

LEWISVILLE CITY COUNCIL

REGULAR SESSION

MARCH 2, 2020

Present:

Rudy Durham, Mayor

Council Members:

TJ Gilmore

Bob Troyer, Mayor Pro Tem

R Neil Ferguson, Deputy Mayor Pro Tem

Kristin Green

Brandon Jones (absent)

City Staff:

Donna Barron, City Manager

Eric Ferris, Deputy City Manager

Claire Powell, Assistant City Manager

Melinda Galler, Assistant City Manager

Julie Worster, City Secretary

Lizbeth Plaster, City Attorney

WORKSHOP SESSION – 6:30 P.M.

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Mayor Durham at 6:30 p.m. on Monday, March 2, 2020, in the City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas. All City Department Heads were in attendance.

Discussion of Regular Agenda Items and Consent Agenda Items

(Agenda Item A)

Mayor Durham reviewed Agenda Item A, Invocation. There was no discussion on this item.

Mayor Durham reviewed Agenda Item B, Pledge to the American and Texas Flags. There was no discussion on this item.

Mayor Durham reviewed Agenda Item C, Proclamation: Recognizing March 2, 2020 as “Joe Derrick Day”. There was no discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item A)

Mayor Durham reviewed Agenda Item D-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. There was no discussion on this item.

Mayor Durham reviewed Agenda Item E, Visitors/Citizens Forum. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-2, Approval of City Council Minutes of the February 17, 2020, Workshop Session and Regular Session. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-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. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-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. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-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. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-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. City Manager Barron advised that this interlocal agreement with Denton County would allow City of Lewisville employees to access the wellness clinic that would be located in Denton. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item F-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. There was no discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item A)

Mayor Durham reviewed Agenda Item G-8, Consideration of Location and Placement of Signs in Public Rights-of-Way Under the City Kiosk Program. City Manager Barron handed out the list that had been contained in the City Council's backup detailing the signs that would be removed and the where new ones would be installed. Staff advised that this would hopefully be handled within the next two weeks. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item G-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). There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-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). There was no discussion on this item.

Mayor Durham reviewed Agenda Item H, Reports. There was no discussion on this item.

Review of Municipal Court Survey Results

(Agenda Item B)

Municipal Court Judge Brian Holman conducted the attached PowerPoint Presentation for City Council consideration. He also handed out the attached survey questions for City Council's review.

**Discussion of Municipal Setting Designation
Process and Application (640 TX-121
Business)**

(Agenda Item C)

At the request of City Manager Barron, Sustainability Manager Mendie White conducted the attached PowerPoint Presentation for City Council consideration.

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:50 p.m. on Monday, March 2, 2020.

REGULAR SESSION – 7:00 P.M.

With a quorum of the Council Members present, the regular session of the Lewisville City Council was called to order by Mayor Durham at 7:00 p.m. on Monday, March 2, 2020, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Invocation

(Agenda Item A)

Mayor Durham gave the invocation.

Pledge to the American and Texas Flags

(Agenda Item B)

At the request of Mayor Durham, Councilmember Green gave the pledge to the American and Texas flags.

**Proclamation: Recognizing March 2, 2020 as
“Joe Derrick Day”**

(Agenda Item C)

Councilmember Green read and presented a proclamation recognizing March 2, 2020 as “Joe Derrick Day” to Joe Derrick.

Mr. Derrick thanked the City Council for the proclamation and spoke regarding the importance of helping others.

**Public Hearing: Consideration of Ordinance
No. 0196-20-ORD Amending Chapter 17,
Section 17-26, “PD” Planned Development
District, to Remove the Minimum Size
Requirement for Planned Development
Districts**

(Agenda Item D-1)

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.

The City staff’s recommendation was that the City Council approve the ordinance as set forth in the caption above.

Richard E. Luedke, Planning Director, was available to address any questions posed by the City Council.

Mayor Durham opened the public hearing.

**Public Hearing: Consideration of Ordinance
No. 0196-20-ORD Amending Chapter 17,
Section 17-26, "PD" Planned Development
District, to Remove the Minimum Size
Requirement for Planned Development
Districts (cont'd)**

(Agenda Item D-1)

MOTION: Upon a motion made by Councilmember Green and seconded by Deputy Mayor Pro Tem Ferguson, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

"An Ordinance of the Lewisville City Council Amending Chapter 17, Zoning, of the Lewisville City Code, by Amending Section 17-26, "PD" Planned Development District, to Remove the Minimum Size Requirement for Planned Development Districts; Providing for a Repealer, Severability, Penalty, and an Effective Date; and Declaring an Emergency."

MOTION: Upon a motion made by Mayor Pro Tem Troyer and seconded by Councilmember Green, the Council voted four (4) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 0196-20-ORD**, as previously captioned. The motion carried.

Visitors/Citizens Forum

(Agenda Item E)

Joanna Sweitzer, 2777 Vista Bluff Blvd, Lewisville, Texas 75067, spoke before the City Council in opposition of the zoning change that is a tenth of a mile from her home and Vista Ridge Estates. Ms. Sweitzer expressed her concern with another extended stay hotel being located in Lewisville that is close to the homes and another extended stay hotel. Ms. Sweitzer further indicated her concern regarding the safety of her neighborhood and the families located in this area should this be allowed to be built, as the individuals utilizing this facility may not be desirable and background checks may not be done. She stated that she would hope that the focus would be on benefits to the families, children, and community, a safe environment.

City Secretary Worster advised that Kimberly Youtsey, 457 Ridge Meade Drive, Lewisville, Texas 75067 had submitted a position card indicating her support of Ms. Sweitzer's comments.

No one else appeared to speak at this time.

CONSENT AGENDA

(Agenda Item F)

MOTION: Upon a motion made by Councilmember Green and seconded by Mayor Pro Tem Troyer, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt all remaining items on the Consent Agenda, as recommended and as follows:

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.
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.
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.
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.
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.

The motion carried.

END OF CONSENT AGENDA

**Consideration of Location and Placement of
Signs in Public Rights-of-Way Under the City
Kiosk Program**

(Agenda Item G-8)

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.

The City staff's recommendation was 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.

MOTION: Upon a motion made by Councilmember Gilmore and seconded by Councilmember Green, the Council voted four (4) "ayes" and no (0) "nays" to approve the following locations and placement of signs in public rights-of-way under the City's Kiosk Program:

Locations Being Retained:

Corporate east of Lakepointe
McGee north of FM 407
Valley Ridge east of Summit
Rockbrook south of Oakbend
MacArthur north of VRM Drive
VRM Drive east of MacArthur
MacArthur south of VRM Drive
Leora Drive north of SH 121
Lake Ridge west of Marina Vista

Locations Being Removed:

Garden Ridge south of Brazos
Summit north of Grandy's Lane
Valley Pkwy south of Civic Circle
Valley Pkwy south of College
Main Street east of Railroad
Edmonds south of Bellaire
Valley Pkwy south of Corporate
Old Orchard south of Corporate
Corporate east of Garden Ridge
Corporate west of Lakeway
Lakepoint north of Lakeway

Locations Being Requested:

Garden Ridge south of Valley Pkwy
Valley Ridge east of 35E
Edmonds south of Main Street
Main Street west of Cowan
Corporate east of SH 121 Business
MacArthur south of FM 3040
Denton Tap north of VRM Drive
Valley Pkwy south of FM 3040
VRM drive east of SH 121 Business
MacArthur north of 121 Tollway
MacArthur south of 121 Tollway

The motion carried.

