



City of Lewisville, TX

City Council

Agenda

151 W Church Street
Lewisville, Texas 75057

Monday, September 16, 2024

6:30 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 5:30 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 Consent and Regular Agenda Items](#)
- B. [Legislative Update](#)

Regular Session - 7:00 P.M.

- A. **Invocation - Mayor TJ Gilmore**
- B. **Pledge to the American and Texas Flags - Council Member William Meridith**
- C. **Public Hearing**
 - 1. [Continued Public Hearing: Consideration of an Ordinance Amending the Zoning Ordinance by Amending Ordinance No. 0428-22-ZON to Rezone Approximately 10.207 Acres Located on the Northeast Corner of Lady Tessala Avenue and Essex Boulevard, Legally Described as 10.207 Acres out of the Amos Singleton Survey, Abstract 1138 From Planned Development Multi-Family 3 \(PD-MF3\) District to Planned Development Townhouse 2 \(PD-TH2\) District; to Amend the Planned Development Concept Plan set Forth in Exhibit 5B The Realm Subdistrict Concept Plan Thereto by Amending the Concept Plan For 50.562 Acres Located North of Lady Tessala Avenue, Legally Described as 50.562 Acres out of the Amos](#)

[Singleton Survey, Abstract 1138 and the Benjamin Schoonover Survey, Abstract 1209, as Requested by Patricia Fant, of McAdams, on Behalf of Eric Stanley, of Breco Lands CH LLC, the Property Owner. \(Case No. 24-04-2-PZ\)](#)

ADMINISTRATIVE COMMENTS:

The City Council opened the public hearing for this item on August 19, 2024 and continued the public hearing to the September 9, 2024, City Council meeting. The public hearing was continued again to the September 16, 2024 City Council meeting to provide additional time to update the proposed concept plan to reflect the details discussed at the community/neighborhood meeting hosted by applicant on Wednesday, September 4, 2024. On January 3, 2022, the City Council adopted the Castle Hills Planned Development (PD) District, Ordinance No. 0428-22-ZON, that incorporated all provisions of the Castle Hills Development Agreement along with the variances to the agreement approved since 1996. The PD allows changes to base zoning districts and the subdistrict concept plans following the zoning processes in the Unified Development Code (UDC). The applicant is requesting to change the base zoning district on 10.207 acres from Planned Development Multi-Family 3 (PD-MF3) District to Planned Development Townhouse Two (PD-TH2) District to allow for a front-entry townhome community where multifamily development had originally been planned. The proposed changes also necessitate an amendment to the approved concept plan. The Concept plan for the Realm South Subdistrict is being amended in its entirety; however, the changes only impact 50.562 acres, which includes the 10.207 acres proposed for rezoning. The proposed concept plan amendment consists of the addition of the proposed townhomes, along with a reconfiguration of the remaining multifamily units. The Planning and Zoning Commission recommended approval unanimously (5-0) on August 6, 2024.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

Michele Berry, AICP, Planning Manager

2. [Public Hearing: Consideration of an Ordinance Adopting the FY 2024-25 Tax Rate.](#)

ADMINISTRATIVE COMMENTS:

In accordance with state law, a public hearing is being held on the proposed tax rate for the 2024 tax year. Section 26.05(d) of the Texas Property Tax Code requires a governing body to hold a public hearing to adopt a tax rate for the current tax year if the proposed rate exceeds the lower of the voter-approval or no-new-revenue rate. The proposed tax rate was recommended by City Council at the budget workshop held on August 10, 2024. The total tax rate proposed for FY 2024-2025 is \$0.422435. This is an increase of \$0.003356 from the prior year rate of \$0.419079. The proposed tax rate exceeds the no-new-revenue rate of \$0.408408 by 3.43 percent but does not exceed the voter-approval rate of \$0.422435. Since the proposed rate exceeds the no-new-revenue rate, specific language is required by 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 five voting members. The motion to adopt the ordinance must be made using specific language as found in the recommendation below.

RECOMMENDATION:

That City Council approve the ordinance adopting the FY2024-25 tax rate with the following motion: “I move that the property tax rate be increased by the adoption of a tax rate of \$0.422435, which is effectively a 3.43 percent increase in the tax rate.”

3. [Public Hearing: Consideration of an Ordinance Amending the Fee Schedule of the City of Lewisville by Amending Fees Related to Administration, Community Relations and Tourism, Engineering, Finance, Neighborhood and Inspection Services, Parks and Recreation, and Public Services; and Authorizing Existing Fees as Presented in the Attached Fee Schedule \(“Attachment B”\).](#)

ADMINISTRATIVE COMMENTS:

A public hearing on the FY 2024-25 fee schedule is being held to provide an opportunity for public comment. 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 comparison to surrounding entities is conducted. In addition, fees are reviewed to make sure they are still applicable. Resulting modifications are proposed by the departments. Actual fee schedule information is located on the City’s website within the Finance section. This repository is maintained by the City Manager’s Office. Proposed updates in this year’s fee schedule include changes to

Administration, Community Relations and Tourism, Engineering, Finance, Neighborhood and Inspection Services, Parks and Recreation including Hedrick House rentals, and Public Services.

