

**LEWISVILLE CITY COUNCIL**

**REGULAR SESSION**

**JANUARY 28, 2019**

**Present:**

Rudy Durham, Mayor (absent)

**Council Members:**

TJ Gilmore  
Bob Troyer, Deputy Mayor Pro Tem  
R Neil Ferguson  
Brent Daniels  
Brandon Jones, Mayor Pro Tem

**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 – 5:30 P.M.**

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Mayor Pro Tem Jones at 5:30 p.m. on Monday, January 28, 2019, 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 Pro Tem Jones reviewed Agenda Item A, Invocation. There was no discussion on this item.

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

Mayor Pro Tem Jones reviewed Agenda Item C, Proclamation: Declaring January 12, 2019, as “Health for Humanity Yogathon”. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item D-1, Presentation: Presentation of the 2019 “Spirit of Lewisville” Award Honorees. There was no discussion on this item.

**WORKSHOP SESSION – 5:30 P.M.**

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

**(Agenda Item A)**

Mayor Pro Tem Jones reviewed Agenda Item E-1, Public Hearing: Consideration of an Ordinance Granting a Zone Change Request from Single Family Residential District (R 7.5) to Old Town Mixed Use 1 District (OTMU1); on Approximately 0.50 Acres, Legally Described as Lot 8, Block B, Cowan Addition; Located on the West Side of North Edna Avenue, Approximately 175 feet North of Richland Street; as Requested by Mike and Tammie Lindley, the Property Owners. (Case No. PZ 2018 12 16). There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item E-2, Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for a Residential Accessory Structure to Exceed 500 Square Feet; on Approximately 0.50 Acres, Legally Described as Lot 8, Block B, Cowan Addition, Located on the West Side of North Edna Avenue, Approximately 175 Feet North of Richland Street, With a Proposed Zoning of Old Town Mixed Use 1 District (OTMU1); as Requested by Mike and Tammie Lindley, the Property Owners. (Case No. SUP 2018 12 18). There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item E-3, Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for an Auto (Outdoor) Display, Sales & Repair Facility; on Approximately 2.883 Acres, Legally Described as Lots 2R & 4R, Block A of the Storage Super Center Addition, Located at 811 East State Highway 121 Business, Zoned General Business District (GB); as Requested by Kevin Lindell, U Haul Moving and Storage of Lake Lewisville, on Behalf of Amerco Real Estate Co. of Texas Inc, and AREC 19, LLX, the Property Owners. (Case No. SUP 2018 12 19). There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item F, Visitors/Citizens Forum. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item G-4, Approval of City Council Minutes of the January 7, 2019, Workshop Session and Regular Session. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item G-5, Approval of a Professional Services Agreement With James Wyatt Hendricks for the Purchase and Installation of a Public Art Piece at Lonestar Toyota of Lewisville Railroad Park, in the Amount of \$15,000, as Recommended by the Arts Advisory Board; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

