

LEWISVILLE CITY COUNCIL

REGULAR SESSION

July 15, 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 – absent

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, July 15, 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 provided information regarding Item No. D-1. City Manager Claire Powell and Neighborhood Services Manager Ashleigh Feryan answered questions, and comments from the City Council regarding Item No. D-2. City Manager Powell answered questions, and comments from the City Council regarding Item No. F-4. Director of Planning Richard Luedke answered questions, and comments from the City Council regarding Item No. G-5. Jason Hughes, Hilltop Securities, and

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City Manager Claire Powell answered questions, and comments from the City Council regarding Item Nos. G-7 and G-8. Court Services Director Jeremy Leonard answered questions, and comments from the City Council regarding Item Nos. G-9. City Manager Claire Powell answered questions, and comments from the City Council regarding Item No. H-1 – Projected Capital Funding Timeline report.

**Title McFadden Public Safety Center
Update**

(Agenda Item B)

At the request of Mayor Gilmore, Assistant City Manager Jim Proce, Facilities Manager Chris Presley, Assistant Fire Chief Chris Sweet, Assistant Police Chief Bill Wawro, and Director of Community Relations & Tourism James Kunke presented information regarding the Tittle McFadden Public Safety Center update, answered questions, and comments from the City Council.

Mayor Gilmore RECESSED Workshop Session at 7:00 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 7:02 p.m. on Monday, July 15, 2024.

Invocation

(Agenda Item A)

At the request of Mayor Gilmore, Council Member Bob Troyer gave the invocation.

Pledge to the American and Texas Flags

(Agenda Item B)

At the request of Mayor Gilmore, Mayor Pro Tem Patrick Kelly gave the pledge to the United States and Texas flags.

**Recognition of Outgoing
Board/Commission/Committee Members**

(Agenda Item C-1)

Mayor Gilmore recognized the outgoing board/commission/committee members.

**Presentation of Appointment Certificates to
Board/Commission/Committee Members &
Administer Oaths of Office**

(Agenda Item C-2)

Mayor Gilmore presented the appointment certificates, and City Secretary Thomas Harris III administered the oaths of office to the reappointed and newly appointed board/commission/committee members.

PUBLIC HEARING

Public Hearing: Consideration of Ordinance No. 0677-24-ZON, 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)

(Agenda Item D-1)

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.

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

Planning Director Richard Luedke was available for questions posed by the City Council.

Mayor Gilmore opened the public hearing at 7:09 p.m.

MOTION: Upon a motion made by Mayor Pro Tem Kelly and seconded by Council Member Meridith, the Council voted five (5) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

Mayor Gilmore closed the public hearing at 7:10 p.m.

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

"An Ordinance Of The Lewisville City Council, Amending The Zoning Ordinance By Rezoning Approximately 0.5785-Acres Of Land, Legally Described As A Portion Of Lots 1A & 1B, Block A, Interstate Thirty-Five North Addition; Located At 1204 North Stemmons Freeway; From General Business (GB) District Zoning To Light Industrial (LI) District Zoning; Correcting The Official Zoning Map; Preserving All Other Portions Of The Zoning Ordinance; Determining That The Zoning Amendment Herein Made Promotes The Health, Safety, And General Welfare Of The City; Providing For A Repealer, Severability, A Penalty, And An Effective Date; And Declaring An Emergency."

MOTION: Upon a motion made by Mayor Pro Tem Kelly and seconded by Council Member Troyer, the Council voted five (5) “ayes” and no (0) “nays” to approve **Ordinance No. 0677-24-ZON** as set forth in the caption. The motion carried.

Public Hearing: Consideration of Resolution No. 0678-24-RES 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 the City’s 2022- 2026 HUD Consolidated Plan, as Required by the U.S. Department Of Housing and Urban Development.

(Agenda Item D-2)

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.

The City staff’s recommendation was 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.

Neighborhood Services Manager Ashleigh Feryan was available for questions posed by the City Council.

