



City of Lewisville, TX

City Council

Agenda

151 W Church Street
Lewisville, Texas 75057

Monday, November 20, 2023

6:00 PM

Lewisville City Hall

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 p.m. prior to the meeting.

Call to Order and Announce Quorum is Present

Workshop Session - 6:00 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 Regular Agenda Items and Consent Agenda Items.](#)
- B. [Presentation and Discussion of Lake District Branding](#)
- C. [Pollinative Prairie Program Update](#)

Regular Session - 7:00 P.M.

- A. **Invocation - Mayor Pro Tem Meridith**
- B. **Pledge to the American and Texas Flags - Councilmember Cade**
- C. **Presentation**
 - 1. [Presentation of the 2023 DFW Clean Cities Gold Fleet Award](#)
 - 2. [Recognition of Katelyn Hearon and Kelly Rouse for Obtaining a Class A License in Both Water and Wastewater System Operations.](#)
 - 3. [Salvation Army to Present the National Red Kettle Kickoff; Mayor Gilmore to Issue a Challenge to Area Mayors](#)

D. Public Hearing

1. [Public Hearing: Consideration of an Ordinance Granting a Zone Change From Heavy Industrial \(HI\) District to Planned Development - Mixed Use \(PD-MU\) District on 17.5827 Acres, Legally Described as Lots 2A and 2B, Block A of the Elm Fork Industrial Park Addition; Located at and North of 701 East Main Street as Requested by Jennifer Burns, Ojala Holdings, on Behalf of Granite Construction Co, the Property Owner. \(23-09-7-PZ\)](#)

ADMINISTRATIVE COMMENTS:

This Planned Development zone change allows for a mixed-income development of up to 650 units in a variety of unit types just east of the Denton County Transit Authority A-Train's Old Town Lewisville Station. The Lewisville Public Finance Corporation approved the Standard at Old Town project to provide affordable housing in Old Town on June 12, 2023. The Planning and Zoning Commission recommended unanimous approval (6-0) on October 17, 2023.

RECOMMENDATION:

That the City Council approve the ordinance as set forth in the caption above with the following conditions: 1) All units within the planned development shall be under one ownership and must be managed by on-site staff available during regular business hours and within one hour after hours; 2) All units within the planned development shall have access to all amenities within the planned development, including but not limited to all swimming pools, clubhouses, dog parks, and open spaces for each respective phase; and 3) The cottage units shall consist of varying architectural details and colors.

AVAILABLE FOR QUESTIONS:

Richard E. Luedke, AICP, Planning Director

2. [Public Hearing: Consideration of an Ordinance Granting a Zone Change From Agriculture Open Space \(AO\) District to Light Industrial \(LI\) District, on 5.237 Acres out of the P. Higgins Survey, Abstract 525; Being a Portion of 704 Holfords Prairie Road; as Requested by Meher Inc, the Property Owner. \(23-09-15-PZ\)](#)

ADMINISTRATIVE COMMENTS:

The applicant requests to rezone the property to Light Industrial to support future commercial development. The Planning and Zoning Commission recommended

unanimous approval (6-0) on October 17, 2023.

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 Granting a Special Use Permit for an Accessory Dwelling Unit \(Commercial\) and for a Contractors Yard; on Approximately 1.129-Acres out of the S.M. Hayden, Abstract 537, Located at 504 Barfknecht Lane, Zoned Heavy Industrial \(LI\) District; as Requested by Ashton Miller, McAdams, on Behalf of Joseph Angelone, ALS Development LLC, the Property Owner. \(Case No. 23-07-11-SUP\)](#)

ADMINISTRATIVE COMMENTS:

American Landscape Systems operates at 1780 Midway Road and expanded their operations to include 504 Barfknecht Lane as a contractor's yard and accessory dwelling unit (commercial) for employees. American Landscape Systems converted this single-family home to a commercial use without the required zoning and development permits and code enforcement action was taken, requiring them to go through the process of a special use permit. The Planning and Zoning Commission recommended unanimous approval (6-0) on October 17, 2023.

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 Amending Volume 2 of the Lewisville City Code, Known as the Unified Development Code, by Amending Article IV, Chapter 4 'Alternative Standards' to Update the Applicability, Processes, Authority, and Effect of Alternative Standards as Outlined Therein and to Correct Certain Inconsistencies in Terms Therein.](#)

ADMINISTRATIVE COMMENTS:

In the Unified Development Code, no relief procedure was provided for development standards in the Old Town Center Design District and Old Town Design District. This amendment corrects this oversight by allowing alternative standards to be requested for design standards such as parking and landscaping and makes other corrections for consistency. This is the same process used everywhere else in the City.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

Richard E. Luedke, AICP, Planning Director

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.

5. [APPROVAL OF MINUTES: City Council Minutes of the November 6, 2023, Workshop Session and Regular Session.](#)
6. [Approval of a Resolution of the Lewisville City Council Approving an Advance Funding Agreement \(“AFA”\) with the Texas Department of Transportation Regarding the Award of Grant Funding Through The Congestion Mitigation Air Quality Improvement Program for Construction of the Lewisville Bicycle and Pedestrian Shared Use Path from the Denton County Transit Authority \(“DCTA”\) Hebron Station](#)

[South to the Lewisville-Carrollton City Limits and Authorizing the City Manager or Her Designee to Execute the AFA and All Other Documents Related to Project and Take Other Action Necessary for the City to Receive Funding under the AFA; and Providing an Effective Date.](#)

ADMINISTRATIVE COMMENTS:

In 2021, the City of Lewisville was awarded a grant of \$2,400,000 through TxDOT's Congestion Mitigation Air Quality Improvement Program (CMAQI) to construct the final segment of the DCTA A-Train Rail Trail south of the Hebron Station to the city limits of Carrollton. The City Council approved the original AFA for the grant in April 2023. However, due to administrative delays, the agreement was never executed by TxDOT. In September 2023, the City Council approved an agreement with the Regional Transportation Council to increase the Transportation Development Credits from 480,000 to 601,600 to be used as a match for the grant when project costs increased due to re-routing of the proposed trail and cost escalation. The increase of TDCs triggered an increase of the total grant award to \$2,947,840 and a new draft of the AFA was provided by TxDOT for approval by the City Council. A Local Contribution of \$60,160 to accommodate TxDOT's administration of the grant will be due 30 days after the AFA is executed.

