

LEWISVILLE CITY COUNCIL

REGULAR SESSION

September 16, 2024

6:30 P.M.

Present:

TJ Gilmore, Mayor

Council Members:

Patrick Kelly, Mayor Pro Tem
Ronni Cade, Deputy Mayor Pro Tem
Bob Troyer
William Meridith
Brandon Jones
Kristin Green

City Staff:

Claire Powell, City Manager
Gina McGrath, Deputy City Manager
Shante Akafia, Assistant City Manager
Jim Proce, Assistant City Manager
Lizbeth Plaster, City Attorney
Lauren Crawford, Deputy City Attorney
Thomas Harris III, City Secretary
Jennifer Malone, Assistant City Secretary

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Mayor Gilmore at 6:30 p.m. on Monday, September 16, 2024, in the City Council Conference Room of Lewisville City Hall, 151 West Church Street, Lewisville, Texas. City Department Heads were also in attendance.

WORKSHOP SESSION

Discussion of Regular Agenda Items and Consent Agenda Items

(Agenda Item A)

Mayor Gilmore led a discussion of regular agenda items and consent agenda items and received questions and comments from City Council and City staff. City Manager Claire Powell answered questions and comments from the City Council regarding Item No. C-3.

Legislative Update

(Agenda Item B)

At the request of Mayor Gilmore, Director of Community Relations and Tourism James Kunke and Brandi Bird with Bird Advocacy gave a presentation on the Legislative Update and received questions and comments from City Council and City staff. City Manager Claire Powell answered questions and comments from the City Council. There was consensus from the City Council that they would like to include, as a priority, increased TxDOT funding for maintenance and litter control. Ms. Bird will check with TxDOT to find out if this is already being addressed.

Mayor Gilmore RECESSED Workshop Session at 6:54 p.m.

REGULAR SESSION

With a quorum of the Council Members present, the regular session of the Lewisville City Council was called to order by Mayor Gilmore at 7:00 p.m. on Monday, September 16, 2024.

Invocation

(Agenda Item A)

Mayor Gilmore gave the invocation.

Pledge to the American and Texas Flags

(Agenda Item B)

At the request of Mayor Gilmore, Council Member William Meridith gave the pledge to the United States and Texas flags.

PUBLIC HEARING

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)

(Agenda Item C-1)

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.

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

Planning Manager Michele Berry was available for questions posed by the City Council.

Mayor Gilmore opened the public hearing at 7:03 p.m.

Planning Manager Michele Berry gave a presentation to the City Council. City Manager Claire Powell gave comments to the City Council. Ms. Berry answered questions and comments from the City Council.

Daniel Jung, 733 Lady Tessala Ave, Lewisville, TX 75065, was called to speak and asked the City Council to continue the public hearing.

Helena Narang, 817 Lady Tessela Ave, Lewisville, TX 75065, was called to speak and spoke regarding the separation.

Annie Varghese, 713 Lady Tessela Ave, Lewisville, TX 75065, was called to speak and spoke in opposition of the zone change request.

MOTION: Upon a motion made by Mayor Pro Tem Kelly and seconded by Deputy Mayor Pro Tem Cade, the Council voted six (6) “ayes” and no (0) “nays” to continue the public hearing to October 7, 2024. The motion carried.

**Public Hearing: Consideration of Ordinance
No. 0707-24-ORD, an Ordinance Adopting
the FY 2024-25 Tax Rate.**

(Agenda Item C-2)

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.

The City staff’s recommendation was that the 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.”

Mayor Gilmore opened the public hearing at 7:37 p.m.

MOTION: Upon a motion made by Council Member Meridith and seconded by Mayor Pro Tem Kelly, the Council voted six (6) “ayes” and no (0) “nays” to close the public hearing. The motion carried.

Mayor Gilmore closed the public hearing at 7:38 p.m.

City Attorney Liz 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 2024-2025, 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 Council Member Meridith and seconded by Council Member Green, the Council voted six (6) “ayes” and no (0) “nays” to approve **Ordinance No. 0707-24-ORD** 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”. The motion carried.

Public Hearing: Consideration of Ordinance No 0703-24-ORD, 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”).

(Agenda Item C-3)

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.

The City staff’s recommendation was that the City Council approve the ordinance and reauthorize all existing fees as set forth in the caption above.

Mayor Gilmore opened the public hearing at 7:40 p.m.

MOTION: Upon a motion made by Council Member Jones and seconded by Deputy Mayor Pro Tem Cade the Council voted six (6) “ayes” and no (0) “nays” to close the public hearing. The motion carried.

