



City of Lewisville, TX

City Council

Agenda

151 W Church Street
Lewisville, Texas 75057

Monday, July 19, 2021

6:30 PM

**City Council Chambers
151 West Church Street
Lewisville, Texas
AND**

**A Zoom Meeting Will be Held
for This Meeting. A Link is
Provided on the Agenda.**

Citizens/Visitors wanting to attend this meeting in person may appear at the City Council Chambers at Lewisville City Hall, 151 West Church Street, Lewisville, Texas 75057.

In addition, pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act, this meeting will also be open to the public via remote access.

*Citizens/Visitors wanting to access this meeting remotely may go to: <https://cityoflewisville.zoom.us/j/92674313818> or call 877.853.5257 (Toll Free) or 888.475.4499 (Toll Free) using the following Webinar ID: 926 7431 3818. Listeners must sign into the event in order to comment. Please use the "raise hand" function to participate in any public hearing process while using the Zoom application. If you have called into the meeting, press *9 to raise your hand and speak. If you have a technical issue connecting to this meeting, or during the meeting, call 469.635.5490.*

E-comments will be accepted until 5:30 p.m. prior to the meeting. 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 the July 19th meeting details and agenda or you may email citysecretary@cityoflewisville.com with the agenda date and agenda number in the subject line of the e-mail. Please include your name and physical address for the record.

Call to Order and Announce Quorum is Present

Workshop Session - 6:30 p.m.

- A. [Discussion of Regular Agenda Items and Consent Agenda Items](#)
- B. [Public Safety Complex Overview and Options](#)

Regular Session

A. Invocation - Councilman Meridith**B. Pledge to the American and Texas Flags - Councilwoman Cade****C. Public Hearing**

1. [Continued Public Hearing: Consideration of an Ordinance Pursuant to Section 311.003 of the Texas Tax Code Amending Tax Increment Reinvestment Zone Number Three \("TIRZ 3"\), Located South of SH 121 and Business 121 and Being Wholly Located Within the Extraterritorial Jurisdiction of Lewisville, Texas, by Amending its Boundaries and its Benefits to the City of Lewisville and Amending the Project and Finance Plan for the Zone.](#)

ADMINISTRATIVE COMMENTS:

This ordinance amends the boundaries of TIRZ 3 to include park and open space land. The proposed boundaries include an additional approximate 53.05 acres generally located south of SH 121 and Business 121 and being wholly located within the ETJ of the City. This ordinance also amends the Project and Finance Plan to update project costs and zone reimbursements including the acquisition of park and open space land, and to include economic development authority.

RECOMMENDATION:

That the City Council continue the public hearing to the August 2, 2021 meeting.

2. [Public Hearing: Consideration of Lewisville Juvenile Curfew Ordinance; and Consideration of a Resolution to Continue the Current Ordinance.](#)

ADMINISTRATIVE COMMENTS:

This is the second public hearing being held in accordance with provisions of the Local Government Code Section 370.002 in order to allow public input regarding the City's Juvenile Curfew Ordinance adopted September 12, 1994. The City Council may abolish, continue, or modify the ordinance.

RECOMMENDATION:

That the City Council conduct the public hearing and approve a resolution to continue the current City Juvenile Curfew Ordinance as set forth in the caption

above.

D. Visitor/Citizens Forum

At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.

Any person wanting to speak remotely may join this meeting through Zoom by visiting <https://cityoflewisville.zoom.us/j/92674313818> or call 877.853.5257 (Toll Free) or 888.475.4499 (Toll Free) using the following Webinar ID: 926 7431 3818 or by submitting e-comments by 5 p.m. prior to the meeting. 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.

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. Speakers attending the meeting remotely are asked to email their contact information for the record to citysecretary@cityoflewisville.com. 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.

3. [Approval of a Professional Services Agreement for Improving ISO Rating Services to Mike Pietsch, P.E. Consulting Services, Inc., Garland, Texas, Inc., in the amount of \\$65,000; and Authorization for the City Manager to Execute the Contract.](#)

ADMINISTRATIVE COMMENTS:

This contract engages Mike Pietsch, P.E. Consulting Services to perform professional services in connection with Improving City of Lewisville's ISO Rating. The Consultant will perform a grading summary for our existing fire defense infrastructure, then compile a list of improvements that could be taken

to improve our score. The Consultant will work with the City through the entire survey process, from completing and submitting the ISO pre-survey packet to the actual grading visit by the ISO representative.