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)

(Agenda Item G-9)

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.

The City staff's recommendation was 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.

Richard E. Luedke, Planning Director and Dan Lawson with Proterra Properties were both available to address any questions posed by the City Council.

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) (cont'd)

(Agenda Item G-9)

MOTION: Upon a motion made by Councilmember Green and seconded by Deputy Mayor Pro Tem Ferguson, the Council voted four (4) “ayes” and no (0) “nays” to approve the following 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: 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, as requested by Dan Lawson of Proterra Properties and Derek Downs of Halff Associates on behalf of Longpoint Realty, the potential property owner. The motion carried.

Consideration of Ordinance No. 0197-20-ORD 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)

(Agenda Item G-10)

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).

The City staff’s recommendation was that the City Council approve the ordinance as set forth in the caption above.

**Consideration of Ordinance No. 0197-20-
ORD 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) (cont'd)**

(Agenda Item G-10)

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

“An Ordinance of the City Council of the City of Lewisville, Texas Amending the Lewisville Code of Ordinances, Chapter 2, Section 2-201 Fee Schedule With Removal of Specified Credit Card Processing Fees; Providing a Repealer; Providing for Severability; Providing an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Mayor Pro Tem Troyer and seconded by Councilmember Gilmore, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 0197-20-ORD**, as captioned previously. The motion carried.

Reports

(Agenda Item H)

- Councilmember Gilmore encouraged everyone to check out the City’s website for events that were scheduled at LLELA during the upcoming Spring Break.
- Mayor Durham advised that Councilmember Jones was on a business trip.
- Deputy Mayor Pro Tem Ferguson reviewed upcoming events scheduled for the MCL Grand.
- At the request of Mayor Durham, City Secretary Julie Worster reminded everyone that March 3rd would be Primary Election Day and encouraged anyone needing to find their polling location to contact the City Secretary’s Office or City’s main switchboard for assistance.

There were no additional reports at this time.

Return to Workshop Session if Necessary

(Agenda Item I)

Due to completing all Workshop Item, the City Council did not return to the City Council Conference Room.

**LEWISVILLE CITY COUNCIL
REGULAR SESSION
MARCH 2, 2020**

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Adjournment

(Agenda Item J)

MOTION: Upon a motion made by Deputy Mayor Pro Tem Ferguson and seconded by Councilmember Gilmore, the Council voted four (4) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 7:28 p.m. on Monday, March 2, 2020. The motion carried.

These minutes approved by the Lewisville City Council on the 16th day of March, 2020.

APPROVED

Rudy Durham
MAYOR

ATTEST:

Julie Worster
CITY SECRETARY

Lewisville Municipal Court

Public Satisfaction Survey

Access to Justice



December 2019

About the Survey

The Lewisville Municipal Court Public Satisfaction Survey was first conducted in 2016 and established a baseline to measure the accessibility and responsiveness of the court to needs and concerns of the court users. Adapted from a similar survey promulgated by the National Center for State Courts, the Satisfaction Survey is part of a tool kit of “Best Practices” recommended by the NCSC to help improve public confidence in the judiciary.

The survey is typically conducted in late November or early December. Survey responses are collected from a variety of court users, including defendants attending court hearings, attorneys representing clients, trial witnesses, juveniles and their parents, persons serving as jurors and other court visitors and spectators. Because some court users never enter the courtroom, survey responses were also collected from persons dealing only with the court clerk’s office. A substantial number of court users have limited or no English language skills, so the survey was offered in both Spanish and English. This year, only 3 Spanish language speakers chose to complete the survey. It is designed to assess the views of court users and therefore, the judge and other court staff are excluded from the survey.

In 2016, survey takers collected 76 responses. Every year since then, we have collected at least 200 responses for each annual survey. Obviously, with a larger sample size the statistical reliability increases.

We conduct the survey for two primary reasons. First, we want to know how we are doing as a court. Although we believe our established procedures are fair and do not create undue obstacles or burdens for court users, without an objective, unbiased measure of what and how we are doing it is merely a guess. Second, the survey is a specific and tangible way to give the public a voice in their local government. While the public has no direct influence over personnel and management decisions, repeated or focused comments, concerns or complaints can and should help to inform those decisions and illuminate areas where change is needed.

We are proud of the work we do in serving the vibrant community of Lewisville. While the survey results are slightly lower than last year, the 2019 Public Satisfaction Survey results continue to give us reason to feel confident that we are on the right path.

Brian Holman
Presiding Judge
Lewisville Municipal Court

Executive Summary

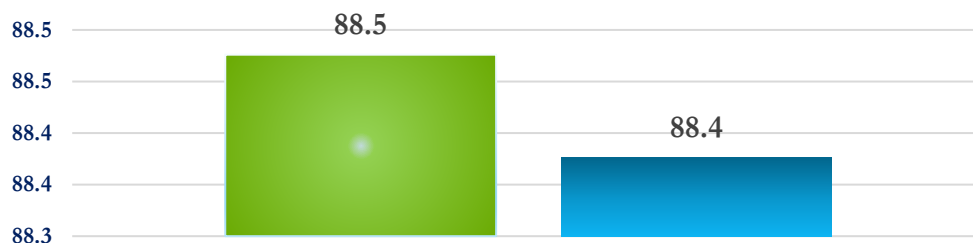
Section I: Access to the Court

	Question	Average Response
1.	Finding the courthouse was easy.	4.5
2.	The forms I needed were clear and easy to understand.	4.5
3.	I felt safe in the courthouse.	4.5
4.	The court makes reasonable efforts to remove physical and language barriers.	4.5
5.	I was able to get my court business done in a reasonable time.	4.4
6.	Court staff paid attention to my needs.	4.4
7.	I was treated with courtesy and respect.	4.5
8.	I easily found the courtroom or office I needed.	4.5
9.	The court's website was useful.	4.2
10.	The court's hours of operation made it easy for me to do business.	4.3
Average Access Score		4.4
Overall Access Index Score (100 point scale)		88.5

Section II: Fairness by the Court

	Question	Average Response
11.	The way my cases was handled was fair.	4.4
12.	The judge listened to my side of the story before he or she made a decision.	4.4
13.	The judge had the information necessary to make good decisions about my case.	4.4
14.	I was treated the same as everyone else.	4.5
15.	As I leave the court, I know what to do next about my case.	4.5
Average Fairness Score		4.4
Overall Fairness Index Score (100 point scale)		88.4