**WORKSHOP SESSION – 5:30 P.M.**

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

**(Agenda Item A)**

Mayor Pro Tem Jones reviewed Agenda Item G-6, Approval of a Resolution Designating the City Manager, or Her Designee, to Act on Behalf of the City in Dealing With the Texas Parks & Wildlife Department for the Purpose of Participating in the Community Outdoor Outreach Program Grant; Certifying the City is Eligible to Receive Program Assistance; and Providing Match and Seed Funding for the Program From Existing Funds in the FY 2018 19 Parks & Recreation Department Lewisville Lake Environmental Learning Area (LLELA) Operating Budget. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item G-7, Approval of Resolution Recognizing the Necessity of Protecting the Natural Areas (Greenbelts) Adjacent to Creeks and Other Waterways; Using the Denton County Greenbelt Plan (“Plan”) as a Tool for Preserving Greenbelts; Endorsing the Plan as an Urgent Regional Program for the County, Cities, Towns and Utilities to Help Protect Water Quality in Local Watersheds; and Expressing the City of Lewisville’s Intent to Participate in Implementing Strategies That Will Preserve and Protect the Environment and Safeguard the Public Welfare. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item G-8, Approval of a Radio Tower Lease Agreement Between the City of Lewisville and Upper Trinity Regional Water District (UTRWD), as Related to the Radio Communications Tower Located at 325 East Valley Ridge Boulevard; and Authorization for the City Manager or Her Designee to Execute the Agreement. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item G-9, Approval of a Resolution Amending the City’s Legislative Agenda to Include Support for Legislation That Would Allow To Go Retail Sales at Texas Breweries, Authorizing the Mayor, City Manager and the City Manager’s Designee to Represent and Communicate the City’s Position, and Authorizing the Mayor and City Manager to Sign all Letters, Petitions, and/or Other Documents on Behalf of the City to Promote the City’s Position. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item G-10, Approval of the Sublease of Privileges Under the Concession Agreement by LJH, Ltd. to the Slalom Shop, LLC and LJH, Ltd. to Singleton Assets & Operations, LLC. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item G-11, Approve Participation in the 2019 Wyland National Mayor's Challenge for Water Conservation. There was no discussion on this item.

**WORKSHOP SESSION – 5:30 P.M.**

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

**(Agenda Item A)**

Mayor Pro Tem Jones reviewed Agenda Item H-12, Consideration of a Variance to the Lewisville City Code Section 6 103 (Access Management) Regarding Right of Way Dedication for Deceleration Lanes for the Property Located Near the Northeast Corner of South Edmonds Lane and FM 3040 as Requested by Megan Silva, CEI Engineering Associates, Inc., on Behalf of the Owner. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item H-13, Consideration of Two Variances to the Lewisville City Code Section 6 144 Screening Devices and Section 6 57(f) Water Line Requirements, for Harmon Career Center, an Addition to an Existing High School, Located on the South Side of West Round Grove Road (FM 3040) Approximately 1,700 Feet West of South Valley Parkway; Further Identified as the Lewisville High School South Addition, Lots 1R & 2, Block A; as Requested by Robert Howman of Glenn Engineering Corp. on Behalf of LISD Harmon Career Center. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item H-14, Consideration of a Preliminary Plat of Castle Hills Tract K Addition an 83.415 Acre Parcel Designated General Business 2 (GB2), Located on the Southwest Corner of Sam Rayburn Tollway (SRT) and FM 544 With Four Associated Variances, as Requested by LandDesign Inc., Representing the Property Owner. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item H-15, Consideration of an Ordinance Approving the Final Project and Reinvestment Zone Financing Plan for Reinvestment Zone Number Three, City of Lewisville, Texas; Authorizing the City Secretary to Distribute Such Plans. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item H-16, Consideration of an Ordinance Authorizing the Issuance of \$4,725,000 City of Lewisville, Texas, Combination Contract Revenue and Special Assessment Road System Bonds, Series 2019 (Lewisville Castle Hills Public Improvement District No. 6 Project) (the “Series 2019 Road Bonds”) in Accordance With the Terms of That Certain Master Trust Agreement and Third Supplemental Trust Agreement; Approving and Authorizing the Execution of the Third Supplemental Trust Agreement; Authorizing a Final Limited Offering Memorandum Pertaining to the Issuance of the Series 2019 Road Bonds; Approving a Bond Placement Agreement. Mayor Pro Tem Jones pointed out that the dollar amount for this item had changed. City Manager Barron advised that staff had been notified of this change this afternoon, due to market issues. There was no further discussion on this item.