Mayor Gilmore closed the public hearing at 7:41 p.m.

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

“An Ordinance of the Lewisville City Council 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; Providing for a Repealer, Severability, and an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Council Member Green and seconded by Council Member Jones the Council voted six (6) “ayes” and no (0) “nays” to approve **Ordinance No. 0703-24-ORD** and reauthorize all existing fees as set forth in the caption. The motion carried.

Visitors/Citizens Forum

(Agenda Item D)

There were no speakers for Visitors/Citizens Forum

CONSENT AGENDA

(Agenda Item E)

MOTION: Upon a motion made by Council Member Troyer and seconded by Council Member Green, the Council voted six (6) “ayes” and no (0) “nays” to approve the Consent Agenda as presented.

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.
5. Approval of **Resolution No. 0704-24-RES**, 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.
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.

The motion carried.

REGULAR HEARING

Consideration of Resolution No. 0705-24-RES, 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.

(Agenda Item F-7)

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.

The City staff's recommendation was that the City Council consider the resolution casting Lewisville's vote for TML Region 8 Director as set forth in the caption above.

MOTION: Upon a motion made by Council Member Green and seconded by Mayor Pro Tem Kelly, the Council voted six (6) "ayes" and no (0) "nays" to approve Resolution No. 0705-24-RES casting Lewisville's vote for Jon McKenzie for TML Region 8 Director as set forth in the caption. The motion carried.

REGULAR HEARING

Consideration of Ordinance No. 0706-24-ORD, 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.

(Agenda Item F-8)

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.

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

City Attorney Liz 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, 2023 to September 30, 2024; by Providing Supplemental Appropriations to the Various Funds; Providing an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Mayor Pro Tem Kelly and seconded by Council Member Jones, the Council voted six (6) “ayes” and no (0) “nays” to approve **Ordinance No. 0706-24-ORD** as set forth in the caption. The motion carried.

Reports

(Agenda Item G)

- Council Member Meridith thanked staff for their work on the PBR events and reported on upcoming Lewisville Library activities.
- Council Member Troyer reported on upcoming Lewisville Grand events.
- Director of Public Services Aaron Russell reported on the lake level.
- Police Chief Brook Rollins reported on swearing in five new officers and reported on the CAD RMS system.
- Mayor Pro Tem Kelly reported on the upcoming Western Day event and reminded everyone of the United Way Pie in the Face scheduled for September 23, 2024.
- Deputy Mayor Pro Tem Cade reported that TCAP is partnering with Animal Shelter this weekend for vaccines.
- City Manager Claire Powell reported on the upcoming Pie in the Face event for City staff and reported on the CAD RMS system.
- Mayor Gilmore thanked everyone who has donated to the Pie in the Face fundraiser, reminded everyone that there will be a dunk tank at Western Days and reminded everyone about the Mayor's peanut butter challenge.

Return to Workshop Session if Necessary

(Agenda Item H)

Closed Session

(Agenda Item I)

Mayor Gilmore RECESSED into Closed Session at 7:54 p.m.

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*

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

(Agenda Item J)

Mayor Gilmore RECONVENED into Regular Session at 8:15 p.m.

MOTION: Upon a motion made by Mayor Pro Tem Kelly and seconded by Council Member Troyer, the Council voted six (6) “ayes” and no (0) “nays” to amend the City Attorney’s employment agreement effective on October 1, 2024, to provide that she shall accrue vacation leave, sick leave and holidays at the same rate as other general government employees and that the use and payment of said leave shall be in accordance with the current City policy for all full time employees as it now exists or may hereafter be amended by City Council. The motion carried.

MOTION: Upon a motion made by Council Member Jones and seconded by Council Member Troyer, the Council voted six (6) “ayes” and no (0) “nays” to increase the total compensation effective October 1, 2024 of the City Attorney by 8.05%, the City Manager by 8.12% and the Municipal Judge by 3%. The motion carried.


Adjournment

(Agenda Item L)

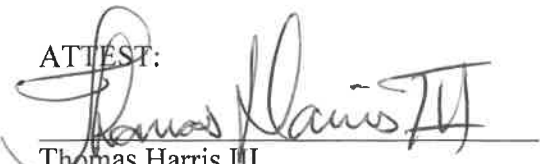
There being no further business to come before the Council, Mayor Gilmore adjourned the meeting of the Lewisville City Council at 8:16 p.m. on Monday, September 16, 2024.

These minutes approved by the Lewisville City Council on the 7th of October, 2024.

