



# City of Lewisville, TX

## City Council

### Agenda

151 W Church Street  
Lewisville, Texas 75057

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**Monday, September 8, 2025**

**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](#)
- B. [Capital Improvement Program Update](#)

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

- A. **Invocation - Councilmember William Meridith**
- B. **Pledge to the American and Texas Flags - Deputy Mayor Pro Tem Bob Troyer**
- C. **Proclamations / Recognitions**
  - 1. [Proclamation Declaring the Week of September 7-13, 2025 as "Police Records Week"](#).
- D. **Public Hearing**
  - 1. [Public Hearing: Consideration of an Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Granting a Special Use Permit for Automotive Repair \(Minor\) on Approximately 0.972 Acres Legally Described as Bennett Park Center Addition Lot 1, Block A, Located at 519 Bennett Lane, and Zoned Light Industrial \(LI\) District; Providing for a Savings Clause, Repealer, Severability, Penalty, and an Effective Date; as](#)

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[Requested by Timothy Gotcher, EcoPal Mobile Detail LLC, on Behalf of KJS Properties, LLC, the Property Owner. \(Case No. 25-03-3-SUP\)](#)

**ADMINISTRATIVE COMMENTS:**

EcoPal Mobile Detail is a minor automotive service shop proposing to occupy a 750 square-foot portion of an existing building at 519 Bennett Lane. The business offers on-site detailing and repair services. A special use permit (SUP) is required to allow this minor automotive service facility. The applicant has agreed that the use be limited to 750 square feet in area, to not store or repair vehicles outdoors on site and to not allow any outside storage as conditions of the SUP. The Planning and Zoning Commission recommended unanimous approval (7-0) on August 5, 2025.

**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 an Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Granting a Special Use Permit for a Gasoline Service Station, on Approximately 0.582 Acres, Legally Described as Lot 1, Block A, Mobil Oil Addition, Located at 1298 West Main Street, and Zoned Local Commercial \(LC\) District; Providing For a Savings Clause, Repealer, Severability, Penalty, and an Effective Date; as Requested by MD Mozharul Islam, Civil Urban Associates, Inc., on Behalf of Avna Realty Inc, the Property Owner. \(Case No. 25-05-8-SUP\).](#)

**ADMINISTRATIVE COMMENTS:**

The applicant proposes to demolish an existing gasoline service station and redevelop the site with a more efficient gasoline service station. The redevelopment includes closing driveways to provide safer circulation, adding new landscaping; and constructing a new stone and brick veneer building. The proposed updates to the gas service station require a Special Use Permit in the Local Commercial District. The Planning and Zoning Commission recommended unanimous approval (7-0) on August 5, 2025.

**RECOMMENDATION:**

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

**AVAILABLE FOR QUESTIONS:**

Richard E. Luedke, AICP, Planning Director

3. [Public Hearing: Consideration of an Ordinance of the Lewisville City Council Amending the Zoning Ordinances by Granting a Special Use Permit for Warehouse Distribution Facility and Manufacturing, Light Intensity on Approximately 5.703 Acres out of the E. Aday Survey, Abstract Number 11; Located at 421 Bennett Lane and 451 Bennett Lane, Zoned Light Industrial District \(LI\) Providing for a Savings Clause, Repealer, Severability, Penalty and an Effective Date; as Requested by Lindsey Mayer, Dynamic Engineering Consultants, PC on Behalf of Eduardo and Ana Ortuno and Rafael and Alfredo Corona, the Property Owners. \(Case No. 25-04-6-SUP\).](#)

**ADMINISTRATIVE COMMENTS:**

Lovett Industrial, an industrial real estate developer, proposes to combine two parcels located at 421 and 451 Bennett Lane into one class A warehouse distribution or manufacturing facility. This project was proposed after the adoption of the new supplemental standards for warehouse distribution or manufacturing facilities; thus, a special use permit (SUP) is required due to the proximity to residential to the west of the proposed location. The City Council approved a zone change from Agriculture-Open Space District to Light Industrial District for the western half of this site on August 4, 2025. The Planning and Zoning Commission recommend unanimous approval (7-0) of this SUP on August 5, 2025.

**RECOMMENDATION:**

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

**AVAILABLE FOR QUESTIONS:**

Richard E. Luedke, AICP, Planning Director

4. [Public Hearing: Consideration of an Ordinance Adopting the FY 2025-2026 Operating Budget.](#)

