



# City of Lewisville, TX

## City Council

### Agenda

151 W Church Street  
Lewisville, Texas 75057

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**Monday, July 15, 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 Consent and Regular Agenda Items](#)
- B. [Tittle McFadden Public Safety Center Update](#)

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

- A. **Invocation - Council Member Kristin Green**
- B. **Pledge to the American and Texas Flags - Mayor Pro Tem Patrick Kelly**
- C. **Presentation**
  - 1. [Recognition of Outgoing Board/Commission/Committee Members](#)
  - 2. [Presentation of Appointment Certificates to Board/Commission/Committee Members & Administer Oaths of Office](#)
- D. **Public Hearing**
  - 1. [Public Hearing: Consideration of an Ordinance Granting a Zone Change From General Business \(GB\) District to Light Industrial \(LI\) District; on 0.5785-Acres, Legally Described as Portions of Lots 1A and 1B, Block A, Interstate Thirty-Five North Addition; Located at 1204 North Stemmons](#)

[Freeway; as Requested by Jason Kilpatrick, the Applicant, on Behalf of Bart Schott, the Property Owner. \(24-03-3-Z\)](#)

**ADMINISTRATIVE COMMENTS:**

Arentco is a heavy equipment rental company that has been in operation for many years. The property owner desires to expand the business; however, the front portion of the lot is zoned General Business District (GB), which does not allow heavy equipment rental. The proposed zone change to Light Industrial District would make zoning consistent across the property. The Planning and Zoning Commission recommended unanimous approval (6-0) on June 18, 2024.

**RECOMMENDATION:**

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

**AVAILABLE FOR QUESTIONS:**

Richard E. Luedke, AICP, Planning Director

2. [Public Hearing: Consideration of a Resolution of the City Council of the City of Lewisville, Texas, To Accept an Allocation of Home Investment Partnership Program Funds and Adopt an Amendment to the City's 2022 - 2026 HUD Consolidated Plan, as Required by the U.S. Department Of Housing and Urban Development.](#)

**ADMINISTRATIVE COMMENTS:**

On August 1, 2022, City Council adopted the City's 2022 - 2026 Consolidated Plan for Housing and Community Development. The Consolidated Plan only includes planning for CDBG funds as that is the only funding source the City of Lewisville receives from the United States Department of Housing and Urban Development (HUD). On April 4, 2024 HUD notified the City of Lewisville that our community may be eligible to become a HOME Program Participating Jurisdiction in FY2024. The Consolidated Plan must be amended to accept HOME Investment Partnership Program Funds.

**RECOMMENDATION:**

That the City Council approve the resolution accepting an allocation of Home Investment Partnership Program Funds and adopting the amendment to the City's 2022 - 2026 HUD Consolidated Plan as set forth in the caption above.

**AVAILABLE FOR QUESTIONS:**

Ashleigh Feryan, Neighborhood Services Manager

**E. 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.*

**F. 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.*

3. [APPROVAL OF MINUTES: City Council Minutes of the July 1, 2024, Workshop Session, and Regular Session.](#)
4. [Approval of a Change Order to a Construction Manager at Risk Contract for the Tittle McFadden Public Safety Campus with Thos. S. Byrne, Fort Worth, Texas, Reducing the Contract Sum of the New Police & Fire Department Administration Facility & the New Central Fire Station by \\$1,500,000; and Authorization for the City Manager, or Her Designee, to Execute the Change Order.](#)

**ADMINISTRATIVE COMMENTS:**

Thos. S. Byrne is contracted as the Construction Manager at Risk for the Tittle McFadden Public Safety Campus project and is submitting a change order. This change order reduces the contract sum for this project. The project's progress has advanced to the point that the buildings are no longer subject to unforeseen subsurface conditions and are only minimally exposed to weather delays and supply chain interruptions. Therefore, a reduction in the contingency inside the contract sum of \$1,500,000 is appropriate, reducing it to \$101,805,604.

**RECOMMENDATION:**

That the City Council approve a change order No. 1, and authorize the City Manager, or her designee, to execute the amendment as set forth in the caption above.

**G. Regular Hearing**

5. [Consideration of an Alternative Standard Related to Screening for a Proposed Service Contractor on a 1.27-Acre Lot, Legally Described as Hillside Office Park, Block C, Lot 10; Located at 820 Office Park Circle; Zoned Light Industrial \(LI\) District, as Requested by Hunter M. Muth, LandCare, LLC, on Behalf Nick England, England Trans Properties, LLC, the Property Owner. \(Case No. 24-06-8-AltStd\)](#)

**ADMINISTRATIVE COMMENTS:**

LandCare is a landscape service contractor proposing to operate out of 820 Office Park Circle. The business primarily functions as a lawn care service and is interested in this location as it provides an area to securely store the company fleet vehicles and trailers. Trailers are considered outdoor storage per the Unified Development Code and must be screened from any public rights-of-way. The business is proposing an alternative standard to use live screening behind open style fencing in lieu of an opaque fence. The Planning and Zoning Commission recommended unanimous approval (6-0) on June 18, 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 a Variance to the Lewisville City Code, Section 2-201, Fee Schedule, Waiving Athletic Field Rental Fees and Temporary Event Permit Fees Associated with the Battle of the Badge Charity Softball Tournament.](#)

