



City of Lewisville, TX

City Council

Agenda

151 W Church Street
Lewisville, Texas 75057

Monday, March 2, 2020

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 Regular Agenda Items and Consent Agenda Items](#)
- B. [Review of Municipal Court Survey Results](#)
- C. [Discussion of Municipal Setting Designation Process and Application \(640 TX-121 Business\)](#)

Regular Session - 7:00 P.M.

- A. **Invocation: Mayor Durham**
- B. **Pledge to the American and Texas Flags: Councilmember Green**
- C. **Proclamation**

[Recognizing March 2, 2020 as "Joe Derrick Day"](#)

D. Public Hearing

- 1. [Public Hearing: Consideration of an Ordinance Amending Chapter 17, Section 17-26, "PD" Planned Development District, to Remove the Minimum Size Requirement for Planned Development Districts.](#)

ADMINISTRATIVE COMMENTS:

As part of the Zoning Code rewrite process, the Planning and Zoning Commission and City Council directed staff to remove the minimum acreage required for a

Planned Development zoning district. This amendment is being brought forward ahead of the code rewrite due to an increase in potential development that may benefit from the flexibility offered in a Planned Development. The Planning and Zoning Commission recommended unanimous approval (7-0) on February 18, 2020.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

Richard E. Luedke, Planning Director

E. 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.

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 must be filled out and submitted to the City Secretary.

2. [APPROVAL OF MINUTES: City Council Minutes of the February 17, 2020, Workshop Session and Regular Session.](#)
3. [Approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc. in the Amount of \\$103,250 for the Drainage Criteria Manual Update; and Authorization for the City Manager to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

Kimley-Horn and Associates, Inc. has been selected to update the City of Lewisville Drainage Criteria Manual. The update will support the Lewisville 2025 Plan and the rewrite of the Development Code. Kimley-Horn is also the consultant working on the Development Code Rewrite. It is anticipated that the update will be completed by the end of this budget year. Funding is available in the FY 2019-20 Engineering department operating budget.

RECOMMENDATION:

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

4. [Approval of a Bid Award for an Annual Requirements Contract for Chemical Analysis to Pace Analytical Services, LLC, Allen, Texas, for an Estimated Annual Amount of \\$75,852; and Authorization for the City Manager to Execute the Contract.](#)

ADMINISTRATIVE COMMENTS:

A total of eight (8) bid invitations were downloaded from Bidsync.com. Two (2) bids were received and opened on January 30, 2020. These services are used for contract laboratory services for permit-required analytical analysis for both the Water and Wastewater Plants, as well as storm water, pretreatment and pollution abatement testing. The term of the contract will be twelve (12) months, with options to extend for up to two (2) additional twelve (12) month periods. Funding is available in the Public Services' Utility Fund Operating Budget.

RECOMMENDATION:

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

5. [Approval of an Economic Development Agreement Between the City of Lewisville and 4M Capital Ltd; and Authorization for the City Manager to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

4M Capital Ltd, also known as Arteriors, intends to lease 300,000 square feet of office/warehouse at 1901 Midway Road (the former Coyote Drive-in Theatre). The developer, First Industrial, purchased the site in the summer of 2019 and intends to have the 400,000 square foot building available for tenant move-in by the end of the 2020 calendar year. Arteriors must invest a minimum of \$5,000,000 into the property and employ 155 full time people during the term. The agreement provides that the city provide an annual grant in an amount equal to 50% of the business personal property and inventory taxes paid to the city for five years. The city will also provide a one-time sales tax construction grant in an amount of 100% of the local 1% share of sales taxes collected in Lewisville for the construction of the improvements.

RECOMMENDATION:

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

6. [Approval of an Amendment to the Near-Site Health and Wellness Clinic Contract with Marathon Health to Allow Denton County to Utilize the Terms of the Contract and Authorization for the City Manager to Execute the Amendment.](#)

ADMINISTRATIVE COMMENTS:

In September 2018 the City entered into a contract with Marathon Health to provide a near-site health and wellness clinic for employees and dependents of the cities of Lewisville and Coppell. Denton County has recently acquired office space for a clinic located in the city of Denton and would like to utilize the terms of our contract. To do so, an amendment to the contract is being recommended.