Access and Fairness Survey - Index Score

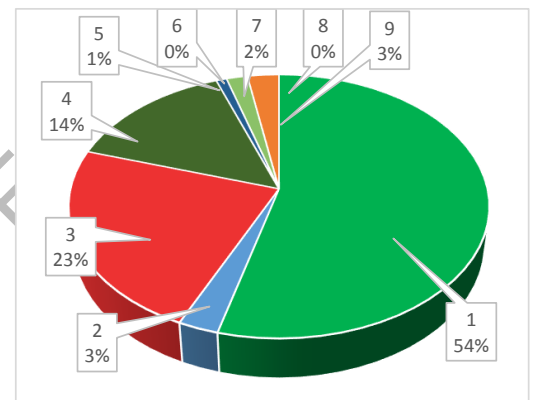


Background Information of Survey Participants

	Questions	Responses
16.	What did you do at the court today?	109
17.	How often are you typically in this courthouse?	135
18.	What type of case brought you to the courthouse today?	132
19.	What is your gender?	138
20.	How do you identify yourself?	129

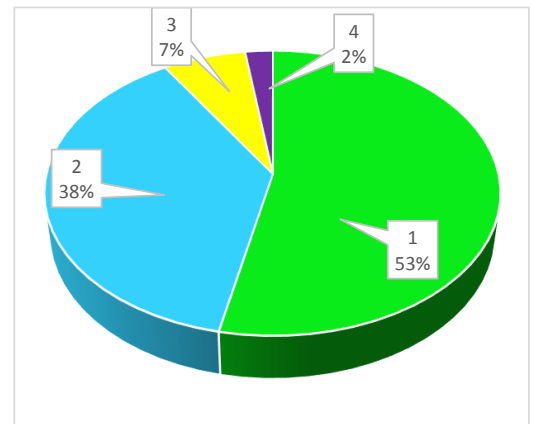
16. What did you do at the court today?

1	Attend a Hearing	59
2	Attorney Representing a Client	3
3	Make a Payment	25
4	Get Information	16
5	Appear as a Witness	1
6	Jury Duty	0
7	Party to a Legal Matter	2
8	Search Court Records	0
9	Other	3
		109



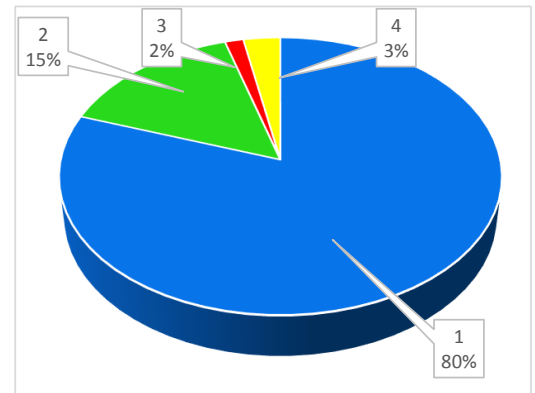
17. How often are you typically in this courthouse?

1	First time in the courthouse	72
2	Once a year or less	51
3	Several times a year	9
4	Monthly	3
		135



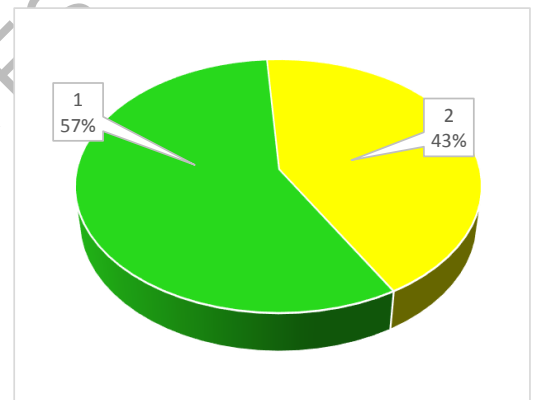
18. What type of case brought you to the courthouse today?

1	Traffic	106
2	Criminal	20
3	Juvenile matter	2
4	City Ordinance	4
		<u>132</u>



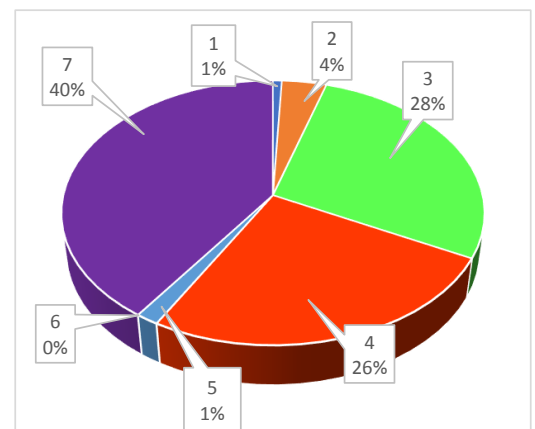
19. What is your gender?

1	Male	79
2	Female	59
		<u>138</u>



20. How do you identify yourself?

1	American Indian	1
2	Asian	5
3	Black or African American	36
4	Hispanic or Latin	33
5	Mixed Race	2
6	Pacific Islander	0
7	White	52
		<u>129</u>



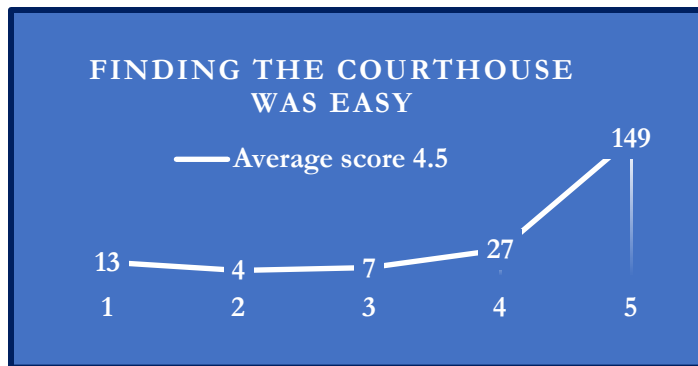
Lewisville Municipal Court

Analysis of Survey Results

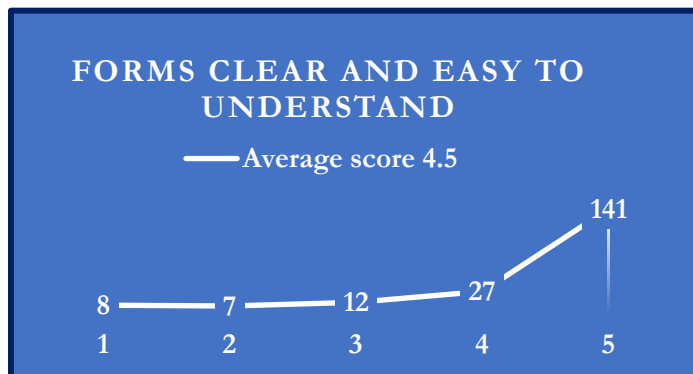
Executive Summary

- More than 75 percent satisfaction rate (scores of 4 or 5) in all areas when removing non-responses
- More than 85 percent satisfaction in seven of the 10 rating areas
- Intensity Ratings range from 63.2 to 79.0
- Positive Ratios range from 6.6:1 to 11.5:1
- Nine “angry” respondents (people who marked the lowest possible score on at least 8 of the 10 rating areas)
- A line chart of Rating Area Results (following pages) shows high satisfaction overall, and very high positive intensity, with the majority of “1” ratings coming from the “angry” survey respondents
- Being treated with courtesy and respect ranked among the top three rating areas in all three measurements
- Three rating areas (Operating Hours, Website, and Completing Business in A Reasonable Time) made up the bottom three in all three measurements