**ADMINISTRATIVE COMMENTS:**

In accordance with state law and the City Charter, a public hearing is being held on the proposed FY 2025-26 budget (available on the homepage of the City's website

and in the City Manager's Office) to provide an opportunity for public input. The proposed budget includes changes made by City Council at the budget workshop held on August 9, 2025. New to the budget adoption process this year is Texas Government Code Section 551.043(c), which took effect September 1, 2025. This statute requires that the public notice of a meeting at which a governmental body will discuss or adopt a budget must include a taxpayer impact statement that includes a comparison of the median-valued homestead property tax bill in dollars for the current fiscal year to an estimate of the property tax bill for the same property for the upcoming fiscal year if the proposed budget is adopted, as well as a balanced budget funded at the no-new-revenue tax rate. For the Lewisville median home value of \$383,444, the City portion of the property tax bill in the current fiscal year is \$1,619.80. This same property would owe \$1,606.66 if the FY 2026 proposed budget is adopted or \$1,570.84 if the budget was funded at the no-new-revenue rate. Texas Local Government Code Section 102.007 requires City Council to take action on the proposed budget at the conclusion of the public hearing. Approval of this ordinance adopts an operating budget for these funds beginning October 1, 2025 and ending September 30, 2026.

**RECOMMENDATION:**

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

**E. Visitors 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 member of the public so request. For a member of the public to request removal of an item, a speaker card or e-comment must be filled out and submitted to the City Secretary.*

5. [APPROVAL OF MINUTES: City Council Minutes of the August 18, 2025, Workshop Session, and Regular Session.](#)

6. [Approval of a Bid Award for an Annual Requirements Contract for Asphalt Rehab Projects to Reynolds Asphalt & Construction Company, North Richland Hills, Texas, for the Estimated Amount of \\$699,045.30; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.](#)

**ADMINISTRATIVE COMMENTS:**

This contract involves milling and asphalt overlay of existing asphalt streets and parking lots throughout the City. A total of twenty-three (23) bid invitations were downloaded from Bonfire. Three (3) bids were received and opened on June 30, 2025. An evaluation of all bids was performed, and Reynolds Asphalt & Construction Company is recommended for award as the lowest responsive responsible bidder. Funding for this bid award is available in the Public Services Operations budget.

**RECOMMENDATION:**

That the City Council approve the award and authorize the City Manager, or her designee, to execute the contract as set forth in the caption above.

7. [Approval of a Professional Services Agreement with Davey Resource Group, Inc. for a Citywide Tree Inventory in the Amount of \\$173,044; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.](#)

**ADMINISTRATIVE COMMENTS:**

The City of Lewisville proposes entering into an agreement with Davey Resource Group, Inc. (Davey) to conduct a comprehensive inventory of municipal trees located in public rights-of-way and maintained park spaces. Using advanced LiDAR technology and artificial intelligence, Davey will deliver an accurate dataset to support long-term urban forestry planning, maintenance efficiency, and risk management. Davey will require Thirty-eight (38) weeks to complete the project. Tree Mitigation Funds will be used for the project.

**RECOMMENDATION:**

That the City Council approve the award and authorize the City Manager, or her designee, to execute the agreement as set forth in the caption above.

8. [Approval of a Resolution Ratifying the Property Tax Increase Reflected in the FY 2025-26 Operating Budget.](#)

**ADMINISTRATIVE COMMENTS:**

Section 102.007(c) of the Texas Local Government Code requires a separate vote of the governing body to ratify the property tax increase reflected in the FY 2025-26 budget if the budget will require raising more revenue from property taxes than in the previous year. This budget will raise more total property taxes than last year's budget by \$5,508,192 (5.9%), and of that amount \$1,938,697 is tax revenue to be raised from new property added to the tax roll this year. Although there is an increase in property tax revenue to the City, the impact to the median home value (\$383,444) will be a savings of \$13.14 for homeowners, reducing the tax bill from \$1,619.80 to \$1,606.66.

**RECOMMENDATION:**

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

9. [Approval of a Resolution Authorizing the Addition of up to Three Firefighter Positions, Two Police Officer Positions, One Detention Officer Position and One Public Safety Dispatcher Position Over the Authorized Number of Positions in the FY 2025-26 Budget to Alleviate Understaffing Caused by Turnover.](#)

**ADMINISTRATIVE COMMENTS:**

City Council annually approves a resolution authorizing the overfill of three firefighter positions, two police officer positions, one detention officer position, and one public safety dispatcher position over the authorized budget. Staff requests approval to overfill these positions due to the rigorous and lengthy recruitment and selection process necessary to find qualified applicants. In addition, these positions typically have extended training periods that are required before they can work independently in their positions. This resolution is requested each year in conjunction with the vote to adopt the budget.

**RECOMMENDATION:**

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

10. [Approval of a Resolution by the City of Lewisville, Texas, Suspending](#)

[the September 17, 2025, Effective Date of the Proposal by CoServ Gas, Ltd. to Implement Interim GRIP Rate Adjustments for Gas Utility Investment in 2024 and Requiring Delivery of This Resolution to the Company and Legal Counsel.](#)

**ADMINISTRATIVE COMMENTS:**

CoServ is seeking recovery of \$267,149,471 in invested capital. The current filing will increase rates to residential customers by \$3.33 per month by increasing the current residential customer charge from \$18.00 to \$21.33 per month. Under the Gas Reliability Infrastructure Program (GRIP) statute, cities may not challenge the Company's request. However, cities may take action to suspend the effective date of the rate increase by 45 days. The proposed resolution suspends the September 17, 2025, effective date of the Company's rate increase for 45 days, the maximum permitted by law.