RECOMMENDATION:

That the City Council approve the agreement as set forth in the caption above; and authorize the City Manager to execute the agreement.

4. [Approval of a Professional Services Agreement with HDR Engineering, Inc., Dallas, TX, in the Amount of \\$450,984 for Professional Engineering Services for the Prairie Creek WWTP Electrical Improvements Project; and Authorization for the City Manager to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

HDR Engineering completed the Prairie Creek Wastewater Treatment Plant Master Plan in October 2020. The first project identified in this study consisted of various improvements to major electrical components throughout the facility. This project was driven by condition assessments that were performed as part of the scope of the Master Plan and are needed before plant expansion can occur.

RECOMMENDATION:

That the City Council approve the Professional Services Agreement and authorize the City Manager to execute the agreement as set forth in the caption above.

5. [Approval of a Two Year Agreement with Bird Advocacy and Consulting, Inc., in an Amount Up to \\$112,000 for Government Relations Services; and Authorization for the City Manager to Execute the Contract.](#)

ADMINISTRATIVE COMMENTS:

This agreement engages Bird Advocacy and Consulting, Inc., to perform government relations services to implement the City's legislative agenda. In even years, as there is no legislative session, services for interim studies and hearings will be billed hourly in an amount not to exceed \$40,000 annually. Legislative session is held in odd years and services for those years will be provided with a monthly retainer of \$6,000 per month.

RECOMMENDATION:

That the City Council approve the agreement as set forth in the caption above; and authorize the City Manager to execute the agreement.

F. Regular Hearing

6. [Ratification of the First Amendment to Economic Development Agreement Between the City of Lewisville and Deck on Main, LLC, and Authorization for the City Manager to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

Deck on Main, LLC, has purchased the 0.334 acre tract at the northeast corner of Charles Street and Main Street from the city in accordance with the Economic Development Agreement executed on May 12, 2021. This first amendment needed to be signed prior to closing and now requires ratification. It did not increase or change any incentive amounts previously offered, it only changed the timing of the developer's reimbursement for land purchase costs to be paid at time of closing rather than after closing, and it corrected the legal description for the property being sold.

RECOMMENDATION:

That the City Council ratify the First Amendment to the Economic Development Agreement as set forth in the caption above.

7. [Continued Item: Consideration of an Amendment to the Tax Increment Reinvestment Zone Reimbursement Agreement by and Among the City of Lewisville, the Lewisville Tax Increment Reinvestment Zone Number Three \("TIRZ 3"\), and Bright Realty, LLC for Project Costs Within Tax Increment Reinvestment Zone Number Three; and Authorization for the City Manager to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

Should the City Council approve the ordinance amending the boundaries and the Project and Finance Plan for TIRZ 3, as described in a previous item, staff recommends an amendment to the reimbursement agreement to provide for updated project costs and zone reimbursements including the acquisition of park and open space land and to outline economic development parameters.

RECOMMENDATION:

That the City Council continue this item to the August 2, 2021 meeting.

8. [Consideration of Five Alternative Standards Associated With Façade Changes and Landscaping for Northern Tool; Located at 2428 South Stemmons Freeway, Legally Described as Lakepoint Phase V Addition, Lot 4R-5R, Block H; Zoned General Business \(GB\) District, as Requested by Robbie Killingsworth, of Franz Architects, on Behalf of Duane Boris, of Northern Tool, the Business Owner \(Case No. 20-04-3-AltStd\).](#)

ADMINISTRATIVE COMMENTS:

Northern Tool is moving to a new lease space at 2428 South Stemmons Freeway within the Core Subdistrict of the IH-35E Overlay District. Façade improvements are proposed to better reflect company branding. Façade changes require compliance with the IH-35E Overlay Standards regarding articulation, entrances, materials and colors, awnings and canopies, windows and tree and plant materials. Five Alternative Standards are requested: (a) to reduce the doors and windows on the ground floor from the required 60% to 9%, a 75% reduction; (b) to reduce the brick or stone façade requirement from 80% to 8% on the front/west elevation, a 90% reduction; (c) to reduce the canopy length along the façade from the required 75% to 29%, a reduction of 61%; (d) to allow storage of trailers on the west side of the building screened by a tubular steel fence with living screening on the west elevation in lieu of placing the storage behind the building; and (e) to reduce the landscape standards for parking lots from 20 canopy trees to 8 canopy trees and 7 ornamental trees and add new plantings to existing landscape areas only. The Overlay District Board recommended unanimous approval (7-0) of all five Alternative Standards on July 6, 2021.