Mayor Gilmore opened the public hearing at 7:14 p.m.

MOTION: Upon a motion made by Council Member Troyer and seconded by Deputy Mayor Pro Tem Cade, the Council voted five (5) “ayes” and no (0) “nays” to close the public hearing. The motion carried.

Mayor Gilmore closed the public hearing at 7:15 p.m.

MOTION: Upon a motion made by Council Member Meridith and seconded by Deputy Mayor Pro Tem Cade, the Council voted five (5) “ayes” and no (0) “nays” to approve **Resolution No. 0678-24-RES** as set forth in the caption. The motion carried.

Visitors/Citizens Forum

(Agenda Item E)

There were no speakers for Visitors/Citizens Forum

CONSENT AGENDA

(Agenda Item F)

MOTION: Upon a motion made by Council Member Jones and seconded by Council Member Troyer, the Council voted five (5) “ayes” and no (0) “nays” to approve the Consent Agenda as presented.

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.

The motion carried.

REGULAR HEARING

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 of Nick England, England Trans Properties, LLC, the Property Owner. (Case No. 24-06-8-AltStd).

(Agenda Item G-5)

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.

The City staff’s recommendation was that the City Council approve the alternative standard as set forth in the caption above.

MOTION: Upon a motion made by Mayor Pro Tem Kelly and seconded by Deputy Mayor Pro Tem Cade, the Council voted five (5) “ayes” and no (0) “nays” to approve the alternative standard as set forth in the caption. The motion carried.

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.

(Agenda Item G-6)

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.

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

MOTION: Upon a motion made by Deputy Mayor Pro Tem Cade and seconded by Council Member Troyer, the Council voted five (5) “ayes” and no (0) “nays” to approve the variance as set forth in the caption. The motion carried.

Consider and Take Action on Ordinance No. 0679-24-ORD, 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.

(Agenda Item G-7)

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

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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.

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 Providing for the Issuance of City of Lewisville, Texas, General Obligation Bonds, 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 and an Escrow or Deposit Agreement; Approving the Official Statement; and Enacting Provisions Incident and Relating to the Subject and Purposes of This Ordinance.”

MOTION: Upon a motion made by Council Member Meridith and seconded by Deputy Mayor Pro Tem Cade, the Council voted five (5) “ayes” and no (0) “nays” to approve **Ordinance No. 0679-24-ORD** as set forth in the caption. The motion carried.

Consider and Take Action on Ordinance No. 0680-24-ORD, 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.

(Agenda Item G-8)

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.

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, Authorizing the Issuance and Sale of City of Lewisville, Texas, Waterworks and Sewer System Revenue 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.”

MOTION: Upon a motion made by Council Member Jones and seconded by Council Member Meredith, the Council voted five (5) “ayes” and no (0) “nays” to approve **Ordinance No. 0680-24-ORD** as set forth in the caption. The motion carried.

Consideration of Ordinance No. 0681-24-ORD, 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.

(Agenda Item G-9)

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.

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 Lewisville City Council Amending the Fee Schedule of the City of Lewisville by Amending Fees Related to Municipal Court Credit Card Convenience Fees; and Authorizing Existing Fees As Presented; Providing for a Repealer, Severability, and an Effective Date; and Declaring an Emergency.

MOTION: Upon a motion made by Mayor Pro Tem Kelly and seconded by Deputy Mayor Pro Tem Cade, the Council voted five (5) “ayes” and no (0) “nays” to approve **Ordinance No. 0681-24-ORD** as set forth in the caption. The motion carried.

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

(Agenda Item G-10)

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.

The City staff's recommendation was that the City Council consider appointments to the City's 2024/2025 Charter Review Commission as set forth in the caption above.

MOTION: Upon a motion made by Council Member Meridith and seconded by Mayor Pro Tem Kelly, the Council voted five (5) “ayes” and no (0) “nays” to appoint Dean Ueckert, Russ Kerbow, Ron James, Guy Harris, and Steve Southwell to the City's 2024/2025 Charter Review Commission as set forth in the caption. The motion carried.