**WORKSHOP SESSION – 5:30 P.M.**

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

**(Agenda Item A)**

Mayor Pro Tem Jones reviewed Agenda Item H-17, Consideration of an Ordinance Authorizing the Issuance of \$5,595,000 City of Lewisville, Texas, Combination Contract Revenue and Special Assessment Utility System Bonds, Series 2019 (Lewisville Castle Hills Public Improvement District No. 6 Project) (the “Series 2019 Utility Bonds”) in Accordance With the Terms of That Certain Master Trust Agreement and Third Supplemental Trust Agreement; Approving and Authorizing the Execution of the Third Supplemental Trust Agreement; Authorizing a Final Limited Offering Memorandum Pertaining to the Issuance of the Series 2019 Utility Bonds; Approving a Bond Placement Agreement. Mayor Pro Tem Jones pointed out that the dollar amount for this item had changed. There was no further discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item H-18, Consideration of an Ordinance Updating the Assessment/Service Plan and Assessment Roll for Lewisville Castle Hills Public Improvement District No. 5 Project. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item H-19, Consideration of an Ordinance Updating the Assessment/Service Plan and Assessment Roll for Lewisville Castle Hills Public Improvement District No. 6 Project. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda H-20, Consideration of an Agreement to Participate in Tax Increment Reinvestment Zone, Number Three, Between the City of Lewisville and Denton County, and Authorization for the Mayor to Execute the Agreement. City staff advised that the motion on this item needed to be slightly adjusted to read “authorize the Mayor or Mayor Pro Tem to execute the agreement.” There was no further discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item H-21, Consideration of an Agreement to Provide Revenues for Refunded Debt Within the Castle Hills Development, Districts 1 G and 1 H, Between the City of Lewisville and Tax Increment Reinvestment Zone, Number Three. There was no discussion on this item.

Mayor Pro Tem reviewed Agenda Item H-22, Consideration of an Amendment to Policy Statement 1.0 Administration, Section VII Public Art, to Clarify When City Council Approval is Needed for a Proposed Public Art Acquisition. There was no discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item H-23, Consideration of a Tax Increment Reinvestment Zone Reimbursement Agreement by and Among the City of Lewisville, the Lewisville Tax Increment Reinvestment Zone, Number Three, and Bright Realty, LLC for Public Improvements Within the Zone; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

**WORKSHOP SESSION – 5:30 P.M.**

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

**(Agenda Item A)**

Mayor Pro Tem Jones reviewed Agenda Item H-24, Consideration of the Provision of Special Police Resources as Determined by the Police Chief in the City's Extraterritorial Jurisdiction. City Manager Barron advised that this request is a little unusual; however, as the City moves closer to annexation this will allow the officers to get exposure to Castle Hills and will allow the Police Chief to use specialty teams in Castle Hills when the situation is deemed needed. She further advised, that while there will be no charge to the District, it will help City teams become more cognitive and provide a better quality of service and will build relationships prior to annexation. There was no further discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item I, Reports. City Secretary Worster addressed Councilman Daniels' concerns in regard to the Board/Commission/Committee Attendance Reports of some members missing several meetings. She advised that staff does monitor those absences to ensure no member exceeds the three-meeting absence requirement. City Manager Barron advised that the Agenda would begin to always have a Legislative Update to allow Director of Communications James Kunke to update the City Council on any legislative items of interest or concern. There was no further discussion on this item.

Mayor Pro Tem Jones reviewed Agenda Item J-Closed Session. There was no discussion on this item.

**Review and Discuss Proposed Minor Code  
Amendments**

**(Agenda Item C)**

At the request of City Manager Barron, City staff conducted the attached PowerPoint Presentation regarding the Proposed Minor Code Amendments.

**DCTA Update**

**(Agenda Item B)**

At the request of City Manager Barron, Raymond Suarez, Chief Executive Officer with Denton County Transportation Authority (DCTA) conducted the attached PowerPoint Presentation. (Due to timing, City Council requested that Mr. Suarez continue his presentation during Regular Session.)

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:59 p.m. on Monday, January 28, 2019.

**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 Pro Tem Jones at 7:00 p.m. on Monday, January 28, 2019, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

**Invocation**

**(Agenda Item A)**

At the request of Mayor Pro Tem Jones, Councilman Daniels gave the invocation.

**Pledge to the American and Texas Flags**

**(Agenda Item B)**

Mayor Pro Tem Jones gave the pledge to the American and Texas flags.