RECOMMENDATION:

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

7. [Approval of Presentation of Certificate of Unopposed Candidates and Consideration of an Order Cancelling the Election and Declaring Unopposed Candidates in the May 2, 2020 General Election, Elected to Office.](#)

ADMINISTRATIVE COMMENTS:

In accordance with state law under Subchapter C, Chapter 2, Election Code, the City Council has the ability to cancel the upcoming May 2, 2020, General Election due to the fact there are no opposed races. The City Secretary has prepared the appropriate certificate certifying that no persons have made a declaration of write-in candidacy, and both of the following candidates are unopposed: Bob Troyer - Councilman Place No. 1; TJ Gilmore - Councilman Place No. 3. Based upon the contents of the certification, an order has been prepared for the Council's consideration to cancel the May 2, 2020 general election, and declaring the candidates elected to office.

RECOMMENDATION:

That the City Council accept the Certificate of Unopposed Candidates and consider the order as set forth in the caption above.

G. Regular Hearings

8. [Consideration of Location and Placement of Signs in Public Rights-of-Way Under the City Kiosk Program.](#)

ADMINISTRATIVE COMMENTS:

The City has a five-year agreement with Baker-Clearview to operate the City Kiosk Program, which consists of kiosk systems erected in approved locations throughout the City with signage available for lease by homebuilders, developers, and businesses. The company wants to relocate some of the current kiosk signs while maintaining the same number of signs. New sign locations require City Council approval.

RECOMMENDATION:

That the City Council consider the location and placement of signs in public rights-of-way under the City Kiosk Program as set forth in the caption above.

9. [Consideration of Six Alternative Standards to the Provisions of the IH-35E Corridor Overlay District Associated With a Proposed Industrial Building on a 15.753-Acre Lot, Legally Described as Lewisville Square Addition, Block A, Lot 1A; Located at 280 East Corporate Drive; Zoned Light Industrial \(LI\) District, as Requested by Dan Lawson of Proterra Properties and Derek Downs of Halff Associates on Behalf of Longpoint Realty, the Potential Property Owner \(Case No. 19-11-2-ALTSTD\).](#)

ADMINISTRATIVE COMMENTS:

Proterra Properties plans to construct an approximately 120,000 square-foot office-warehouse at the subject site. The standards in the IH-35E Overlay District were designed in anticipation of structures geared toward retail and office uses instead of large industrial developments. The following Alternative Standards are requested to facilitate the development of the proposed office-warehouse: a) to allow the short edge of the building to be placed parallel to the adjacent street; b) to allow a maximum block perimeter over 2,400 feet; c) to not provide cross access pavement; d) to allow reduced driveway spacing of 70 feet in lieu of the required

300 feet; e) to allow a reduction of off-street parking requirements by providing one space per 2,000 square feet for the warehouse portion of the building; and f) to allow 20% brick or stone on the front and rear elevations in lieu of the required 80% of each exterior wall to be brick or stone. Before preparing engineered drawings, the applicants have submitted this request for Alternative Standards to determine if the project may move forward. On February 4, 2020, the Overlay District Board voted unanimously (7-0) to recommend approval of Alternative Standards a), b) and d) through f) as presented with the additional open space and screening provided on the concept plan and recommended approval of alternative standard c) with the condition that the cross access easement is provided.

RECOMMENDATION:

That the City Council approve Alternative Standards a), b) and d) through f) as presented with the additional open space and screening provided on the concept plan and approve alternative standard c) with the condition that the cross access easement is provided.

AVAILABLE FOR QUESTIONS:

Richard E. Luedke, Planning Director

10. [Consideration of an Ordinance Amending the Lewisville Code of Ordinances, Chapter 2, Article VIII, Section 2-201 Fee Schedule, Related to Credit Card Processing Fees City Wide \(With the Exception of Municipal Court\).](#)

ADMINISTRATIVE COMMENTS:

The purpose of this ordinance is to amend the Code of Ordinances, Chapter 2, Section 2-201 Fee Schedule. As part of the implementation of Paymentus, the City's credit card processing service, and Amelia, the Parks & Recreation software, it was discovered that the current credit card processing fee would be problematic if left in place. Although, a minor impact to revenue will be experienced (less than \$10,000), leaving the fee in place would cause operational issues by applying the fee to every transaction, even when signing up for free activities. In addition, removal of this credit card processing fee is consistent with the removal of credit card processing fees city-wide (with the exception of Municipal Court).

RECOMMENDATION:

That the City Council approve the ordinance 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**
- 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 _____, 2020 by _____ AM.

City Secretary