Reports

(Agenda Item H)

**Report on the Projected Capital Funding
Timeline**

(Agenda Item H-1)

City Council and Staff Reports

(Agenda Item H-2)

- Council Member Jones encouraged everyone to use the City of Lewisville, Texas app.
- Deputy Mayor Pro Tem Cade provided contact information about a low income home energy assistance program.
- Council Member Meridith reported on upcoming Lewisville Library activities.
- Council Member Troyer reported on upcoming Lewisville Grand events.

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- City Engineer David Salmon reported on the upcoming Windhaven Parkway ribbon cutting on Wednesday July 24, 2024.
- Director of Public Services Aaron Russell reported on the lake level and provided an update on the pickup of the storm debris.
- Fire Chief Mark McNeal reported on the upcoming Firefighter Summer Games.
- Mayor Pro Tem Kelly reported on the upcoming duck derby scheduled for Saturday, July 20 at the Sun Valley Aquatic Center, the Battle of the Badge, and encouraged everyone to use the Our Lewisville Texas app.
- Mayor Gilmore reminded everyone of watering restrictions.

Return to Workshop Session if Necessary

(Agenda Item I)

Closed Session

(Agenda Item J)

There was no 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.*

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

(Agenda Item K)

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 7:43 p.m. on Monday, July 15, 2024.

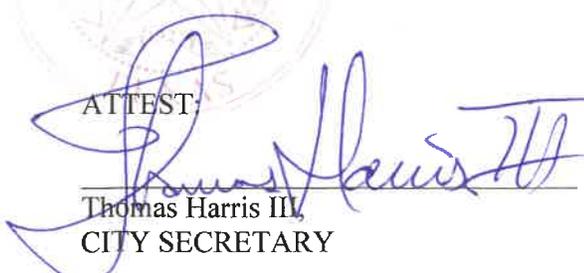
These minutes approved by the Lewisville City Council on the 5th of August, 2024.

APPROVED



TJ Gilmore
MAYOR

ATTEST:



Thomas Harris III
CITY SECRETARY



Tittle McFadden Public Safety Center



Project Update Lewisville City Council

JULY 15, 2023



Project Update

- Budget
- Schedule
- Project Status
- Highlights
- What's Next?
- Change Order (GMP)
- Questions?





Budget



Budget Summary



The marketplace has tested all of our predictions and we've shed most cost risk to subcontractors. We stayed within predictions made last year, but used all pre-construction + escalation reserves. Several alternates were funded, to include second emergency generator; fuel island; wood soffits; metal detectors; additional EV parking, etc.

● Temporary Facilities (#1955)	\$5MM	Bid Under Budget	Complete
● Parking/Support Building + Site	\$39MM	Bid Under Budget	Under Construction
● PD/FD Admin + Central Fire Station	\$59MM	Bid Within Budget	Under Construction
● Total Thos. S. Byrne Contract	\$103MM	(pending change order; reduction of \$1.5MM)	



Schedule





Schedule for Design & Construction

·Scope and amount of bond determined by City Council	JUL 2021
·Design Team Selected (hiring contingent on bond election)	NOV 2021
·Bond Election	NOV 2021
·Design Team Hired	DEC 2021
·PPV Hired	DEC 2021
·DAG Fine Tuning of Needs/Design	ON-GOING
·Contractor Selection Committee Review CMAR	FEB 2022
·Contractor (CMAR) Hired	APR 2022
·First 2 bid packages released	JUNE 2022
·2 Additional bid packages released	JUN 2022
·PNC Bank Site Condemnation Hearing	SEP 2022
·Renovation/Construction of Temporary Sites Begins	OCT 2022
·Construction Starts on the Existing Site	NOV 2022
·Relocation of Fire & Police Off Site Complete	MAR 2023
·Council Consideration of Final GMP Amendment (NTP#5)	APR 2023
·GMP Reduction Change Order	JUL 2024
·Lease Extension (1955)	AUG 2024
·Projected Construction Completion (weather delays)	Q3 4th Qtr 2024
·Projected Relocation of Police & Fire to LPSC	Q4 2024 1st Qtr 2025