**Proclamation: Declaring January 12 27,  
2019, as “Health for Humanity Yogathon”**

**(Agenda Item C)**

Deputy Mayor Pro Tem Troyer read and presented a proclamation declaring January 12 – 27, 2019, as “Health for Humanity Yogathon” to Parikshit Shukla, HSS, USA Flower Mound Chapter.

**Presentation: Presentation of the 2019  
“Spirit of Lewisville” Award Honorees**

**(Agenda Item D)**

Director of Communications and Tourism James Kunke presented the 2019 “Spirit of Lewisville” Awards to the following: Next Steps Center, a community ministry of Valley Creek Church for their active participation in Together Lewisville Coalition (TLC); First Baptist Church of Lewisville for their high level of assistance in completion of needed repairs and clean for a homeowner; and Steve Davenport for his initiation and assistance in bringing The Wall That Heals to the City of Lewisville.

**DCTA Update (continued)**

**(Workshop-Agenda Item B)**

At the request of City Council, Raymond Suarez, Chief Executive Officer, with Denton County Transportation Authority (DCTA) continued the attached PowerPoint Presentation.

**Public Hearing: Consideration of Ordinance  
No. 0097-19-ZON Granting a Zone Change  
Request from Single Family Residential  
District (R 7.5) to Old Town Mixed Use 1  
District (OTMU1); on Approximately 0.50  
Acres, Legally Described as Lot 8, Block B,  
Cowan Addition; Located on the West Side  
of North Edna Avenue, Approximately 175  
feet North of Richland Street; as Requested  
by Mike and Tammie Lindley, the Property  
Owners. (Case No. PZ-2018-12-16)**

(Agenda Item E-1)

Mike and Tammie Lindley desire to build their new home in Lewisville's Old Town area on North Edna Avenue and are seeking to rezone their property to Old Town Mixed Use 1 District (OTMU1). The applicants have received a Letter of Design Approval from the Old Town Design Review Committee for their home and accessory building. The proposed zone change is in compliance with the Old Town Master Plan, adopted in 2003. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request on December 18, 2018.

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

Mayor Pro Tem Jones opened the public hearing.

Richard E. Luedke, Planning Director and Mike Lindley, Applicant, were both present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Councilman Gilmore, the Council voted five (5) "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 the Zoning Ordinance by Rezoning Approximately 0.50-Acres, Legally Described as Lot 8, Block B of the Cowan Addition, Located on the West Side of North Edna Avenue, Approximately 175 Feet North of Richland Street, From Single Family Residential District (R-7.5) Zoning to Old Town Mixed Use 1 District (OTMU1) Zoning; Correcting the Official Zoning Map; Preserving all Other Portions of the Zoning Ordinance; Determining That the Public Interests and General Welfare Demand This Zoning Change and Amendment Therein Made; Providing for a Repealer, Severability, a Penalty, and an Effective Date; and Declaring an Emergency."



**Public Hearing: Consideration of Ordinance No. 0097-19-ZON Granting a Zone Change Request from Single Family Residential District (R 7.5) to Old Town Mixed Use 1 District (OTMU1); on Approximately 0.50 Acres, Legally Described as Lot 8, Block B, Cowan Addition; Located on the West Side of North Edna Avenue, Approximately 175 feet North of Richland Street; as Requested by Mike and Tammie Lindley, the Property Owners. (Case No. PZ-2018-12-16) (cont'd)**

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(Agenda Item E-1)

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Deputy Mayor Pro Tem Troyer, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 0097-19-ZON**, as previously captioned. The motion carried.

