



City of Lewisville, TX

City Council

Agenda

151 W Church Street
Lewisville, Texas 75057

Monday, November 5, 2018

6:30 PM

Council Chambers

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 after Reports if time does not permit holding or completing discussion of the item during Workshop Session.*

- A. [Discussion of Recyclable Material Collection and Processing in Lewisville](#)
- B. [Presentation Seeking Council Input on 2019 Legislative Agenda](#)
- C. [Discussion of Regular Agenda Items and Consent Agenda Items](#)

Regular Session - 7:00 P.M.

- A. **Invocation: Councilman Ferguson**
- B. **Pledge to the American and Texas Flags: Councilman Gilmore**
- C. **Public Hearing**
 - 1. [Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for an Auto Repair Shop; on Approximately 9.632-Acres; Legally Described as Lot 2R-3, Block A, Waters' Ridge Addition Phase II and Located at 1900 Lakeway Drive, Zoned Light Industrial District \(LI\); as Requested by Bret Flory, Cross Architects, PLLC, on Behalf of Columbia Texas Lakeway Industrial, LLC, the Property Owner. \(Case No. SUP-2018-10-14\)](#)

ADMINISTRATIVE COMMENTS:

The request is for Protech Automotive Solutions to locate its corporate office, dispatch center, vehicle repair shop and training center in a 24,800 square-foot lease space within a 130,000 square-foot building in Water's Ridge Business Park. Protech repairs electronic systems on vehicles after body damage is completed at

collision centers. Vehicles will be brought into and out of the building by flatbed truck. All vehicle repairs and vehicle storage will occur inside the building, which was built in 2017 and meets current City codes. The applicant plans to stripe additional parking spaces on existing concrete and provide a ramp entrance at the rear of the building. To offset the visual impact of these changes, the applicant is planting additional screening shrubs. The Planning and Zoning Commission recommended unanimous approval (7-0) on October 2, 2018.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: Richard E. Luedke, Planning Director
Bret Flory, applicant

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.

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 must be filled out and submitted to the City Secretary.

2. [Approval of an Amendment to the TxDOT Type R Maintenance Agreement for the Installation and Reimbursement for the Operation and Maintenance of Traffic Signals Within a Municipality by Adding the Traffic Signal at the Interchange of Garden Ridge Boulevard and Interstate Highway 35E \(IH 35E\) and Adjusting the Reimbursement Amount for the Signal at FM 407 and Interstate 35E \(IH 35E\) Due to Modification of the Signal Type; and Authorizing the City Manager to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

As part of the I-35Express project, the Texas Department of Transportation redesigned the access to Garden Ridge Boulevard constructing an interchange with direct connections to the IH 35E service roads. As part of this new alignment, TxDOT also constructed traffic signals on the new bridge deck. This interchange is now part of the TxDOT's controlled access on-system roadway

network within the City of Lewisville and must be added to the list of nine (9) other existing interchanges included in the maintenance agreement for the City to receive reimbursement. The annual reimbursement for the Garden Ridge Boulevard interchange which has one controller will be \$3,153 per annum. In addition, as part of the I-35Express project, the interchange at FM 407 was modified from a diamond interchange with two (2) controllers to a diamond interchange with one (1) controller. This change reduces the reimbursement for the FM 407 interchange from \$4,920 per year to \$3,153 per year. In summary, the City will receive an additional \$1,386 dollars per annum net for the new interchange at Garden Ridge Boulevard and modifications to the existing interchange at FM 407, for a revised total of \$33,437.05. This item is considered an administrative action and was not presented to the Transportation Board.

RECOMMENDATION:

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

3. [Approval of an Amendment to the Interlocal Cooperation Agreement for the Operation and Maintenance of Traffic Signals Between the Texas Department of Transportation and the City of Lewisville to Add the Maintenance of the Traffic Signals on Interstate Highway 35E \(IH 35E\) at Turbeville Road/Hundley Drive in the Cities of Hickory Creek and Lake Dallas; and at Lake Dallas Drive/Oak Drive in the Town of Hickory Creek; and Authorize the City Manager to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

The City of Lewisville maintains several traffic signals along IH 35E within the cities of Hickory Creek, Lake Dallas and Corinth, as part of an interlocal maintenance agreement with the Texas Department of Transportation. With the I-35Express project, TxDOT constructed two (2) new signals on IH 35E at the intersections of Turbeville Road/Hundley Drive and at Lake Dallas Drive/Oak Drive. TxDOT has requested that the City of Lewisville include these two signals with the other signals presently maintained along IH 35E. The City will be reimbursed for the maintenance of these signals at the same labor and materials rates as set forth in the existing agreement. The City presently maintains the on-system signals on IH 35E at Swisher Road/FM 2181, Corinth Parkway and Post Oak Boulevard, several on-system signals on FM 2181 as well as signals on FM 423 and along Sam Rayburn Tollway in The Colony and signals at Denton Tap Road and Sam Rayburn tollway in Coppell. This item is considered an administrative action and was not submitted to the Transportation

Board.