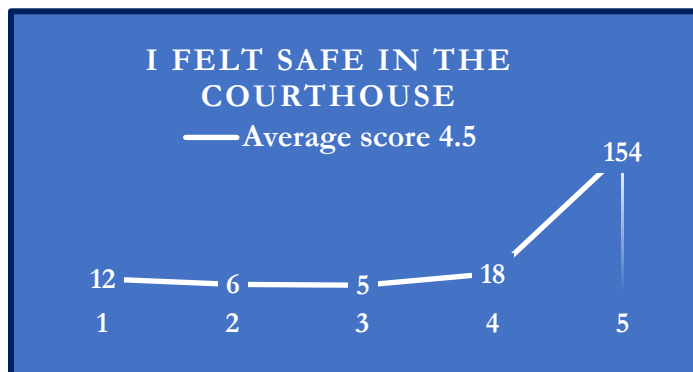
Satisfaction Ratings		Positive Intensity		Positive Ratio	
Safety	88%	Safety	79%	Treat with respect	11.5
Finding the court	88%	Finding right office	77%	Forms	11.2
Treat with respect	88%	Treat with respect	77%	Remove barriers	10.7
Finding right office	88%	Finding the court	75%	Finding right office	10.6
Remove barriers	87%	Remove barriers	72%	Finding the court	10.4
Forms	86%	Forms	72%	Attention to needs	9.6
Attention to needs	85%	Attention to needs	72%	Safety	9.6
Reasonable time	83%	Reasonable time	71%	Reasonable time	9.4
Website	78%	Operating hours	67%	Operating hours	7.6
Operating hours	77%	Website	63%	Website	6.6



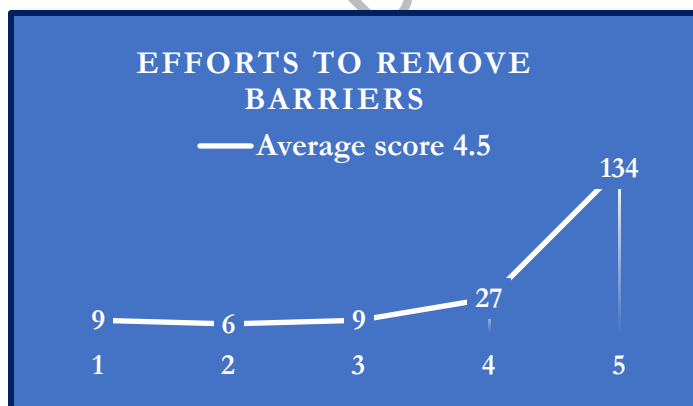
- Satisfaction Rating = 88.0 percent
- Positive Intensity = 74.5 percent
- Positive Ratio = 10.4:1
- Non-responses = 3
- A possible remedy could be a review of exterior signage at the Annex, in the parking lot, and on Main Street



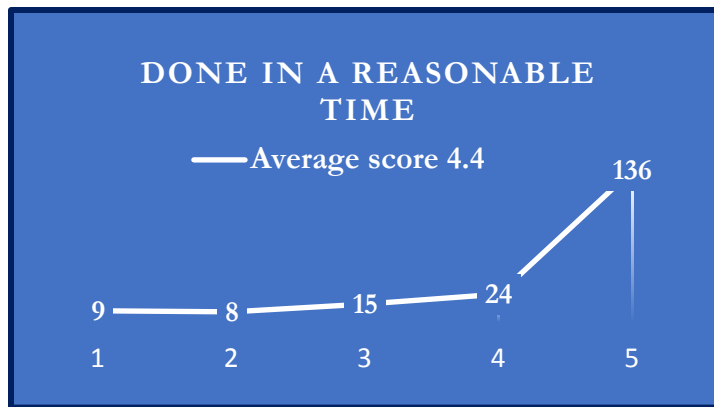
- Satisfaction Rating = 86.2 percent
- Positive Intensity = 72.3 percent
- Positive Ratio = 11.2:1
- Non-responses = 8
- Fewest "1" scores for any Rating Area



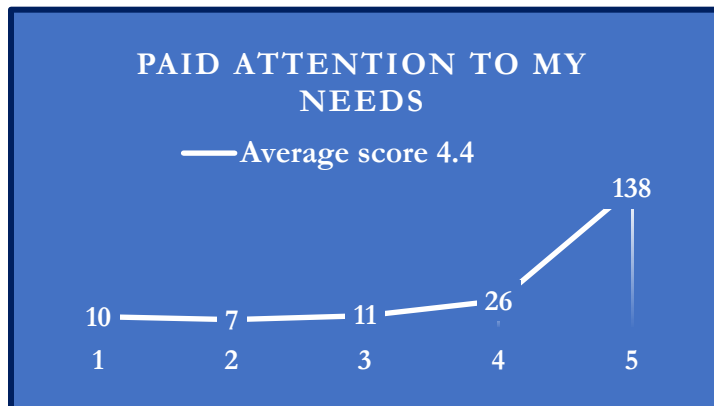
- Satisfaction Rating = 88.2 percent
- Positive Intensity = 79.0 percent
- Positive Ratio = 9.6:1
- Non-responses = 8
- Highest Satisfaction Rating of any rating area (88.2)
- Highest Positive Intensity of any rating area, with 154 out of 195 people giving it a score of "5"



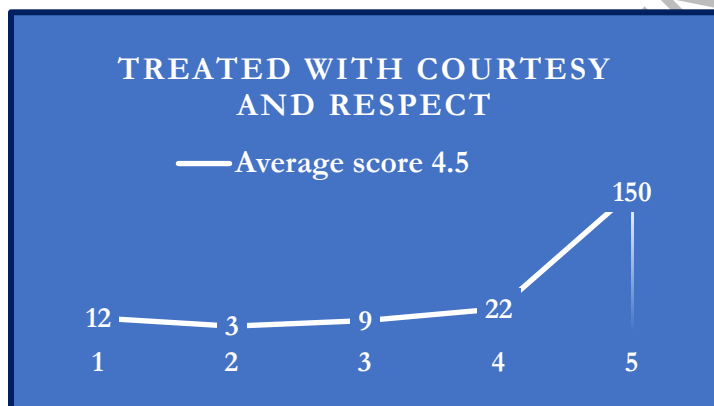
- Satisfaction Rating = 87.0 percent
- Positive Intensity = 72.4 percent
- Positive Ratio = 10.7:1
- Non-responses = 18
- One of the highest counts of non-responses, possibly because many visitors do not experience or observe physical or language barriers



- Satisfaction Rating = 83.3 percent
- Positive Intensity = 70.8 percent
- Positive Ratio = 9.4:1
- Non-responses = 11