**Public Hearing: Consideration of Ordinance No. 0098-19-SUP Granting a Special Use Permit for a Residential Accessory Structure to Exceed 500 Square Feet; on Approximately 0.50 Acres, Legally Described as Lot 8, Block B, Cowan Addition, Located on the West Side of North Edna Avenue, Approximately 175 Feet North of Richland Street, With a Proposed Zoning of Old Town Mixed Use 1 District (OTMU1); as Requested by Mike and Tammie Lindley, the Property Owners. (Case No. SUP-2018-12-18)**

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(Agenda Item E-2)

Mike and Tammie Lindley desire to build their new home in Lewisville’s Old Town area on North Edna Avenue. As a part of their home design they are also proposing to build a 1,440 square foot detached garage and workshop. Any detached building exceeding 500 square feet requires a Special Use Permit. The Zoning Board of Adjustment granted a variance for the height of the structure on January 2, 2019 and the Old Town Design Review Committee granted a Letter of Design Approval for the structure on January 14, 2019. The Planning and Zoning Commission recommended unanimous approval (7-0) of the Special Use Permit request on December 18, 2018.

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

Mayor Pro Tem Jones opened the public hearing.

**Public Hearing: Consideration of Ordinance No. 0098-19-SUP Granting a Special Use Permit for a Residential Accessory Structure to Exceed 500 Square Feet; on Approximately 0.50 Acres, Legally Described as Lot 8, Block B, Cowan Addition, Located on the West Side of North Edna Avenue, Approximately 175 Feet North of Richland Street, With a Proposed Zoning of Old Town Mixed Use 1 District (OTMU1); as Requested by Mike and Tammie Lindley, the Property Owners. (Case No. SUP-2018-12-18) (cont'd)**

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**(Agenda Item E-2)**

Richard E. Luedke, Planning Director and Mike Lindley, Applicant, were both present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Councilman Gilmore, the Council voted five (5) “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 the Zoning Ordinance by Granting a Special Use Permit for a Residential Accessory Structure to Exceed 500 Square Feet; on Approximately 0.50-Acres, Legally Described as Lot 8, Block B of the Cowan Addition, Located on the West Side of North Edna Avenue, Approximately 175 Feet North of Richland Street and Zoned Old Town Mixed Use 1 District (OTMU1); Providing for a Repealer, Severability, Penalty, and an Effective Date; and Declaring an Emergency.”

**MOTION:** Upon a motion made by Councilman Gilmore and seconded by Councilman Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 0098-19-SUP**, as previously captioned. The motion carried.

**Public Hearing:** Consideration of an Ordinance Granting a Special Use Permit for an Auto (Outdoor) Display, Sales & Repair Facility; on Approximately 2.883 Acres, Legally Described as Lots 2R & 4R, Block A of the Storage Super Center Addition, Located at 811 East State Highway 121 Business, Zoned General Business District (GB); as Requested by Kevin Lindell, U Haul Moving and Storage of Lake Lewisville, on Behalf of Amerco Real Estate Co. of Texas Inc, and AREC 19, LLX, the Property Owners. (Case No. SUP-2018-12-19)

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(Agenda Item E-3)

The applicant is proposing to add a new lot to the existing U Haul business. This new lot will contain a shunting yard, reducing the number of vehicles visible from the street and increasing the number of available rental vehicles on site. This lot will feature enhanced landscaping. The applicant is requesting to keep their existing sign, while staff is recommending that the applicant remove the sign three years from the date of approval and replace it with a low profile monument sign. Due to a change in management at U Haul, the applicant has requested that this public hearing be continued to the March 4, 2019 City Council Meeting. The Planning and Zoning Commission has continued their hearing on this item to the February 19, 2019 meeting.

The City staff's recommendation was that the City Council continue the public hearing to the March 4, 2019 City Council meeting.

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

**MOTION:** Upon a motion made by Councilman Gilmore and seconded by Councilman Daniels, the Council voted five (5) "ayes" and no (0) "nays" to continue the public hearing to the March 4, 2019 City Council meeting. The motion carried.

**Visitors/Citizens Forum**

(Agenda Item F)

No one appeared to speak at this time.