**RECOMMENDATION:**

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

11. [Approval of a Resolution Authorizing Participation with the State of Texas, Through the Office of the Attorney General, in the Purdue Pharma and Sackler Family Opioid Settlement and Approving the Subdivision Participation and Release Form Regarding the Same and Authorizing the City Manager or Her Designee to Execute All Necessary Documents in Connection with the Above on Behalf of the City; and Providing an Effective Date.](#)

**ADMINISTRATIVE COMMENTS:**

The State of Texas, through the Office of the Attorney General, has entered into a settlement agreement with opioid manufacturer Purdue Pharma, L.P., the Sackler family, and their associated entities regarding their manufacturing, marketing, and distribution of opioids in the state. As a participant in the settlement agreement, the City would receive up to an estimated \$93,075.40 over 16 years for uses related to opioid abatement, as well as funds which will be made available through regional grants in accordance with the Texas Term Sheet adopted by the City Council on November 15, 2021. In order to participate in this settlement agreement, the City must authorize the City Manager or her designee to execute the Subdivision Participation and Release Form associated with the settlement agreement, releasing certain claims the City might have against Purdue Pharma, L.P. and associated entities as well as the Sackler

Family and associated entities for past opioid-related actions or failures to act.

**RECOMMENDATION:**

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

**G. Regular Hearing**

12. [Consideration of an Ordinance of the Lewisville City Council Adopting Non-Retroactive Repeating Cost-Of-Living Adjustments for Retirees and Their Beneficiaries Under the Texas Municipal Retirement System Act §853.404\(f\) and \(f-1\) and Authorizing Annually Accruing Updated Service Credits and Transfer Undated Service Credits; and Providing for Severability and an Effective Date.](#)

**ADMINISTRATIVE COMMENTS:**

City staff introduced the potential change of Lewisville's Texas Municipal Retirement System (TMRS) retiree COLA benefit from a retroactive calculation to a non-retroactive calculation during the City Council Workshop on June 16, 2025. This proposed ordinance makes this change while maintaining the current COLA benefit at 70% and Updated Service Credit at 75%, effective January 1, 2026.

**RECOMMENDATION:**

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

**AVAILABLE FOR QUESTIONS:**

Tadd Phillips, Director of Human Resources

13. [Consideration of an Ordinance of the City Council of the City of Lewisville, Texas, Approving a Negotiated Settlement Between the Atmos Cities Steering Committee \("ACSC"\) and Atmos Energy Corp., Mid-Tex Division Regarding the Company's 2025 Rate Review Mechanism Filing; Declaring Existing Rates to be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent With the Negotiated Settlement; Finding the Rates to be set by the Attached Settlement Tariffs to be Just and Reasonable and in the Public Interest; Approving an Attachment Establishing a Benchmark for Pensions and Retiree Medical Benefits; Requiring the Company to Reimburse ACSC's Reasonable Ratemaking Expenses; Determining That This Ordinance was Passed in Accordance With the Requirements of the](#)

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[Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; and Requiring Delivery of this Ordinance to the Company and the ACSC's Legal Counsel.](#)

**ADMINISTRATIVE COMMENTS:**

In 2007, the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corporation's Mid-Tex Division (Atmos Mid-Tex) settled a rate adjustment issue under the Gas Reliability Infrastructure Program (GRIP) by establishing a new Rate Review Mechanism (RRM). This mechanism replaced the GRIP filings for future rate reviews. The most recent RRM Tariff, adopted in 2018, was used when Atmos Mid-Tex filed a rate request on April 1, 2025. The company sought \$245.2 million in additional revenues based on a 2024 cost-of-service study. After review and discovery, ACSC consultants recommended that the deficiency under RRM standards should be set at \$185.6 million. Following negotiations, the parties agreed to settle at \$205.6 million, reflecting a \$20 million reduction from Atmos Mid-Tex's original request. The new rates will take effect October 1, 2025, contingent on ACSC members' approval of the Resolution/Ordinance prior to that date.

**RECOMMENDATION:**

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

- H. Reports** Reports about items of community interest regarding which no action will be taken.
  - 1. [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 551.074 (Personnel):*
  - (a) City Manager Claire Powell*
  - (b) Municipal Court Judge Brian Holman*
  - (c) City Attorney Lizbeth Plaster*
  - (d) City Secretary Jennifer Malone-Ippolito*
3. *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**

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## 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.

Items may be considered by the City Council 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 \_\_\_\_\_, 2025 at \_\_\_\_\_ PM.

\_\_\_\_\_

Jennifer Malone-Ippolito, City Secretary