RECOMMENDATION:

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

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.

4. [Approval of an Agreement Between the City of Lewisville and Ramel Company, LLC for Construction Management Services for Timber Creek Hike and Bike Trail Extension Project in the Amount of \\$111,960; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

Design of the Timber Creek Trail Extension from Central Park to Corporate Drive will be completed and bids for construction issued this fall. The scope will include a 12' wide concrete trail with pedestrian bridges and low water crossings. The trail will weave through the existing dense riparian corridor with special attention to preserving trees and existing topography where possible. Ramel will assist the City with construction management services by evaluating contractors, reviewing test reports, maintaining the project budget, maintaining the project schedule and facilitating the punch list and close-out process.

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.

5. [Approval of a Resolution of the City Council of the City of Lewisville, Texas, Authorizing Agreements Regarding the Disbursement of Grant Funding With Budgeted Subrecipients Receiving Portions of the City of Lewisville's U.S. Department of Housing and Urban Development Community Development Block Grant Entitlement Funding and With City of Lewisville Social Service Agency Funding Recipients For FY 2024-2025; Authorizing the City Manager, or Her Designee, to Execute Said Agreements; and Providing An Effective Date.](#)

ADMINISTRATIVE COMMENTS:

The City of Lewisville, a U.S. Department of Housing and Urban Development (HUD) Entitlement community, has submitted its 2024 Annual Action Plan as required by HUD to receive Community Development Block Grant (CDBG) funds. Agreements have been prepared for each of the non-profit entities receiving CDBG funds as well as those receiving City Social Service Agency Funds. The City's CDBG allocation for FY 2024-25 is \$818,349 an increase in \$55,581 from the 2023-24 Plan Year allocation of \$762,768. The plan includes continued funding for grants to sub-recipients for social service programs. The CDBG Advisory Committee reviewed and scored all non-profit applications that were submitted in March 2024. The Committee then recommended awards and allocations that were presented to Council on August 5, 2024, for approval as part of the Annual Action Plan. The Performance Goal Chart identifies all allocation amounts as well as contract service unit and client goals.

RECOMMENDATION:

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

6. [Approval of a Professional Services Agreement with Teague Nall and Perkins, Inc. in the Amount of \\$59,000 for a Drainage Analysis for the Southwest Corner of the intersection of Valley Ridge Boulevard and East College Street and Authorization for the City Manager or Her Designee to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

Old Town Lewisville Tenant I, LP and Old Town Lewisville Tenant II, LP (collectively referred to as the “Developer”) have entered a public-private partnership with Lewisville PFC (“LPFC”) to construct The Standard at Old Town (the “Project”). The Project is a 600-unit Class A multifamily rental housing development to be located at approximately 701 East Main Street and will be completed in two phases. As part of the Project, the City is partnering with the Developer to construct required public infrastructure and to establish a regional drainage solution. This Professional Service Agreement will provide for development of options for regional drainage solutions for the 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.

F. Regular Hearing

7. [Consideration of a Resolution of the City Council of the City of Lewisville, Texas, Casting the City’s Vote for the Region 8 Director on the Texas Municipal League Board of Directors; and Providing an Effective Date.](#)

ADMINISTRATIVE COMMENTS:

The City of Lewisville is being asked to cast its vote for the Region 8 Director on the TML Board of Directors. Texas Municipal League's (TML) has 15 sub-state regions and Lewisville is represented by Region 8. The purposes of the regions are to promote interest in municipal government on a regional level; facilitate the exchange of information among cities in the region; and assist the TML Board of Directors in formulating policy that represents the diverse interests of the state. Each TML member city is entitled to one vote and votes are due by October 3, 2024.

RECOMMENDATION:

That City Council consider the resolution casting Lewisville’s vote for TML Region 8 Director as set forth in the caption above.

8. [Consideration of 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, 2023 to September 30, 2024; By Providing Supplemental Appropriations to Various Funds; Providing an Effective Date;](#)

[and Declaring an Emergency.](#)

ADMINISTRATIVE COMMENTS:

The purpose of this ordinance is to amend the FY 2023-24 adopted budget to include all supplements and changes approved by City Council throughout the fiscal year. Appropriations include the routine supplements completed each year for prior-year encumbrances (purchase orders) that overlap into the next fiscal year, items presented in the mid-year report in May, other individual items as requested throughout the year, and appropriations that correct year-end balances.

RECOMMENDATION:

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

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

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 551.074 (PERSONNEL):*
 - (a) *City Attorney Lizbeth Plaster*
 - (b) *City Manager Claire Powell*
 - (c) *Municipal Court Judge Brian Holman*

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

K. 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