CONSENT AGENDA

(Agenda Item G)

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Councilman Ferguson the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt all items on the Consent Agenda, as recommended and as follows:

4. APPROVAL OF MINUTES: City Council Minutes of the January 7, 2019, Workshop Session and Regular Session.
5. Approval of a Professional Services Agreement With James Wyatt Hendricks for the Purchase and Installation of a Public Art Piece at Lonestar Toyota of Lewisville Railroad Park, in the Amount of \$15,000, as Recommended by the Arts Advisory Board; and Authorization for the City Manager to Execute the Agreement.
6. Approval of **Resolution No. 0099-19-RES** Designating the City Manager, or Her Designee, to Act on Behalf of the City in Dealing With the Texas Parks & Wildlife Department for the Purpose of Participating in the Community Outdoor Outreach Program Grant; Certifying the City is Eligible to Receive Program Assistance; and Providing Match and Seed Funding for the Program From Existing Funds in the FY 2018 19 Parks & Recreation Department Lewisville Lake Environmental Learning Area (LLELA) Operating Budget.
7. Approval of **Resolution No. 0100-19-RES** Recognizing the Necessity of Protecting the Natural Areas (Greenbelts) Adjacent to Creeks and Other Waterways; Using the Denton County Greenbelt Plan (“Plan”) as a Tool for Preserving Greenbelts; Endorsing the Plan as an Urgent Regional Program for the County, Cities, Towns and Utilities to Help Protect Water Quality in Local Watersheds; and Expressing the City of Lewisville’s Intent to Participate in Implementing Strategies That Will Preserve and Protect the Environment and Safeguard the Public Welfare.
8. Approval of a Radio Tower Lease Agreement Between the City of Lewisville and Upper Trinity Regional Water District (UTRWD), as Related to the Radio Communications Tower Located at 325 East Valley Ridge Boulevard; and Authorization for the City Manager or Her Designee to Execute the Agreement.

CONSENT AGENDA (cont'd)

(Agenda Item G)

9. Approval of **Resolution No. 0101-19-RES** Amending the City's Legislative Agenda to Include Support for Legislation That Would Allow To Go Retail Sales at Texas Breweries, Authorizing the Mayor, City Manager and the City Manager's Designee to Represent and Communicate the City's Position, and Authorizing the Mayor and City Manager to Sign all Letters, Petitions, and/or Other Documents on Behalf of the City to Promote the City's Position.
10. Approval of the Sublease of Privileges Under the Concession Agreement by LJH, Ltd. to the Slalom Shop, LLC and LJH, Ltd. to Singleton Assets & Operations, LLC.
11. Approve Participation in the 2019 Wyland National Mayor's Challenge for Water Conservation.

The motion carried.

END OF CONSENT AGENDA

**Consideration of a Variance to the Lewisville City Code Section 6 103 (Access Management) Regarding Right of Way Dedication for Deceleration Lanes for the Property Located Near the Northeast Corner of South Edmonds Lane and FM 3040 as Requested by Megan Silva, CEI Engineering Associates, Inc., on Behalf of the Owner**

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(Agenda Item H-12)

The subject site is a 6.5-acre lot zoned Local Commercial (LC) within the Southridge Addition. The proposed development, Restaurant Depot, is a restaurant wholesale distributor. The total building areas will be approximately 55,000 sf. The developer is proposing to construct one driveway along South Edmonds Lane and another driveway along FM 3040. The applicant is asking for the following variance a) to allow a street, sidewalk, and utility easement along Edmonds Lane in lieu of a right of way dedication.

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

David Salmon P.E., City Engineer, and Megan Silva, CEI Engineering were both present to respond to any questions posed by the City Council.

**Consideration of a Variance to the Lewisville City Code Section 6 103 (Access Management) Regarding Right of Way Dedication for Deceleration Lanes for the Property Located Near the Northeast Corner of South Edmonds Lane and FM 3040 as Requested by Megan Silva, CEI Engineering Associates, Inc., on Behalf of the Owner (cont'd)**

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**(Agenda Item H-12)**

**MOTION:** Upon a motion made by Councilman Gilmore and seconded by Deputy Mayor Pro Tem Troyer, the Council voted five (5) “ayes” and no (0) “nays” to approve a variance to the Lewisville City Code Section 6 103 (Access Management) Regarding Right of Way Dedication for Deceleration Lanes for the property located near the northeast corner of South Edmonds Lane and FM 3040 to allow a street, sidewalk, and utility easement along Edmonds Lane in lieu of a right-of-way dedication, as requested by Megan Silva, CEI Engineering Associates, Inc., on behalf of the owner. The motion carried.

