authorization for the City Manager,](#)

[or Her Designee, to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

A total of forty-seven (47) bid invitations were downloaded from Bonfire. Two (2) bids were received and opened on February 29, 2024. An evaluation of all bids was performed, and American Landscape Systems, Inc. is recommended for award as the lowest bidder to provide planting redevelopment service for Lewisville City Hall and Visitor Information Center. Funding is available in Old Town Lewisville Pollinator and Waystations Area and Visitor Information Center funds.

RECOMMENDATION:

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

9. [Approval of a Local Project Advance Funding Agreement With the Texas Department of Transportation in the Amount of \\$11,788,504.59 Related to Construction and Funding for Aesthetic Improvements for the S.H. 121 Business and Corporate Drive Interchanges at I-35; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

TxDOT is finalizing the construction plans for the subject interchanges and construction is set to begin in early 2025. The final aesthetic plans for the interchange prepared by WSP Inc. and approved by Staff have been provided to TxDOT for inclusion in the construction plans for the interchanges. The subject agreement defines state and local responsibilities regarding construction and funding of aesthetic improvements on I-35E at the SH 121 and Corporate Drive Interchanges per approved plans designed by WSP Inc. and must be executed before TxDOT lets the interchange project.

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.

10. [Approval of a Transportation Consultation Services Agreement with Innovative Transportation Solutions, Inc. in the Amount of \\$90,000; and](#)

[Authorization for the City Manager, or Her Designee, to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

Innovative Transportation Solutions, Inc. (ITS Inc.) has been providing consultation services on a variety of transportation issues for the City of Lewisville since March 2000. Services include assisting staff in expediting timelines and funding issues with TxDOT through the NCTCOG on multiple state routes, local thoroughfares, and Old Town streets within the City. In addition, Innovative Transportation Solutions has assisted with capital funding coordination between the City and Denton County and has advocated with TxDOT for the City on aesthetic and technical issues related to the pending and ongoing I-35 interchange projects. The proposed agreement extends ITS Inc's services for another year. The City Council last approved a one-year contract with ITS, Inc. in the amount of \$90,000 in April 2023.

RECOMMENDATION:

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

11. [Approval of an Economic Development Agreement Between the City of Lewisville and TSMJV LLC; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

TSMJV LLC ("Developer") owns a 3.21-acre property located at the northwest corner of S Charles Street and Lake Haven Drive and is proposing to build fifty-five (55) for-sale townhomes with a minimum floor area of 2,000 square feet each and a minimum investment of \$27,000,000.00, in which the Developer can sell no more than two (2) townhome units in the project to a single individual or entity. This project will add desired for-sale residential homes to Old Town. In consideration for the development, this agreement provides for (1) a grant equal to the amount of water and sanitary impact fees and building permits fees paid to the City, (2) a waiver of all park fees required for the project, and (3) a grant in an amount equal to one hundred percent (100%) of the ad valorem property taxes owed and paid to the City, not to exceed \$400,000. Funding is available from water and sanitary impact fees and ad valorem taxes paid to the City.

RECOMMENDATION:

That the City Council approve the economic development agreement and authorize the City Manager, or her designee, to execute the agreement.

H. Regular Hearing

12. [Consideration of an Ordinance of the City Council Amending the Fee Schedule of the City of Lewisville by Amending Fees Related to Community Development Block Grant Funded Residential Rehabilitation Programs.](#)

ADMINISTRATIVE COMMENTS:

In August 2020, the City of Lewisville allocated Community Development Block Grant (CDBG) funding designated for the Minor Housing Rehabilitation Program. The program was designed to provide Heating Ventilation and Air Conditioning (HVAC) repairs, replacements, or installations for low-to-moderate income Lewisville homeowners. During HVAC repairs, replacements or installations electrical, mechanical, and plumbing permit(s) may be required dependent on each household's need. Permits required have a minimum cost of \$50 per permit that the HVAC Contractor must acquire prior to work being performed on the household. The City of Lewisville will continue to require permitting for household's receiving assistance through the Minor Housing Rehabilitation Program. To ensure funds provided by the City of Lewisville to the selected HVAC contractor are spent on HVAC repair, replacement, or installation, rather than permit costs, city staff requests permitting fees listed in the ordinance be waived for households receiving assistance through the program. City Staff has written this amendment broadly to cover future CDBG funded residential rehabilitation programs.

RECOMMENDATION:

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

13. [Consideration of the Proposed FY 2024-25 Budget Calendar.](#)

ADMINISTRATIVE COMMENTS:

City staff has provided a calendar showing the important upcoming dates for City Council meetings regarding the City's budget process. The Budget Workshop is currently scheduled for August 10, 2024.

RECOMMENDATION:

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

14. [Consideration of Acceptance of the Resignation of Robyn Johnston, Place No. 2, on the Community Development Block Grant Advisory Committee; Declaring a Vacancy Exists for Place No. 2 on the Community Development Block Grant Advisory Committee; and an Appointment to Place No. 2 on the Community Development Block Grant Advisory Committee.](#)

ADMINISTRATIVE COMMENTS:

A resignation was received from Robyn Johnston, Place No. 2, on the Community Development Block Grant Advisory Committee. Five (5) applications have been submitted meeting the qualifications for service in this position.

RECOMMENDATION:

That the City Council accept the resignation, declare one vacancy and consider an appointment to the Community Development Block Grant Advisory Committee as set forth in the caption above.

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

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

- J. **Return to Workshop Session if Necessary**

- K. **Closed Session**

In Accordance with Texas Government Code, Subchapter D,

1. *Section 551.071 (Consultation with Attorney/Pending Litigation): Yuri Hayasaka v. Rang One Holdings, LLC, d/b/a Wyatt James Builders v. City of Lewisville, Texas, Cause No. 493-01870-2023, 493rd District Court, Collin County, Texas*
2. *Section 551.072 (Real Estate): Property Acquisition*
3. *Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations.*
4. *Section 551.074 (PERSONNEL):*
 - (a) *City Secretary Thomas Harris III*

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

M. Adjournment

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, upon an approved motion, to suspend the rules to consider business out of the posted order.

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.

Thomas Harris III, City Secretary