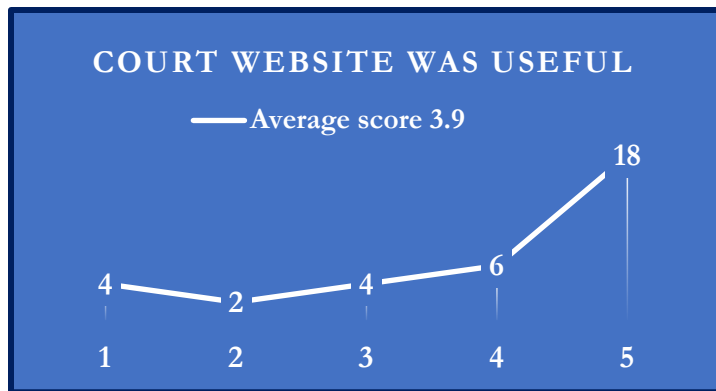
- Satisfaction Rating = 85.4 percent
- Positive Intensity = 71.9 percent
- Positive Ratio = 9.6:1
- Non-responses = 11
- One of the lower Positive Ratio scores in the Overall results, but tied for the highest Positive Ratio in the Subset results



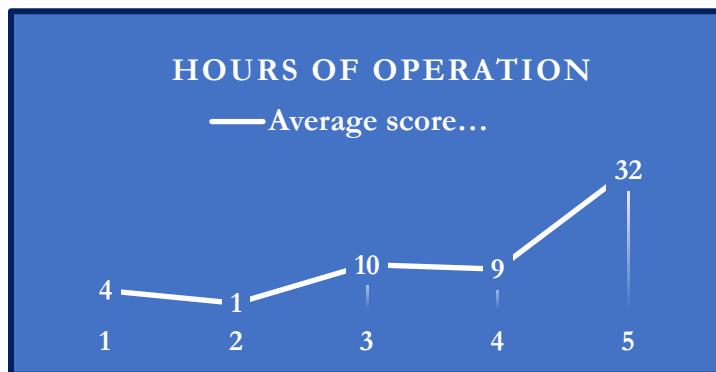
- Satisfaction Rating = 87.8 percent
- Positive Intensity = 76.5 percent
- Positive Ratio = 11.5:1
- Non-responses = 7
- Highest Positive Ratio in the Overall results



- Satisfaction Rating = 87.6 percent
- Positive Intensity = 76.8 percent
- Positive Ratio = 10.6:1
- Non-responses = 9



- Satisfaction Rating = 77.9 percent
- Positive Intensity = 63.2 percent
- Positive Ratio = 6.6:1
- Non-responses = 67
- High non-response rate total likely indicates that about 40 percent of court visitors who responded to the survey did not use the website
- Lowest-rated area in all three measurements of Overall results, and bottom two in all three measurements of the Subset results
- A possible remedy is a review and revision to the navigation and content of the Court website pages



- Satisfaction Rating = 77.1 percent
- Positive Intensity = 66.5 percent
- Positive Ratio = 7.6:1
- Non-responses = 15
- Highest number of neutral responses (24 people gave a “3” rating)
- Increased operating hours would have a significant budget impact
- Survey respondents attending a hearing gave lower ratings for this area than the Overall results, meaning the potential remedy of electronic access outside the building is unlikely to have an impact
- A possible remedy is an increased emphasis of Court hours on all printed materials given to people receiving citations or other notifications

Results for Subset of People Who Were “Attending a Hearing” (60)

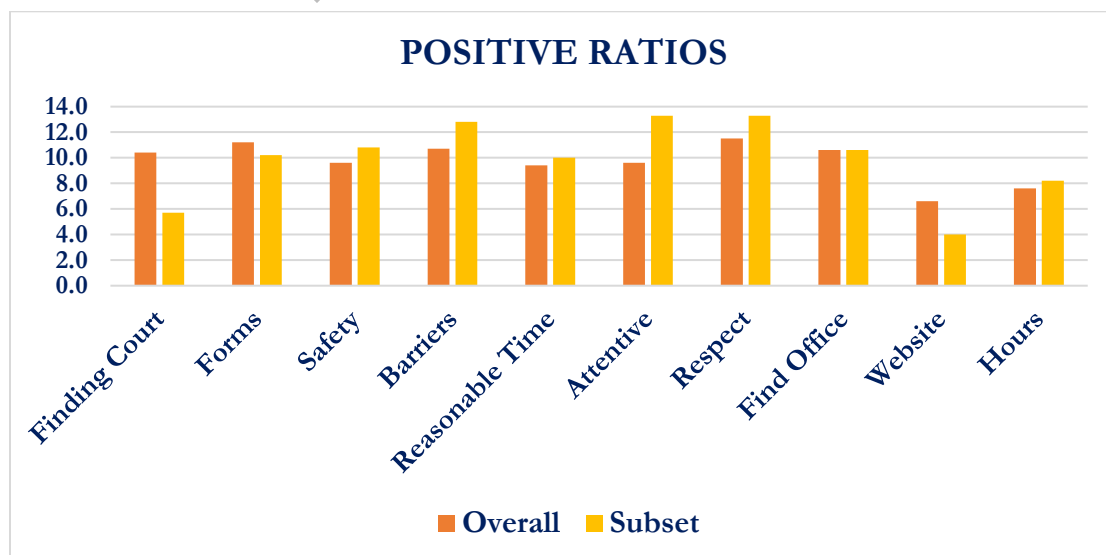
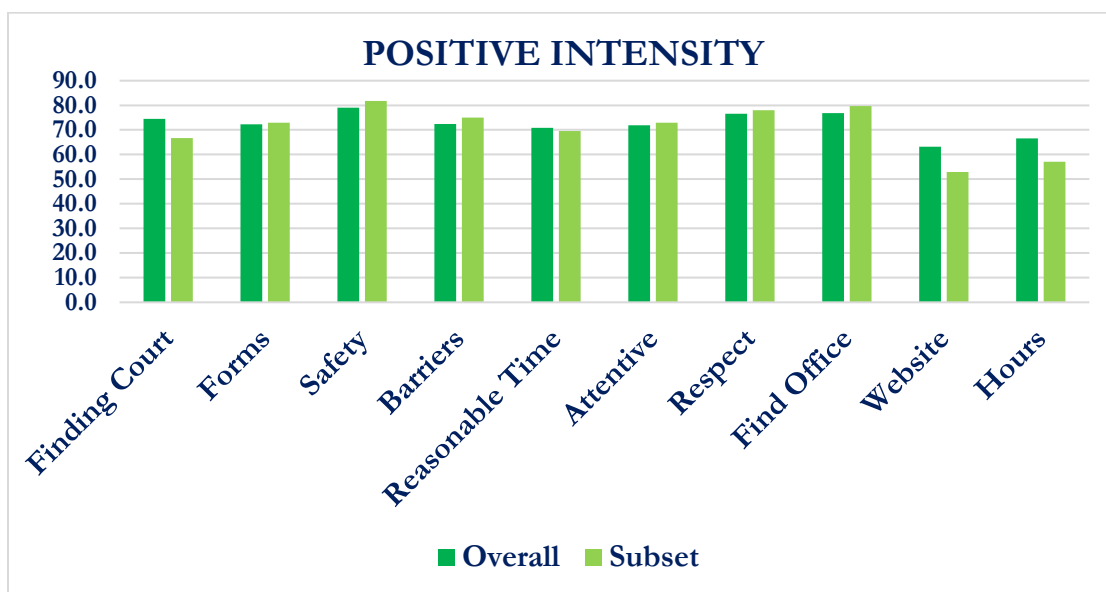
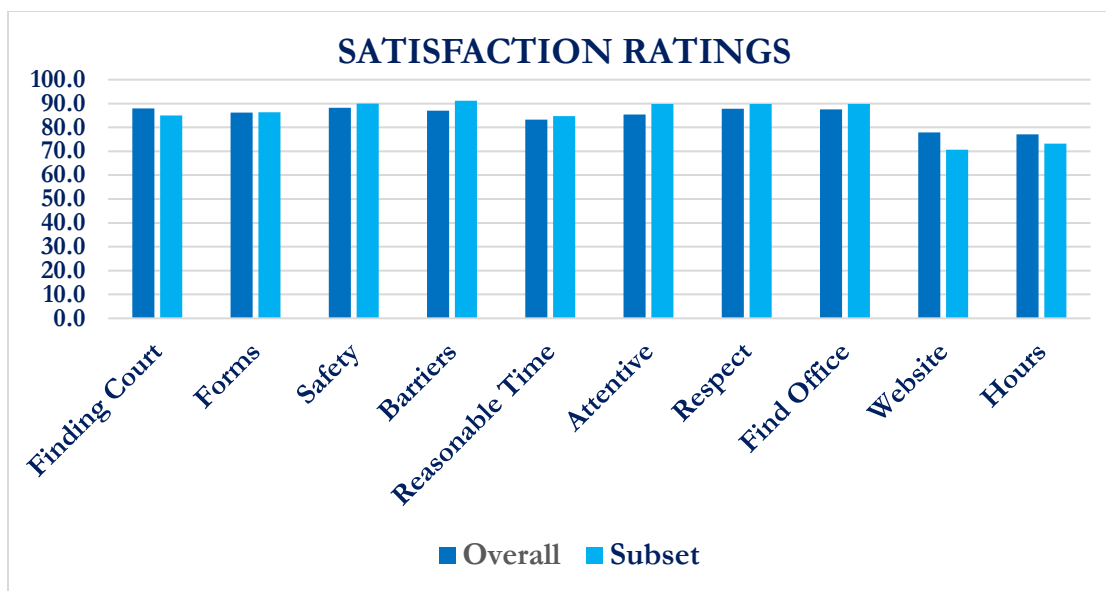
- “What Did You Do at The Court Today” was the category with enough data for a statistical breakdown
- More than 70 percent satisfaction (scores of 4 or 5) on all rating areas when removing non-responses
- More than 85 percent satisfaction on eight of the 10 rating areas
- 90 percent or higher satisfaction on five of the 10 rating areas.
- Four “angry” respondents (people who marked the lowest possible score on at least 8 of the 10 rating areas)
- Three rating areas (Safety, Reasonable Efforts to Remove Barriers, and Being Treated with Courtesy and Respect) ranked among the top four in all three measurements
- Two rating areas (Operating Hours and Website) ranked among the bottom three in all three measurements

