



City of Lewisville, TX

City Council

Agenda

151 W Church Street
Lewisville, Texas 75057

Monday, April 1, 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. [Artist Recommendation for Work of Art at Lewisville Public Library](#)
- C. [Southern Gateway Update and Texas State Technical College Opportunity](#)

Regular Session - 7:00 P.M.

- A. **Invocation - Councilmember Green**
- B. **Pledge to the American and Texas Flags - Councilmember Jones**
- C. **Proclamation**
 - 1. [Proclamation Declaring the Month of April, 2024 as "Child Abuse Prevention Month."](#)
- D. **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.

2. [Presentation of Various Awards Presented to the Lewisville Parks and Recreation Department and Partners at the 2024 TRAPS Annual Institute](#)
3. [Presentation of the First-Place Award for the 2024 NLC Cultural Diversity Awards \(50,001-200,000 Population\) Recognizing the Lung Thawng Sculpture Project.](#)

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.

1. [APPROVAL OF MINUTES: City Council Minutes of the March 18, 2024, Workshop Session, and Regular Session.](#)
2. [Approval of Change Order #3 with Belt Construction, Inc., in the Amount of \\$315,827.97 for the Timber Creek Aerial Sewer Capital Project and Authorization for the City Manager, or Her Designee, to Execute the Change Order.](#)

ADMINISTRATIVE COMMENTS:

The original project consists of replacing 7 aerial sanitary sewer crossings across Timber Creek at various locations within the City. The subject change order covers three separate items related to the subject project. The first item reflects additional costs associated with needing to redesign the proposed alignment of sewer crossing number 20 south of Bellaire Blvd adjacent to Fox Creek. The second item reflects additional cost associated with removing and replacing an old brick manhole in the median of Bellaire Blvd. with a new concrete manhole also associated with sewer crossing number 20. The third item reflects additional costs associated with removing and replacing a segment of storm sewer in addition to stabilizing the creek bank to accommodate construction of line 12 of the contract. The total amount of the change order is \$315,827.97, which is over the approved contingency. The change order also adds an additional 90 days to the contract. Funding is available in the Timber Creek Aerial Sewer capital project.

RECOMMENDATION:

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

3. [Approval of a Professional Services Agreement with OCMI, Inc., Richardson, TX, in the Amount of \\$908,062 for Cost and Project Control Services for the Prairie Creek Wastewater Treatment Plant \(PCWWTP\) Aeration Basin Expansion Project; and Authorization for the City Manager, or her Designee, to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

During the design phase of the PCWWTP Aeration Basin expansion project, staff determined that the Construction Manager at Risk (CMAR) would be the most appropriate delivery method due to the project's schedule, the challenges with the procurement market, and anticipated operational challenges during construction. Due to the project's scale and complexity, OCMI Inc., has been selected to provide project control and cost management services, as well as, act as the owner's representative throughout the duration of this 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.

4. [Approval of a Construction Manager at Risk \(CMAR\) Pre-construction](#)

[Agreement with Archer Western Construction, LLC., Irving, Texas, in the Amount of \\$449,814 for the Prairie Creek Wastewater Treatment Plant Aeration Basin Expansion Project; and Authorization for the City Manager, or her Designee, to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

In April 2022, the City Council approved the professional service agreement with a design consultant for design, bidding, and construction phase services for the expansion of the aeration basin and blower system improvements. The preliminary design report 30% deliverable indicated schedule constraints and procurement delays and staff has decided to utilize the Construction Manager at Risk (CMAR) delivery method to best mitigate these issues during construction. Through the RFQ/RFP process, staff has selected Archer Western as the CMAR for this 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.

G. Regular Hearing

5. [Consideration of Acceptance of the Resignation of Lori Wilson, Place No. 4, on the Community Development Block Grant Advisory Committee; Declaring a Vacancy Exists for Place No. 4 on the Community Development Block Grant Advisory Committee; and an Appointment to Place No. 4 on the Community Development Block Grant Advisory Committee.](#)

ADMINISTRATIVE COMMENTS:

A resignation was received from Lori Wilson, Place No. 4, on the Community Development Block Grant Advisory Committee. Six (6) applications have been submitted meeting the qualifications for service in this position.

RECOMMENDATION:

That the City Council accept the resignation, declare one vacancy and consider an appointment to the Community Development Block Grant Advisory Committee as set forth in the caption above.

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

I. Return to Workshop Session if Necessary

1. [City Council and Staff Reports](#)

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 551.074 (PERSONNEL):*
 - (a) *City Secretary Thomas Harris III*

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 March 28, 2024 at 5:00 PM.

Jennifer Malone, Assistant City Secretary