Project Status



TITTLE MCFADDEN PUBLIC SAFETY CENTER CONSTRUCTION UPDATE



APPROXIMATELY
JUNE 1, 2024
THROUGH
APPROXIMATELY
OCTOBER, 2024

OFF-SITE PARKING
TEMPORARILY
AVAILABLE TO CITY
STAFF AND/OR PUBLIC

APPROXIMATE LIMITS
OF CONSTRUCTION
ZONES

AREAS OF
COMPLETED
CONSTRUCTION

APPROXIMATE
EXTENTS OF
CONSTRUCTION FENCE

TEMPORARY
CONSTRUCTION
ZONES

APPROXIMATE EXTENT
OF CONSTRUCTION
FENCING

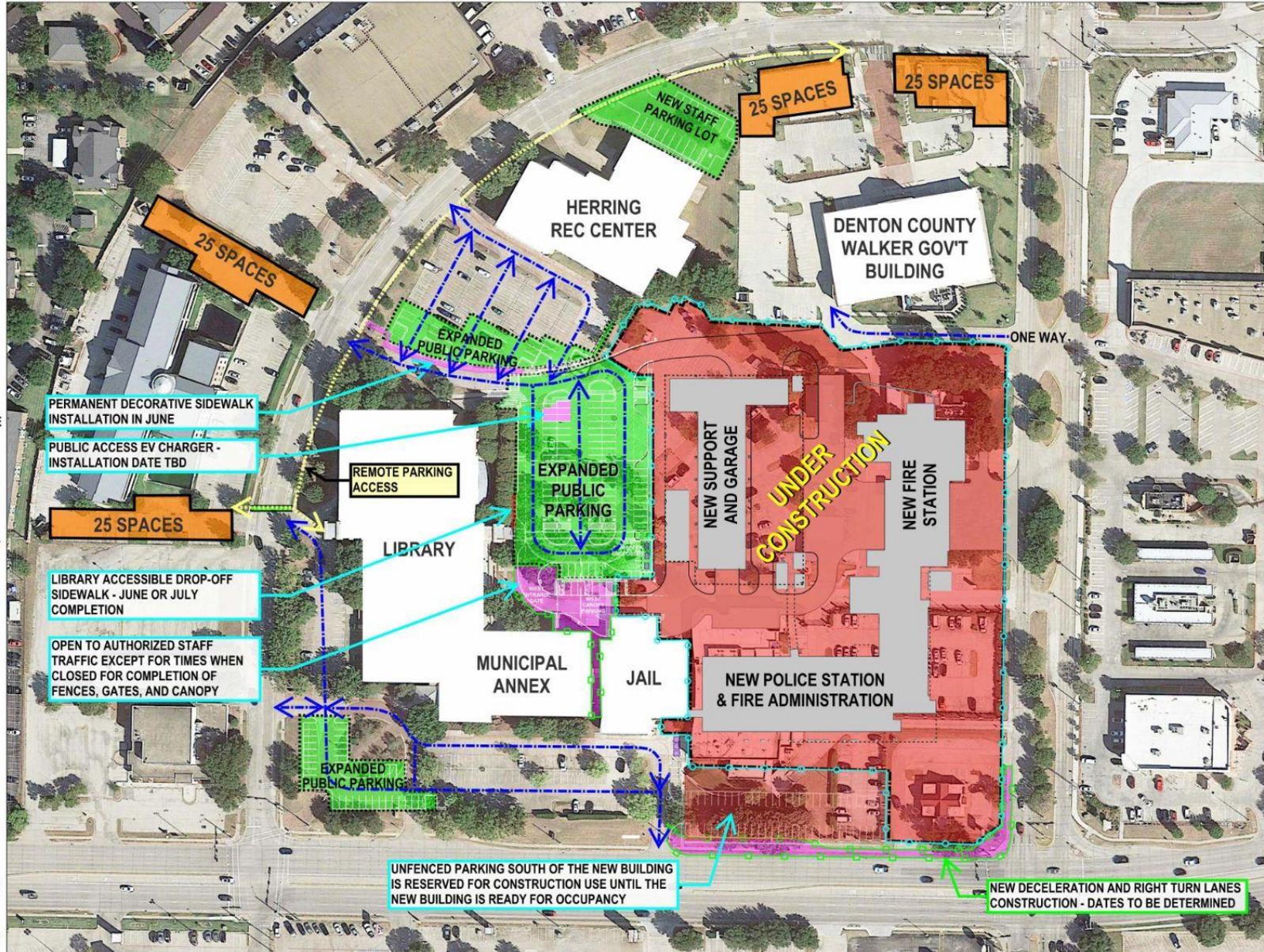
VEHICULAR PARKING
ACCESS ANTICIPATED
TO BE OPEN TO
PUBLIC

TEMPORARY
DUMPSTER LOCATION

TEMPORARY FACILITIES:

POLICE STATION AND
FIRE ADMINISTRATION:
1955 LAKEWAY DR, LEWISVILLE

FIRE STATION 1:
1250 MCGEE LANE, LEWISVILLE





FIRE STATION & SUPPORT BUILDING / PARKING GARAGE:

- SUBSTANTIAL COMPLETION
- PRE-PUNCH WALK ON 7/9/24
- FINISHING MILLWORK AND PAINTING

MAIN CAMPUS:

- CONTINUING WORK ON ELECTRICAL WIRING, SHEETWORK, AND PLUMBING
- ALL HVAC INSTALLED

TITTLE MCFADDEN PUBLIC SAFETY CENTER UPDATE



Highlights



Site Overview





Parking Garage



Sky Bridge

The sky bridge connects the main building to the support building and the parking garage.



PROJECT PROGRESS UPDATE

This is one of two lanterns that will be illuminated each night for the public to enjoy. 

All the rooftop AC units have been installed for the project and are currently being tested. 





Fire Overview





Apparatus Bay with roll up security gates



Dayroom



Kitchen and Dining area



Fire Station Bathroom



Firefighter sleeping room



EMS Main Storage



Extractors



Front Apron - Apparatus Bays



Storage

Police Overview

Front Entry



Property and Evidence new shelving in progress!