RECOMMENDATION:

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

7. [Approval of Updated Social Service Priorities for the Community Development Block Grant \(CDBG\) and City Social Service Agency Funded Programs.](#)

ADMINISTRATIVE COMMENTS:

The CDBG Advisory Committee voted to recommend changes to the Social Service Priorities on September 19, 2023. This list was last approved by City Council on January 7, 2019. The updated Prioritized List includes Housing Services, Food Insecurity, Children's/Youth Services, Senior Services, Mental Health, Healthcare/Substance Abuse Services, Homeless Services, Services for Individuals with Disabilities, Employment Training/Self-Sufficiency, Victims of Domestic Violence & Crime Prevention, Transportation Services, Non-Housing Financial/Crisis Services, and Other. This Prioritized List will be used to guide the Committee when scoring and evaluating Category II applications.

RECOMMENDATION:

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

8. [Approval of a Contract Award to Arch Insurance Company for Excess Workers' Compensation Insurance in the Amount of \\$223,478 for a One-Year Period, with an Option to Renew for Two Additional One-Year Periods; and Authorization for the City Manager, or Her Designee, to Execute all Necessary Documents.](#)

ADMINISTRATIVE COMMENTS:

Last year the City of Lewisville contracted with Roach Howard Smith and Barton to send out the Request for Proposal for workers' compensation excess insurance coverage and three carriers provided quotes, resulting in a one-year contract with Arch Insurance Company. Staff recommends contracting again with Arch Insurance at an annual premium of \$223,478. This contract is for the same coverages and at the same rate as 2023. Funding for this coverage is available in the Self-Insurance Risk Fund.

RECOMMENDATION:

That the City Council approve the contract award for excess workers' compensation insurance to Arch Insurance Company as set forth in the caption above and authorize the City Manager, or her designee, to execute all necessary documents as set forth in the caption above.

9. [Approval of a Local Agreement Between the County of Denton and the City of Lewisville for Sharing of Proceeds of the Sale of Contraband Seized or Forfeited under Chapter 59 and Article 18.18 of the Texas Code of Criminal Procedure and for the City Manager, or Her Designee, to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

On October 1, 2023, the Denton County District Attorney's Office terminated the existing Local Agreement with the Lewisville Police Department for the distribution of contraband seized and forfeited under Chapter 59 of the Texas Code of Criminal Procedure. The Local Agreement was replaced by this new agreement which updates and governs sharing of proceeds and seizures for both Chapter 59 and Article 18.18 of the Texas Code of Criminal Procedure

forfeiture cases in Denton County.

RECOMMENDATION:

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

G. Regular Hearing

10. [Consideration of Appointments to the Denton County Behavioral Health Leadership Team.](#)

ADMINISTRATIVE COMMENTS:

The Denton County United Way sponsored the creation of the Denton County Citizen's Council on Mental Health in February 2014. Denton County United Way President and CEO, Gary Henderson, presented findings from a study conducted by the Meadows Foundation and distributed a copy to the City Council at the June 1, 2015, workshop session. Denton County United Way is seeking appointees for the Denton County Behavioral Health Leadership Team through December 31, 2026.

RECOMMENDATION:

That the City Council appoint a city council member and the Director of Neighborhood and Inspection Services as the two appointee positions and appoint the position of Chief of Police as the law enforcement workgroup representative, to serve the Denton County Behavioral Health Leadership Team.

11. [Consideration of Acceptance of the Resignation of Dr. Walter Legg, Licensed Veterinarian, on the Animal Services Advisory Committee; Declaring a Vacancy Exists for the Licensed Veterinarian Position on the Animal Services Advisory Committee; and Appointments to the Animal Welfare Representative and the Licensed Veterinarian Positions on the Animal Services Advisory Committee.](#)

ADMINISTRATIVE COMMENTS:

At the September 18, 2023 City Council meeting, a vacancy was declared for the Animal Welfare Representative position on the Animal Services Advisory Committee. Dr. Walter Legg, the Licensed Veterinarian, did not seek reappointment on the Animal Services Advisory Committee during the 2023 Boards

and Commissions appointment process. Two (2) applications have since been submitted meeting the qualifications for service in these positions.

RECOMMENDATION:

That the City Council declare one vacancy and consider appointments to the Animal Welfare Representative and the Licensed Veterinarian positions on the Animal Services Advisory Committee as set forth in the caption above.

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

1. [2023 Park Dedication and Development Report](#)

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.*
3. *Section 551.071 (Consultation with Attorney): Legal issues related to short-term rental properties*
4. *Section 551.071 (Consultation with Attorney/Pending Litigation): City of Lewisville, Texas v. Masumeen Mission, Case No. CV-2023-03139; City of Lewisville, Texas v. Mohsin R. Ravjani, Case No. CV-2023-03136; and City of Lewisville, Texas v. City of Knowledge and Masumeen Mission; Case No. CV-2023-03138; all Proceedings in Eminent Domain in the County Court at Law No. 2 of Denton County, Texas.*

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 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 _____, 2023 by _____ AM.

City Secretary