



City of Lewisville, TX

City Council

Agenda

151 W Church Street
Lewisville, Texas 75057

Monday, March 18, 2024

6:30 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 5:30 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 Regular Agenda Items and Consent Agenda Items](#)
- B. [Review Annual Comprehensive Financial Report & Popular Annual Financial Report for FY2023](#)

Regular Session - 7:00 P.M.

- A. **Invocation - Mayor Gilmore**
- B. **Pledge to the American and Texas Flags - Councilmember Green**
- C. **Presentation**
 - 1. [Council Canines with Mayor Gilmore](#)

ADMINISTRATIVE COMMENTS:

The Gene Carey Animal Shelter and Adoption Center is currently at capacity for large dogs. Mayor Gilmore will highlight a large dog for adoption. The adoption fee for this pet has been waived and all adoptions come with sterilization, microchip, rabies vaccination, and one year of City registration (if Lewisville resident). The Gene Carey Animal Shelter and Adoption Center is located at 995 E. Valley Ridge Blvd. Adoption Center hours are Tuesday from 12 p.m. - 7 p.m.,

Wednesday - Friday from 10 a.m. - 5 p.m., and Saturday from 12 p.m. - 5 p.m.

D. Proclamation

1. [Proclamation Declaring the Week of April 1-5, 2024 as “Community Development Week.”](#)

E. Public Hearing

1. [Public Hearing: Consideration of an Ordinance Granting a Zone Change From General Business \(GB\) District to Single-Family Residential 5,000 Square Foot Lot \(R5\) District on 0.285-Acres Legally Described as Stuart Addition Block B, Lot 9; Located at 106 Martin Street; as Requested by Jonathan Kroneman, the Applicant, on Behalf of Inez Aguirre, the Property Owner \(24-01-1-PZ\).](#)

ADMINISTRATIVE COMMENTS:

106 Martin Street is currently zoned General Business and contains a legal non-conforming residential home. The property owner is seeking to rezone the property to a single-family residential zoning district to subdivide the property and build an additional house on the western portion. The Planning and Zoning Commission recommended unanimous (6-0) approval of this item on February 20, 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 an Ordinance Adopting Youth Recreational Program Standards of Care in Compliance with Texas Administrative Code \(TAC\) 745.115\(3\).](#)

ADMINISTRATIVE COMMENTS:

The Texas Department of Family and Protective Services (DFPS) regulates various child day-care operations. Under the Texas Human Resources Code 42.041 (b)(14) and DFPS Rules, 40 TAC 745.115(3), the camps and after school programs

operated by the City of Lewisville Parks and Recreation Department are exempt from these regulations, provided that the City Council annually adopt Youth Recreational Program Standards of Care. The proposed standards are updated to ensure accuracy and consistency in language used throughout the code, as well as including updates staff titles and responsibilities.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

Stacie Anaya, Director of Parks & Recreation

F. 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.

G. 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 March 4, 2024, Workshop Session, and Regular Session.](#)
4. [Approval of a Bid Award for the Windhaven Parkway and Cookie Lane Traffic Signal Construction Project to Durable Specialties, Inc., in the Amount of \\$781,078.10, and Authorization for the City Manager, or Her Designee, to Execute the Contract.](#)

ADMINISTRATIVE COMMENTS:

The proposed contract with Durable Specialties Inc. to install a traffic signal at Cookie Lane and Windhaven Parkway includes installing all required signal equipment, constructing Americans with Disabilities Act ramps, modifying medians, striping pavement markings, and installing traffic signs. A total of thirty-two (32) bid invitations were downloaded from Bonfire. Three (3) bids were received and opened on January 3, 2024. An evaluation of all bids was performed, and Durable Specialties, Inc. is recommended for award as the lowest responsible bidder. Funding is available in the Signal Funding capital project.

RECOMMENDATION:

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

5. [Approval of a Professional Services Agreement with Bartlett & West, Inc., Fort Worth, TX, in the Amount of \\$59,995 for Professional Engineering Services for the Replacement of Headwalls on Marchant Place and Ridgeway Circle and Authorization for the City Manager, or Her Designee, to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

The headwalls located in the 1100 Block of Marchant Place and the 200 block of Ridgeway Circle were built in 2001 and 1978 respectively. The headwalls at both locations have begun to display structural damage and need to be rebuilt. Public Services has engaged Bartlett and West Inc. for design services on this project. Funding is available in the Headwall Replacement Capital project.

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.

6. [Approval of Waiving the Penalty and Interest on Property Tax Account 288838DEN Located at 2460 Sunderland Lane for Tax Year 2023 per Texas Tax Code Section 33.011\(a\)\(1\).](#)

ADMINISTRATIVE COMMENTS:

The taxpayer for property tax account 288838DEN has requested a waiver of penalty & interest from Denton County. The property owner states that factors

beyond their control resulted in the delay in paying the 2023 tax bill. The taxpayer has paid all taxes, included the penalty and interest as required and has filed this request for waiver and refund of the penalty and interest portion. Denton County recommends approval of waiving the penalty and interest on the account. It is also the opinion of Sawko & Burroughs LLP, the City's property tax attorneys, based on the information provided, the circumstances in this case satisfy the waiver provision in state law. The penalty & interest waiver for the taxpayer is \$109.89. The City's portion of this waiver is \$26.49.

RECOMMENDATION:

That the City Council approve the waiver of the penalty and interest on the property tax account as set forth in the caption above.

7. [Acceptance of the Fiscal Year 2023 Annual Comprehensive Financial Report \(ACFR\).](#)

ADMINISTRATIVE COMMENTS:

The independent annual audit of the City's financial statements is complete. The 2023 Annual Comprehensive Financial Report is provided in compliance with the City Council's Finance Policy Statement 3.0 Section I. The report includes the auditor's opinion statement regarding the financial statement presentation. Also being provided are the Single Audit reports on Federal Financial Assistance (SEFA) and State Financial Assistance (SESA). These two reports capture the City's expenditure of federal and state funds (grants) during the fiscal year. The Popular Annual Financial Report (PAFR) accompanies the ACFR. The PAFR is intended to provide selected information on the City's financial condition in a summarized, easily understandable format.

RECOMMENDATION:

That the City Council accept the Annual Comprehensive Financial Report 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 551.087 (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.

Thomas Harris III, City Secretary