RECOMMENDATION:

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

4. [Approval of an Interlocal Cooperation Agreement for Library Services with Denton County; Designation of the Library Services Director as the Official Liaison for the City of Lewisville; and Authorization for the City Manager to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

Denton County has requested that the Lewisville Public Library provide library services to all residents of Denton County. In exchange for such services October 1, 2018 - September 30, 2019, Denton County will pay the City of Lewisville \$71,000 based upon Lewisville's population per North Central Texas Council of Governments figures and a proportionate share of unserved Denton County residents.

RECOMMENDATION:

That the City Council approve the agreement; designate the Director of Library Services as the official liaison for the City of Lewisville; and authorize the City Manager to execute the agreement as set forth in the caption above.

5. [Authorization for Parkhill, Smith & Cooper, Inc. to Proceed With Phase 2 of a Professional Services Agreement for Architectural and Engineering Services for the Office Allocation and Land Utilization Study, in the Amount of \\$71,774.](#)

ADMINISTRATIVE COMMENTS:

On May 21, 2018, City Council approved Phase 1 of this study for \$76,930. The study consists of reviewing several City facilities, including the Fred Herring Recreational Center, the Municipal Annex, and the City-owned property along Valley Ridge Blvd. between Kealy Avenue and the wastewater treatment plant, including the Public Services and Parks Operations facilities. Phase 1 included facility conditions assessments, staffing and space demand forecasting, and programming and functional adequacy analysis. Phase 2 will include master planning and conceptual designs for the space based on the work completed in the first phase. Funding is available from capital

improvement project accounts.

RECOMMENDATION:

That the City Council authorize the implementation of phase 2 as set forth in the caption above.

6. [Approval of Alcohol Sales at the Lewisville Public Library's Bad Art Night, a Special Evening Event for Adults Ages 21 and Over Being Held on December 14, 2018.](#)

ADMINISTRATIVE COMMENTS:

The Library continues to expand its programming efforts to provide a wide array of offerings for younger adults. The Library plans to host a Bad Art Night for adults ages 21 and over on Friday, December 14 from 6:30-8:30 p.m. This event is strategically scheduled for after the Library's closes. To further entice adults, the Library plans to provide light snacks, and would like to offer a cash bar during the event.

RECOMMENDATION:

That the City Council allow alcohol sales as set forth in the caption above.

7. [Approval of a Bid Award for the Midway Road Rehabilitation \(Paving and Drainage\) Improvements Project to RKM Utility Services, Inc., Richardson, TX in the Amount of \\$5,217,378.60; and Authorization for the City Manager to Execute the Contract.](#)

ADMINISTRATIVE COMMENTS:

A total of twenty (20) bid invitations were downloaded from Bidsync.com. Seven (7) bids were received and opened on September 27, 2018. The project consists of reconstructing Midway Road from a 2-lane asphalt roadway to a 37-foot back to back concrete street with curb, gutter and sidewalks. The intersection at Midway Road and Holfords Prairie Road will be realigned to eliminate the offset. Funding is available for this contract in capital improvement project accounts.

RECOMMENDATION:

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

8. [Approval of a Bid Award for the Main Street, Mill Street and Charles Street Paving, Drainage, Landscape and Signalization Improvements Project to HQS Construction, LLC, Plano, TX in the Amount of \\$8,533,278.60; and Authorization for the City Manager to Execute the Contract.](#)

ADMINISTRATIVE COMMENTS:

A total of twenty-two (22) bid invitations were downloaded from Bidsync.com. Three (3) bids were received and opened on September 20, 2018. The project consists of construction of the following improvements on Main Street and Mill Street - on-street parking lanes, on-street bicycle lane(s), wider sidewalks, landscaping, irrigation, ornamental street lighting, traffic signal modifications, street furniture and amenities including benches, bike racks, trash cans and recycle bins. The project also includes improvements on Charles Street at the Main Street intersection and at the Church Street intersection to address ADA compliance and aesthetic improvements. Funding is available for this contract in the capital improvement project accounts.