**Consideration of Two Variances to the Lewisville City Code Section 6 144 Screening Devices and Section 6 57(f) Water Line Requirements, for Harmon Career Center, an Addition to an Existing High School, Located on the South Side of West Round Grove Road (FM 3040) Approximately 1,700 Feet West of South Valley Parkway; Further Identified as the Lewisville High School South Addition, Lots 1R & 2, Block A; as Requested by Robert Howman of Glenn Engineering Corp. on Behalf of LISD Harmon Career Center**

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**(Agenda Item H-13)**

The Lewisville Independent School District is constructing a new career center on the Harmon High School campus, located at 1250 West Round Grove Road. The General Development Ordinance (GDO) requires a new engineering site plan for the entire 60.394-acre property for the new addition and requires that all items meet current codes. The applicant is requesting re approval of one existing variance and one new variance. The following variances are requested: a) to allow the existing 175 feet of chain link fence to remain along the east property line in lieu of the required screening, and b) to allow a public water line to be underneath pavement.

**Consideration of Two Variances to the Lewisville City Code Section 6 144 Screening Devices and Section 6 57(f) Water Line Requirements, for Harmon Career Center, an Addition to an Existing High School, Located on the South Side of West Round Grove Road (FM 3040) Approximately 1,700 Feet West of South Valley Parkway; Further Identified as the Lewisville High School South Addition, Lots 1R & 2, Block A; as Requested by Robert Howman of Glenn Engineering Corp. on Behalf of LISD Harmon Career Center (cont'd)**

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**(Agenda Item H-13)**

The City staff's recommendation was that the City Council approve the variances as set forth in the caption above with the condition that the owner will be responsible for any and all pavement repairs required due to maintenance or repair of the City water main performed by City crews or City's contractor.

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

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Councilman Daniels, the Council voted five (5) "ayes" and no (0) "nays" to approve the following two variances to the Lewisville City Code Section 6-144, Screening Devices and Section 6 57(f) Water Line Requirements, for Harmon Career Center, an Addition to an Existing High School, located on the south side of West Round Grove Road (FM 3040) approximately 1,700 feet west of South Valley Parkway; further identified as the Lewisville High School South Addition, Lots 1R & 2, Block A: a) to allow the existing 175 feet of chain link fence to remain along the east property line in lieu of the required screening, and b) to allow a public water line to be underneath pavement; as requested by Robert Howman of Glenn Engineering Corp. on behalf of LISD Harmon Career Center, with the condition that the owner will be responsible for any and all pavement repairs required due to maintenance or repair of the City water main performed by City crews or City's contractor. The motion carried.

**Consideration of a Preliminary Plat of Castle Hills Tract K Addition an 83.415 Acre Parcel Designated General Business 2 (GB2), Located on the Southwest Corner of Sam Rayburn Tollway (SRT) and FM 544 With Four Associated Variances, as Requested by LandDesign Inc., Representing the Property Owner**

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**(Agenda Item H-14)**

The subject plat is located within Castle Hills in the City of Lewisville extra territorial jurisdiction (ETJ) and is to be developed in accordance with the 1996 Bright Farms Agreement. The subject property is being platted for the purpose of constructing future office development. The following variances are being requested by the owner: a) to allow dedication of a street, drainage, pedestrian easement in lieu of right of way dedication for right turn lanes along SRT and FM 544, b) to allow an alternate 80 foot R.O.W. street section, c) to allow a reduced median opening spacing on FM 544 between SRT and Midway Road, and d) to temporary allow a dead end street longer than 600 ft. The preliminary plat was originally approved by City Council on May 19, 2014 with three variances a) to allow dedication of a street, drainage, pedestrian easement in lieu of right of way dedication for right turn lanes along SRT and FM 544, b) to allow an alternate 80 foot R.O.W. street section, and c) to allow a reduced median opening spacing on FM 544 between SRT and Midway Road. However, Preliminary Plats expire after two years if no development takes place. The applicant has constructed part of the street but is requesting the remainder of the street to be constructed when more lots are developed, thus the reason for variance d) to temporary allow a dead end street longer than 600 ft.