Satisfaction Ratings		Positive Intensity		Positive Ratio	
Remove barriers	91%	Safety	82%	Attention to needs	13.3
Safety	90%	Finding right office	80%	Treat with respect	13.3
Attention to needs	90%	Treat with respect	78%	Remove barriers	12.8
Treat with respect	90%	Remove barriers	75%	Safety	10.8
Finding right office	90%	Attention to needs	73%	Reasonable time	10.0
Forms	86%	Forms	73%	Forms	10.2
Finding the court	85%	Finding the court	67%	Finding right office	10.6
Reasonable time	85%	Reasonable time	69%	Operating hours	8.2
Operating hours	73%	Operating hours	57%	Finding the court	5.7
Website	71%	Website	53%	Website	4.0

Comparison Between Overall Results and Subset Results

- There is a lot of similarity between the overall results and the subset results, with ratings mostly falling within the expected margin of error.
- In general, respondents who were attending a hearing have a more positive impression of the court than other respondents.
- This was particularly true for “treated with courtesy and respect” and “felt safe”.
- In three areas, Finding the Courthouse, Court Website, and Operating Hours, respondents attending a hearing gave lower marks than the overall survey field
- The difference was particularly noticeable when rating the website.

Overall	Satisfaction Ratings		Positive Intensity		Positive Ratio	
	Safety	88%	Safety	79%	Treat with Respect	11.5
	Finding the Court	88%	Finding Right Office	77%	Forms	11.2
	Treat with Respect	88%	Treat with Respect	77%	Remove Barriers	10.7
	Finding Right Office	88%	Finding the Court	75%	Finding Right Office	10.6
	Remove Barriers	87%	Remove Barriers	72%	Finding the Court	10.4
	Forms	86%	Forms	72%	Attention to Needs	9.6
	Attention to Needs	85%	Attention to Needs	72%	Safety	9.6
	Reasonable Time	83%	Reasonable Time	71%	Reasonable Time	9.4
	Website	78%	Operating Hours	67%	Operating Hours	7.6
	Operating Hours	77%	Website	63%	Website	6.6
Subset	Satisfaction Ratings		Positive Intensity		Positive Ratio	
	Remove Barriers	91%	Safety	82%	Attention to Needs	13.3
	Safety	90%	Finding Right Office	80%	Treat with Respect	13.3
	Attention to Needs	90%	Treat with Respect	78%	Remove Barriers	12.8
	Treat with Respect	90%	Remove Barriers	75%	Safety	10.8
	Finding Right Office	90%	Attention to Needs	73%	Reasonable Time	10.0
	Forms	86%	Forms	73%	Forms	10.2
	Finding the Court	85%	Finding the Court	67%	Finding Right Office	10.6
	Reasonable Time	85%	Reasonable Time	69%	Operating Hours	8.2
	Operating Hours	73%	Operating Hours	57%	Finding the Court	5.7
	Website	71%	Website	53%	Website	4.0



The background of the slide is a piece of marbled paper with swirling patterns of blue, green, and yellow. A solid red rectangular box is centered on the page, containing the title and presenter information in white text.

Municipal Setting Designations

City of Lewisville
Sustainability Manager
Mendie White
March 2, 2020

What is a Municipal Setting Designation (MSD)?

An official designation given to a property and certified by the Texas Commission on Environmental Quality (TCEQ) that prohibits the use of the groundwater within the boundaries of the designated property as potable (drinking) water.



**TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

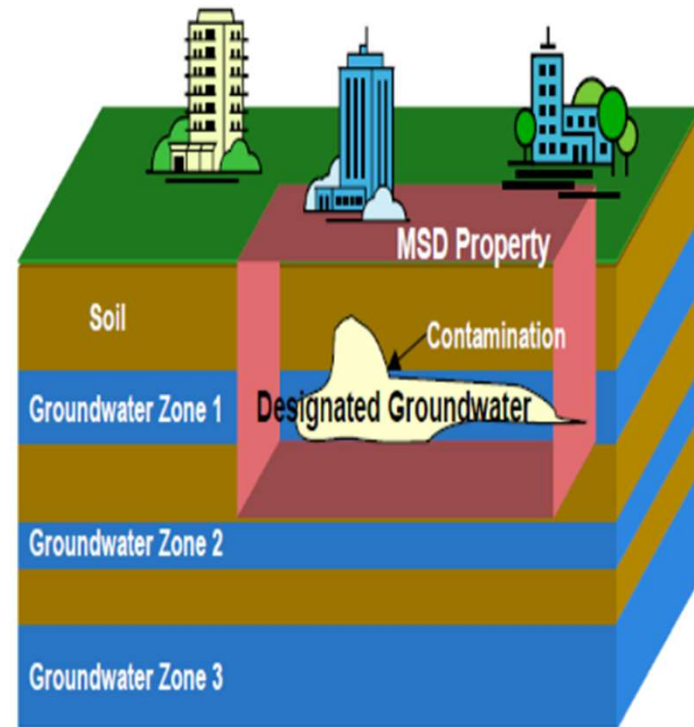


The restriction on groundwater use is put in place due to the presence of contaminants in excess of the protective concentration levels for drinking water. In order for an MSD to be certified, the property owner must get support from the **municipality** where the property is located and also apply to the **TCEQ** for certification of the MSD.

What is the purpose of an MSD?

An MSD provides a process for protecting the public from exposure to contaminated groundwater, while providing less expensive and faster alternatives to state regulations governing the investigation and cleanup of contaminated groundwater when the groundwater is not and will not be used for potable water.

Its intent is to balance the protection of human and environmental health with the economic welfare of the potential developer, the residents, and the City.



What is the City's role in the MSD Process?

The State will only consider certifying an MSD property when the municipality in which the property is located supports the application for state certification. The municipality demonstrates that support by enacting an ordinance or requiring a deed restriction regarding groundwater use for potable purposes at the designated property. A property owner seeking an MSD will seek the support of the municipality either prior to or simultaneously with their application to TCEQ. In Lewisville, that support is in the form of a site specific MSD ordinance restricting the use of the groundwater for potable purposes currently and in the future.

Many urban locations have areas where historical uses of property for commercial or industrial activities resulted in contamination seeping through the soil and into groundwater. However, many urban areas also have public water supplies that come from surface water sources rather than groundwater. **With the MSD law in place, affected municipalities are able to consider local circumstances and impacts when requests for MSD are made.**

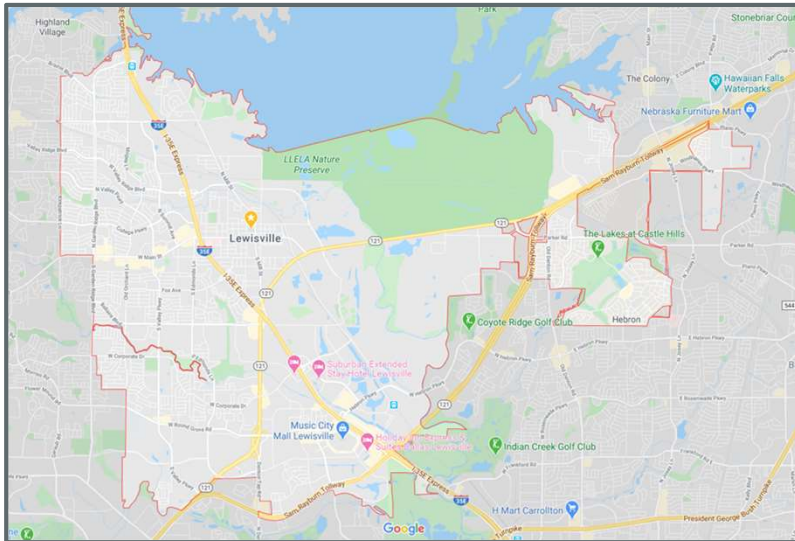
What is TCEQ's role in the MSD Process?

The TCEQ is responsible for **receiving** and **processing** MSD applications, **verifying** proposed MSD properties **meet statutory eligibility requirements**, and ensuring that applications are administratively complete (including the proof of municipal support for the MSD application). If the TCEQ determines these issues are in order, the TCEQ will certify the MSD application. However, the TCEQ can also deny the application when any of these criteria are not met or if TCEQ determines the MSD would negatively impact the current and future regional water resource needs or obligations of a municipality, retail public utility, or private well owner. The MSD regulations also allow TCEQ to **require contamination to be investigated and remediated** for other concerns unrelated to potable water use.

What are the Eligibility Criteria for an MSD?

1. The proposed MSD property must be within the corporate limits or extraterritorial jurisdiction of a municipality authorized by statute; and

2. There must be a public water supply system that meets state requirements that either supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property.



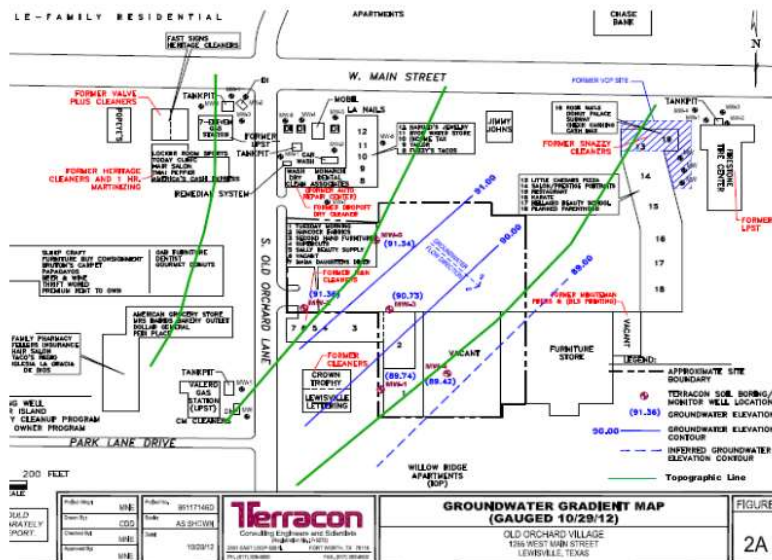
Who is affected by an MSD?

A letter of notice is required to be sent to the following parties:

- 1.1) The municipality in which the MSD property is located;
- 1.2) All municipalities within one-half mile of the MSD property boundary;
- 1.3) Each municipality that owns or operates a groundwater supply well within five miles of the MSD property boundary;
- 2) Each owner of a private water well registered with the TCEQ within five miles of the MSD property boundary; and
- 3) Each retail public utility that owns or operates a groundwater supply well within five miles of the MSD property boundary.