RECOMMENDATION:

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

9. [Approval of a Resolution for the Acceptance of the 2018 Homeland Security Grant Program's Urban Area Security Initiative \(UASI\) Grant Award in the Amount of \\$125,955.52.](#)

ADMINISTRATIVE COMMENTS:

The Office of Emergency Management received notice from the State of Texas Office of the Governor's Homeland Security Grants Division that the City of Lewisville has been awarded a grant in the amount \$125,955.52 under the Urban Area Security Initiative (UASI) grant program. The intent of the UASI grant program is to support local efforts in preparing for threats and hazards that pose risk to our community, and to improve the regional ability to prevent, protect against, mitigate, respond to and recover from acts of terrorism. The amount of \$125,955.52 is allocated at \$86,000 to purchase Ballistic Protective Equipment (BPE) for fire department personnel and \$39,955.52 to purchase equipment and supplies to provide Community Emergency Response Team (CERT) training to residents.

RECOMMENDATION:

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

F. Regular Hearing

10. [Consideration of a Variance to the Lewisville City Code Section 6-103 \(Access Management\) Regarding Driveway Spacing for the Property Located Near the Southeast Corner of State Highway 121 Business and South Valley Ridge Boulevard as Requested by Naveen Khammampati, Greg Edwards Engineering Services, Inc., on Behalf of the Owner.](#)

ADMINISTRATIVE COMMENTS:

The subject site is a 4.1-acre lot zoned Light Industrial (LI) within the Thompson Addition. The developer, Mike Wherley, is proposing to construct two office buildings with one building being used for L&L Auto and the other as office/warehouse. The total building areas will be approximately 37,000 sf. The developer is proposing to construct one driveway with a deceleration lane along State Highway 121 Business. Originally the proposed driveway aligned with the median opening. However, a left turn lane would have been required at the opening. The developer has requested to shift the driveway further east so the driveway no longer aligns with the median opening. The applicant is asking for the following variance: a) to allow driveway spacing between adjacent lots to be less than 230 feet apart. An SUP was approved by City Council on November 6, 2017.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: David Salmon P.E., City Engineer

11. [Consideration of a Variance to the Lewisville City Code Section 11-10 \(g\) \(c\)\(2\)\(vii\) Freestanding Signs, to Allow a Freestanding Sign to Exceed the Maximum Height of 60 Feet in the I-35E Corridor to 75 Feet, Located at 2512 S Stemmons Freeway, as Requested by Tony Callaway, Representing 'At Home', the Property Owner.](#)

ADMINISTRATIVE COMMENTS:

The subject site is a 10.30-acre lot zoned General Business (GB) within the Lakepointe Crossing Shopping Center. The property owner 'At Home' has an

existing 122,000 square foot facility located on the site. Due to the impact of the I-35E widening, the property owner is requesting a variance for a sign to exceed the maximum height of sixty feet (60') to a height of seventy-five feet (75') in the I - 35E corridor.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: Wayne K. Snell Jr., Director of
Neighborhood & Inspection Services

12. [Consideration of a Contract Award for Recyclable Materials Processing Services to FCC SA, Inc., Dallas, TX; and Authorization for the City Manager to Execute the Contract.](#)

ADMINISTRATIVE COMMENTS:

A total of nine (9) request for proposals were downloaded from Bidsync.com. Two (2) proposals were received and opened on July 19, 2018. Proposals were evaluated with regards to proposed approach, experience, financial stability, financial offering and interview. FCC SA, Inc. is being recommended for award based on receiving the highest evaluation score. The term of the contract will be three years, with options to extend for up to two additional three-year periods.

RECOMMENDATION:

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

13. [Consideration of Approval for the Lewisville Chamber of Commerce to Charge for Their Focus On: State Government Event which Will Be held on November 8, 2018, on the Third Floor of City Hall.](#)

ADMINISTRATIVE COMMENTS:

The Lewisville Chamber of Commerce contacted City staff on October 22, 2018, to request use of the third floor of City Hall to conduct a Chamber breakfast on Thursday, November 8th from at 8:00am - 9:30am. This breakfast is to focus on local government with State Representative Ron Simmons as the speaker. Normal rental of the third floor is \$150 per hour with a two-hour minimum and \$500 deposit. Due to the nature of this breakfast and similar past events, City staff agreed to be a location sponsor for the event. Pursuant to Administrative Directive

4.1.1, co-sponsor programs are not charged any fees for use of City facilities. On November 2, 2018, City staff became aware that the Chamber was charging for this event, even though staff has previously and repeatedly told the Chamber that charging for an event held in City facilities is not allowed without City Council approval. Due to this recent discovery, it is necessary for the City Council to consider allowing the Chamber to charge for this event.

RECOMMENDATION:

That the City Council consider approval for the Chamber to charge for the event as set for in the caption above.

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

H. 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.*

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

J. 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).

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 _____, 2018 by _____ AM.

City Secretary