APPROVED


TJ Gilmore
MAYOR

ATTEST:


Thomas Harris III,
CITY SECRETARY





LEWISVILLE

Deep Roots. Broad Wings. Bright Future.

Lewisville City Council Meeting

September 16, 2024

Legislative Update

2025-26 LEGISLATIVE AGENDA

City of Lewisville, Texas

SEPTEMBER 16, 2024

LEWISVILLE'S LEGISLATIVE TEAM

- Brandi Bird
- City Council
- Management and Department Directors
- Legislative Liaison – James Kunke, Director of Community Relations & Tourism

LEWISVILLE'S LEGISLATIVE PROCESS

- Draft and adopt a Legislative Agenda & Priority Issues List
- Work with local reps on local bills if needed (none yet in 2025)
- Submit letters supporting or opposing bills based on the adopted Legislative Agenda
- Prepare and present committee testimony supporting or opposing bills based on the adopted Legislative Agenda
- For any issue not included in the Agenda, staff must return to City Council for a separate resolution before any action can be taken

STRUCTURE OF LEGISLATIVE AGENDA

- Comprehensive list to reduce the chance we will have to seek further City Council authorization during the session
- Legislative issues are divided into seven categories: Local Authority, Local Revenue, Parks Funding, Public Safety, Social Equity, Transportation, and Water

PRIORITY ISSUES LIST

- Priority Issues are those topics from the Legislative Agenda that the City Council selects to be emphasized and presented to our legislative delegation. The priority issues would also include any legislation we want to pursue

CRITERIA FOR SELECTING PRIORITY ISSUES

- Limited number to have greatest impact and ability to communicate with legislators succinctly (max. 7-8)
- Potential for significant impact on Lewisville in next two years
- Anticipated likelihood of bills being filed on that issue
- Anticipated level of Legislature interest in that issue
- Opportunity for the City to have a voice in the discussion
- Relative importance compared to other possible Legislative topics

COUNCIL INPUT ON PRIORITY ISSUES

Most frequently listed legislative topics:

- Sales Tax Sourcing (6 members)
- Affordable Housing (5 members)
- Preserve the Voice of Local Government (4 members)
- Support State Investment in Public Transit (4 members)

COUNCIL INPUT ON PRIORITY ISSUES

Listed by fewer members:

- Keep the May Election Date (x2)
- Responsible Property Tax Relief *While Preserving the Ability to Meet Inflation Demands* (x2)
- Improved Police Hiring and Separation Process (x2)
- School Safety Funding (x2)
- State Funding for TSTC Land Acquisition and Construction in Denton County
- Improved Broadband Connectivity in Nonrural Low-Income Areas
- Oppose Efforts to Erode Local Control (ex. Short Term Rentals)
- State Overreach on Housing Design Standards *and Minimum Lot Sizes*
- Ability of a City to Enforce Reasonable Public Health and Public Nuisance Ordinances
- Full Funding for Public Schools
- Oppose School Vouchers

STAFF INPUT ON PRIORITY ISSUES

Staff suggestions for consideration:

- Increased TxDOT funding for maintenance and litter control?
- Cameron County PFC?

RECOMMENDED PRIORITY ISSUES

- Sales Tax Sourcing
- Responsible Property Tax Relief
- Affordable Housing, including local control of PFCs and HFCs
- Support State Investment in Public Transit
- Support State Funding for TSTC Land Acquisition and Construction
- Preserve the Voice of Local Government
- Other items Council wants to add

LEGISLATIVE CALENDAR

- Bill pre-filing begins – November 11, 2024
- Session opens – January 14, 2025
- Last day for bill filing – March 13, 2025
- Session closes – June 2, 2025
- Deadline for Governor to sign or veto – June 22, 2025
- Special Session? (There were four in 2023)

WHAT WE KNOW

- Both chambers should have largely the same leadership
- Top priorities so far appear to be border security, school choice (vouchers), strengthening the power grid, and continued property tax relief
- We will have one new representative (replacing Rep. Thimesch) and one new senator (replacing Sen. Springer)

WHAT WE DON'T KNOW

- For certain who the House Speaker will be
- How well the chamber leaders will work together
- If the focus on statewide issues and education might mitigate some of the hostility shown toward cities in recent sessions
- How many bills will be filed that could impact Lewisville

DISCUSSION ON PRIORITY ISSUES

- Sales Tax Sourcing
- Responsible Property Tax Relief
- Affordable Housing, including local control of PFCs and HFCs
- Support State Investment in Public Transit
- Support State Funding for TSTC Land Acquisition and Construction
- Preserve the Voice of Local Government
- Other items Council wants to add