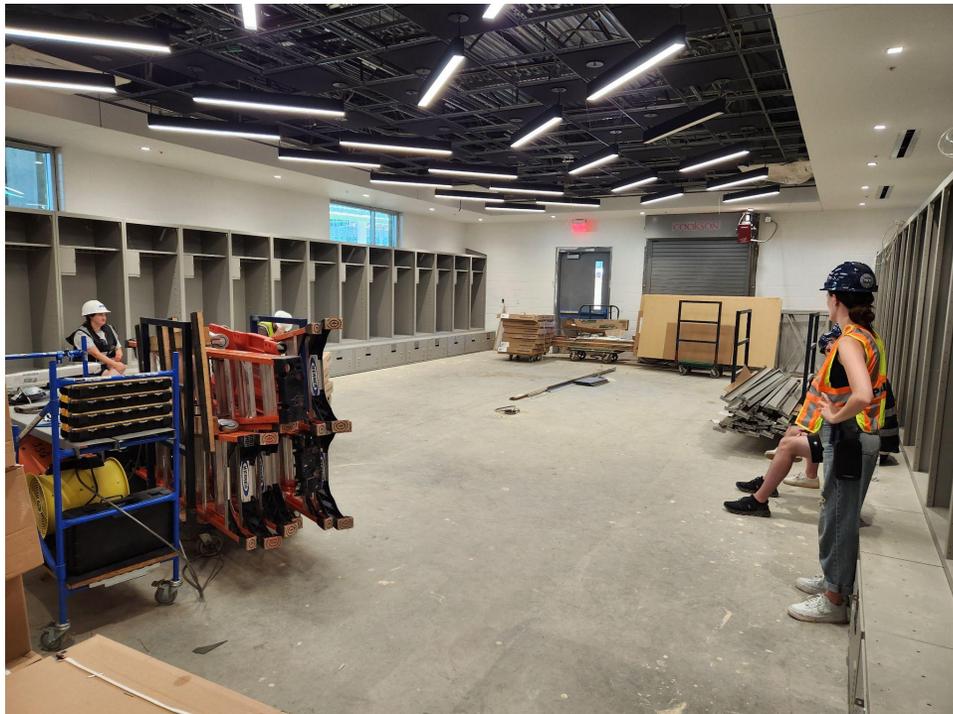


POLICE UPDATE

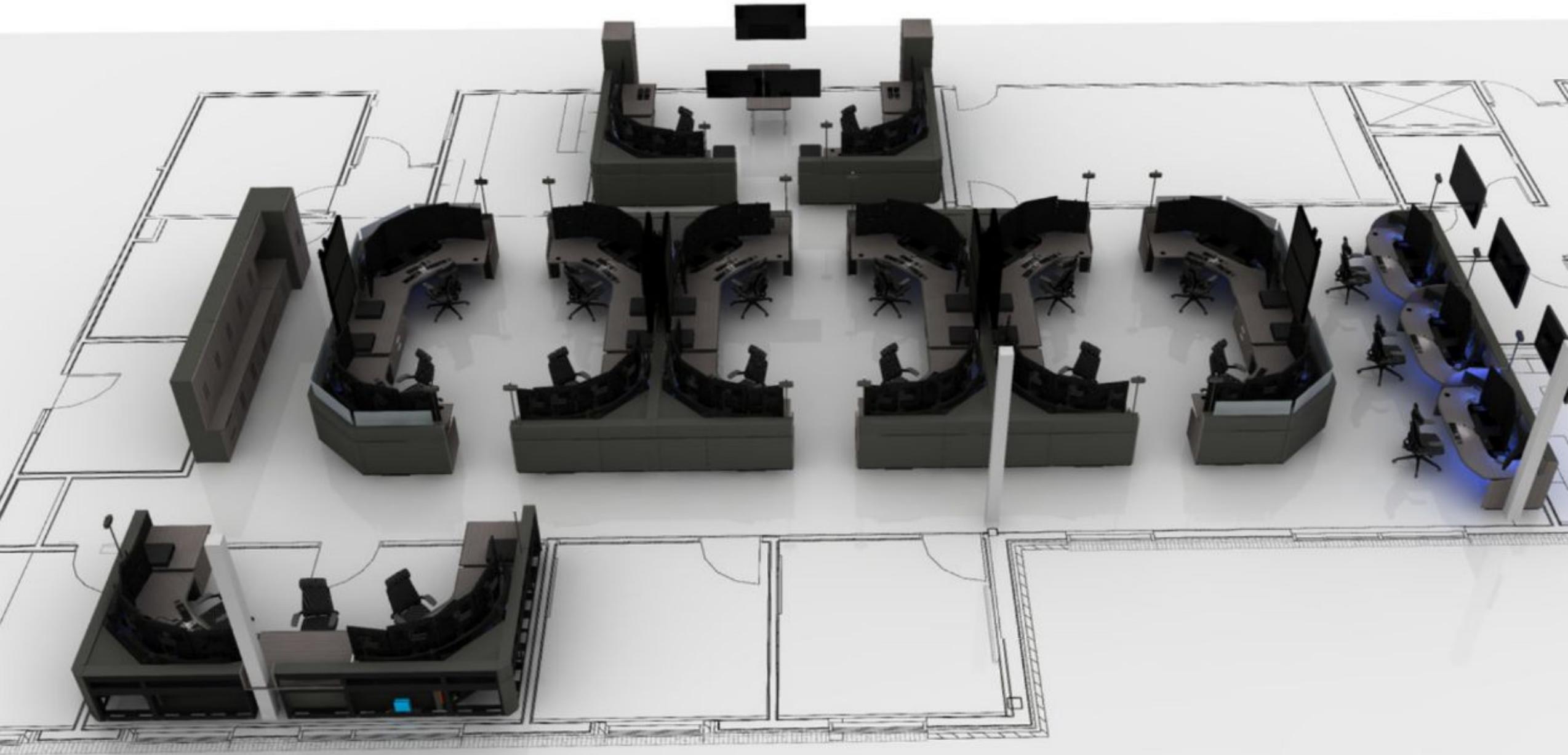
Faraday Enclosure – RF/EMI Cell Phone and Electronic Shielding Room.