**ADMINISTRATIVE COMMENTS:**

Since 2005, the Lewisville Citizens Police Academy Alumni Association has been hosting the Battle of the Badge Charity Softball Tournament. The Lewisville Police and Fire Departments, and other local fire and police departments compete in the tournament to raise money for the Lewisville Citizens Police Academy Alumni Association and the winning teams favorite 501(c)3 charity. Battle of the Badge will take place on October 12, 2024 at Railroad Park. Associated fees for the event are estimated to be \$1,570. A waiver for 100% of the fees is requested. In previous years, the City Council has approved the waiver of all fees associated with the tournament.

**RECOMMENDATION:**

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

**AVAILABLE FOR QUESTIONS:**

Stacie Anaya, Parks & Recreation Director

7. [Consider and Take Action on an Ordinance of the City Council of the City of Lewisville, Texas, Authorizing the Issuance of City of Lewisville, Texas, General Obligation Improvement Bonds, Series 2024 in the Aggregate Principal Amount of Not to Exceed \\$27,035,000; Awarding the Sale Thereof; Levying a Tax in Payment Thereof; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement; Approving the Official Statement; and Enacting Provisions Incident and Relating to the Subject and Purposes of this Ordinance.](#)

**ADMINISTRATIVE COMMENTS:**

Staff is planning to issue approximately \$27.035 million in General Obligation Improvement Bonds this fiscal year. Authority for issuing bonds to be repaid from property taxes must be approved by voters. This authority was granted through the successful passage of the four (4) bond propositions that were placed on the May 4, 2024 ballot. To allow flexibility in setting the sale date for the bonds, Hilltop Securities, the City's financial advisor, has recommended the Council adopt a parameters ordinance, which will allow the City Council to authorize the sale of bond obligations at a future date, as long as specific parameters are met. This provides the flexibility needed to ensure the issuance is sold when most practical and economically feasible. Authority granted by the ordinance expires one year from the date of approval. Projects to be funded through the issuance include the

Animal Shelter/Adoption Center expansion, McKenzie-Hembry Neighborhood Rehab, parkland acquisition, various park related projects, and costs associated with the issuance of the bonds.

**RECOMMENDATION:**

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

8. [Consider and Take Action on an Ordinance of the City Council of the City of Lewisville, Texas, Authorizing the Issuance and Sale of City of Lewisville, Texas, Waterworks and Sewer System Improvement Bonds, Series 2024 in the Aggregate Principal Amount of Not to Exceed \\$16,305,000; Providing for the Security for and Payment of Said Bonds; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement, an Escrow or Deposit Agreement; Approving the Official Statement; and Enacting Other Provisions Relating Thereto.](#)

**ADMINISTRATIVE COMMENTS:**

Staff is planning to issue approximately \$16.305 million in Waterworks and Sewer System Revenue Improvement Bonds this fiscal year. To allow flexibility in setting the sale date for the bonds, Hilltop Securities, the City's financial advisor, has recommended the Council adopt a parameters ordinance, which will allow the City Council to authorize the sale of bond obligations at a future date, as long as specific parameters are met. This provides the flexibility needed to ensure the issuance is sold when most practical and economically feasible. Authority granted by the ordinance expires one year from the date of approval. Planned projects to be funded through the issuance include additions and extensions to the City's waterworks and sewer system and costs associated with the issuance of the bonds.

**RECOMMENDATION:**

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

9. [Consideration of an Ordinance of the City Council Amending the Fee Schedule of the City of Lewisville by Amending Fees Related to Municipal Court Credit Card Convenience Fees; Providing for a Repealer, Severability, and an Effective Date; and Declaring an Emergency.](#)

**ADMINISTRATIVE COMMENTS:**

The City has partnered with AllPaid, Inc. to provide bond payment services. To

differentiate transaction types and their associated fees for citations and bonds, we are proposing an update to the City's fee schedule. This amendment does not affect any other City fees. Detailed information on the complete City fee schedule can be found under the Finance section of the City's website. The fee schedule repository is managed by the City Manager's Office.

**RECOMMENDATION:**

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

**10. [Consideration of Five \(5\) Appointments to the City's 2024/2025 Charter Review Commission.](#)**

**ADMINISTRATIVE COMMENTS:**

The City Charter requires the City Council to appoint a Charter Review Commission composed of five (5) citizens of the city of Lewisville, in July, every fifth year. The last charter review was done in 2019/2020. This commission is required to consist of five citizens.

**RECOMMENDATION:**

That the City Council consider appointments to the City's 2024/2025 Charter Review Commission as set forth in the caption above.

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

1. [Report on the Projected Capital Funding Timeline](#)
2. [City Council and Staff Reports](#)

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

**J. 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.*

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

**L. 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.

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Thomas Harris III, City Secretary