Previous MSDs in Lewisville

- Old Orchard Village East (1288 W. Main Street)



- Windy Ridge, LLC (1000 Lake Ridge Road)





Location Map



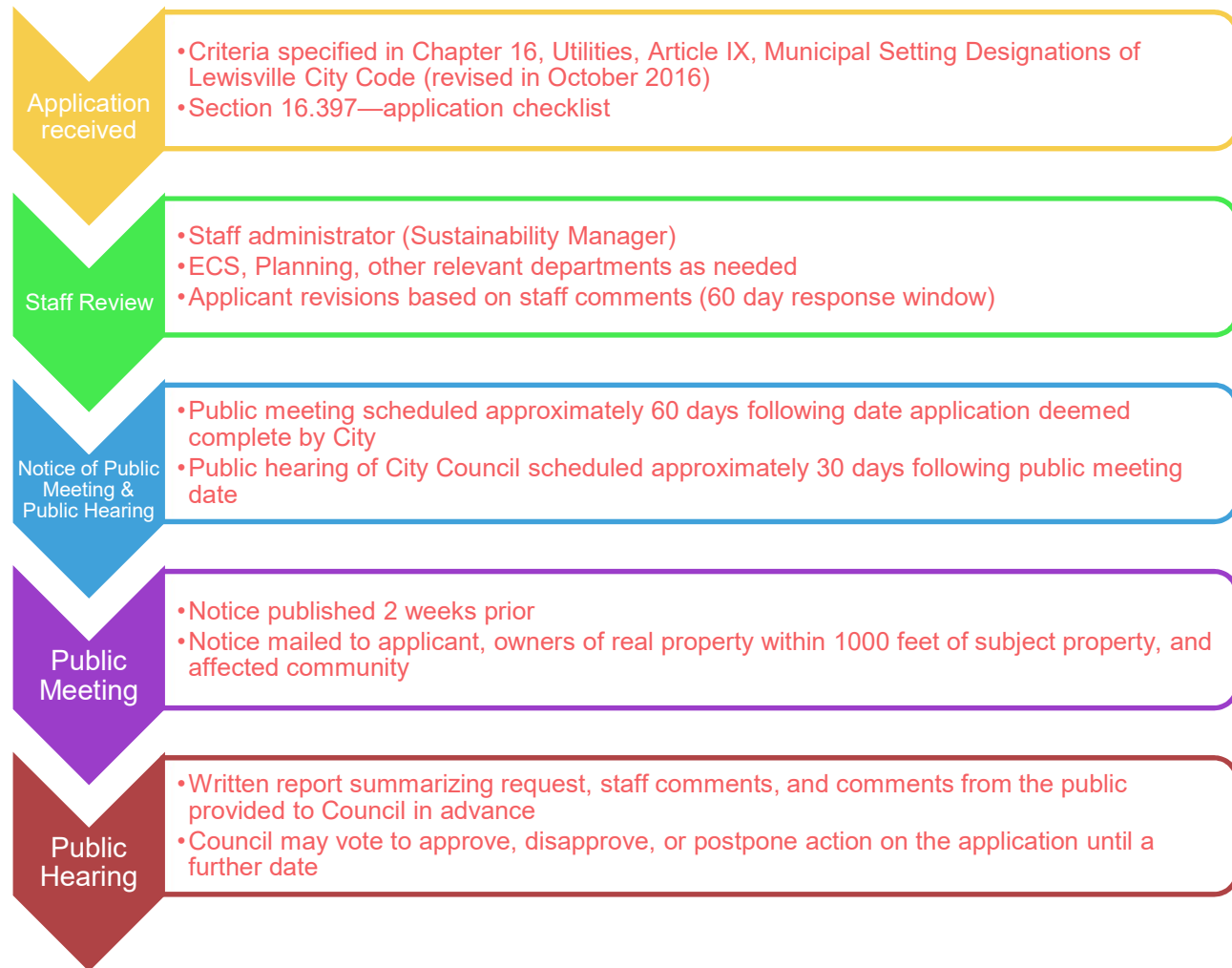
- Vacant tracts--DCTA
- 640 TX-121 Business
 - Behind current DCTA maintenance property, next to FedEx

General Overview of Site

The site is located in a historically industrial area with multiple waste-generating facilities in the vicinity. From the mid-1960s to the early 1980s, gravel mining operations occurred on the northern and southern portions of the site. After the mining operations ceased, the quarries were subsequently backfilled with various debris (primarily from construction/demolition-related sources) from the 1980s until the early 2000s. Additionally, a junkyard was located on the northwestern portion of the site in the early 2000s and illegal dumping of household trash, construction materials, tires, drums and road construction materials occurred throughout the site until 2011. The source(s) of the chemicals of concern (COCs) detected in the affected groundwater are unknown. Potential sources of release may involve on-site sources, off-site source areas, or co-mingled groundwater plumes.

Contaminants of concern in question include **chlorinated solvents (TCE and PCE)**, **arsenic**, and **manganese**.

Timeline:



Where are we in the process?

- Staff received initial MSD application and \$1,500 application fee on December 30, 2019.
- Staff met on January 9, 2020 to review submittal.
- A response letter identifying items that were missing or required clarification was provided to the applicant on January 15, 2020.
- Applicant now has 60 days to respond to requests from staff in the letter.

Affected Community Requirements

- Statutory notification requirements for the applicant to send a letter of notice to affected parties denoting project information, contaminants present, and an opportunity for stakeholder comments.
 - Municipality in which the MSD property is located
 - All municipalities within one-half mile of the MSD property boundary
 - Each municipality that owns or operates a groundwater supply well within five miles of the MSD property boundary
 - Each owner of a private water well registered with the TCEQ within five miles of the MSD property boundary
 - Each retail public utility that owns or operates a groundwater supply well within five miles of the MSD property boundary

Governmental agencies receiving notices as part of affected community

- US Army Corps of Engineers
- Lewisville ISD
- DART
- DCTA
- Texas-New Mexico Power
- City of Highland Village
- Lake Cities Municipal Utility Authority
- Town of Flower Mound



Questions?

City Kiosk Program - Locations

Locations Being Retained (9)	<p>Corporate east of Lakepointe</p> <p>McGee north of FM 407</p> <p>Valley Ridge east of Summit</p> <p>Rockbrook south of Oakbend</p> <p>MacArthur north of VRM Drive</p> <p>VRM Drive east of MacArthur</p> <p>MacArthur south of VRM Drive</p> <p>Leora Drive north of SH 121</p> <p>Lake Ridge west of Marina Vista</p>
Locations Being Removed (11)	Locations Being Requested (11) <p>Garden Ridge south of Brazos</p> <p>Summit north of Grandy's Lane</p> <p>Valley Pkwy south of Civic Circle</p> <p>Valley Pkwy south of College</p> <p>Main Street east of Railroad</p> <p>Edmonds south of Bellaire</p> <p>Valley Pkwy south of Corporate</p> <p>Old Orchard south of Corporate</p> <p>Corporate east of Garden Ridge</p> <p>Corporate west of Lakeway</p> <p>Lakepoint north of Lakeway</p> <p>Garden Ridge south of Valley Pkwy</p> <p>Valley Ridge east of 35E</p> <p>Edmonds south of Main Street</p> <p>Main Street west of Cowan</p> <p>Corporate east of SH 121 Business</p> <p>MacArthur south of FM 3040</p> <p>Denton Tap north of VRM Drive</p> <p>Valley Pkwy south of FM 3040</p> <p>VRM drive east of SH 121 Business</p> <p>MacArthur north of 121 Tollway</p> <p>MacArthur south of 121 Tollway</p>

City Council approval is required for locations being requested. City Council approval is not required for locations being retained.