← SWAT Locker & Class Room



Dispatch Layout





Fly Over... on July 10, 2024

https://drive.google.com/file/d/1014429rIEnvzZIU9jALODibHjJSnNkWJ/view?usp=drive_web





What's Next?





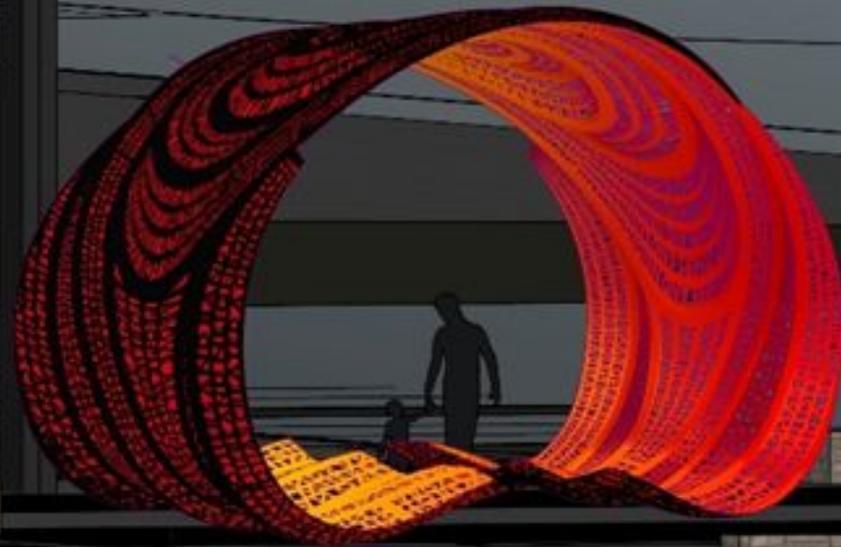
Remaining Work

- Grading and site work
- Decorative concrete throughout the site
- Glass in administrative building
- Finish out interior work
 - millwork
 - painting
 - lighting
 - trim
 - floors
 - etc.
- EV Parking
- Art work
- FFE (Furniture, fixtures and equipment)
- Move in
- Decommissioning of 1955

Art Work



LEWISVILLE PUBLIC SAFETY





Change Order

(on agenda tonight)



Change Order (Guaranteed Maximum Price)



- Risk of contaminated soils (fuel tanks) at old Central Fire Station avoided
- Risk of major subsurface rock costs (like Thrive) for pier installation did not materialize
- Buyout savings in the GMP totaled \$1MM; reverts 100% to the City
- Buyout savings (subcontractors) + ~ \$500,000 of Owner's Contingency
- Owner's Contingency used to purchase all desired alternates (Generator; fuel island; wood soffits; metal detectors; additional EV parking, etc.)
- **This Change Order reduces the Contract Sum (GMP) by \$1.5MM**
- NOTE: Article 7.2.4 of AIA Contract General Conditions requires City Council approval for changes (over \$50,000.01) to the Guaranteed Max Price (GMP)



Questions?

TITTLE MCFADDEN PUBLIC SAFETY CENTER

Tittle McFadden Public Safety Center