RECOMMENDATION:

That the City Council approve the five Alternative Standards as set forth in the caption above.

AVAILABLE FOR QUESTIONS:

Richard E. Luedke, AICP, Planning Director

9. [Consideration of a Variance to the Lewisville City Code, Section 2-201, Fee Schedule, Regarding a Waiver of Athletic Field Rental Fees and Temporary Event Permit Fees Associated with the Battle of the Badge Benefit Softball](#)

[Tournament.](#)**ADMINISTRATIVE COMMENTS:**

Since 2005, the Lewisville Citizens Police Academy Alumni Association has been conducting the Battle of the Badge Benefit Softball Tournament. The Lewisville Police and Fire Departments, and other local fire and police departments compete in the tournament to raise money for Spirit of a Hero. Battle of the Badge will take place on October 16, 2021, at Railroad Park. Associated fees for the event are estimated to be \$1,444.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

Stacie Anaya, Parks & Recreation Director

10. [Consideration of a Resolution Supporting Denton County Transportation Authority's Proposed On-Demand Service Delivery Model as Requested by Mayor TJ Gilmore and Mayor Pro Tem Kristin Green.](#)

ADMINISTRATIVE COMMENTS:

The Board of Directors of the Denton County Transportation Authority (DCTA) is considering replacing certain fixed bus routes with an on-demand service delivery model. The on-demand service delivery model is proposed to replace all fixed bus routes in Lewisville with an on-demand service that will increase the number of residents and businesses that will have access to mass transit, will reduce wait times for passengers, and will extend the hours in which mass transit is available in Lewisville.

RECOMMENDATION:

That the City Council consider the resolution set forth in the caption above.

AVAILABLE FOR QUESTIONS:

Claire Powell, Assistant City Manager

11. [Consideration of a Resolution Extending the Declaration of Local Disaster for Public Health Emergency until 11:59 P.M. on August 2, 2021.](#)

ADMINISTRATIVE COMMENTS:

On February 17, 2021, Mayor Rudy Durham, acting in accordance with authority granted to him under the City Charter and Code of Ordinances and under section 418.108(a) of the Texas Government Code, declared a local state of disaster for public health emergency due to concerns related to COVID-19 (the “Disaster Declaration”), which the Lewisville City Council subsequently ratified, supported, and continued until 11:59 p.m. on August 2, 2021. Ongoing evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services indicate that the conditions necessitating the Disaster Declaration have and will continue to exist for a period extending beyond August 2, 2021.

RECOMMENDATION:

That the City Council consider the resolution as set forth in the caption.

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

[2021 Health Report](#)

I. Closed Session

In Accordance with Texas Government Code, Subchapter D,

1. *Section 551.071 (Consultation with Attorney): Legal issues regarding Annexation of Castle Hills and the TIRZ Reimbursement Agreement Between the City, TIRZ #3, and Bright Realty, LLC*
2. *Section 551.072 (Real Estate): Property Acquisition*
3. *Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations.*

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

K. Adjournment

**The following public hearing was originally advertised to be heard at the July 19, 2021: Public Hearing: Consideration of an Ordinance Amending Chapter 17, Zoning, of the Lewisville City Code, by Amending Section 17-22.7, Old Town Mixed Use 2 District Regulations, to Amend Multifamily Requirements to Reduce the Minimum Floor Area of a Multifamily Dwelling. Due to extenuating circumstances, it will not be heard at this meeting and a new public hearing notice will be advertised for it to be heard at the August 2, 2021, City Council Meeting.*

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 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).

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 _____, 2021 by _____ AM.

City Secretary