The City staff's recommendation was that the City Council approve the preliminary plat and the variances as set forth in the caption above.

David Salmon P.E., City Engineer and Eric Stanley, 2509 Chariot Castle Drive, Lewisville, Texas, representing Castle Hills, were both present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Councilman Gilmore, the Council voted five (5) "ayes" and no (0) "nays" to approve a Preliminary Plat of Castle Hills Tract K Addition an 83.415 acre parcel designated General Business 2 (GB2), located on the southwest corner of Sam Rayburn Tollway (SRT) and FM 544 with the following four associated variances: a) to allow dedication of a street, drainage, pedestrian easement in lieu of right of way dedication for right turn lanes along SRT and FM 544, b) to allow an alternate 80 foot R.O.W. street section, c) to allow a reduced median opening spacing on FM 544 between SRT and Midway Road. and d) to temporary allow a dead-end street longer than 600 ft. as requested by LandDesign Inc., representing the property owner. The motion carried.



**Consideration of Ordinance No. 0102-19-  
ORD Approving the Final Project and  
Reinvestment Zone Financing Plan for  
Reinvestment Zone Number Three, City of  
Lewisville, Texas; Authorizing the City  
Secretary to Distribute Such Plans**

**(Agenda Item H-15)**

A tax increment reinvestment zone (TIRZ) is a financing tool enabled by the Texas Legislature under Chapter 311 of the Texas Tax Code to assist cities in developing or redeveloping certain areas. At its December 3, 2018 meeting, City Council approved a Preliminary Project and Reinvestment Zone Financing Plan that is required before the creation of TIRZ and held a public hearing to receive comments on the plan and creation of the Zone. TIRZ Number Three was approved by City Council December 3, 2018. A Final Project Plan and Reinvestment Zone Financing Plan is required to be reviewed and approved by the TIRZ Board, which occurred earlier this evening. The Final Plan must now be approved by the City Council.

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

Eric Stanley, 2509 Chariot Castle Drive, Lewisville, Texas, representing Castle Hills, was present to respond to any questions posed by the City Council.

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

“An Ordinance Approving the Final Project and Reinvestment Zone Financing Plan for Reinvestment Zone Number Three, City of Lewisville, Texas; Authorizing the City Secretary to Distribute Such Plans; Containing Findings and Other Provisions Related to the Foregoing Subject; Providing for Severability and an Effective Date; and Declaring an Emergency.”

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Councilman Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 0102-19-ORD**, as captioned previously. The motion carried.

**Consideration of Ordinance No. 0103-19-  
ORD Authorizing the Issuance of \$4,965,000  
City of Lewisville, Texas, Combination  
Contract Revenue and Special Assessment  
Road System Bonds, Series 2019 (Lewisville  
Castle Hills Public Improvement District No.  
6 Project) (the “Series 2019 Road Bonds”) in  
Accordance With the Terms of That Certain  
Master Trust Agreement and Third  
Supplemental Trust Agreement; Approving  
and Authorizing the Execution of the Third  
Supplemental Trust Agreement; Authorizing  
a Final Limited Offering Memorandum  
Pertaining to the Issuance of the Series 2019  
Road Bonds; Approving a Bond Placement  
Agreement**

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(Agenda Item H-16)

Denton County Fresh Water Supply District No 1 H has requested the City to authorize and approve the issuance of up to \$4,965,000 of said bonds above for the purpose of acquiring and constructing certain streets and roads and to pay certain costs incurred in connection with the issuance of the bonds.

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

Ross Martin, Winstead, PC and Eric Stanley, 2509 Chariot Castle Drive, Lewisville, Texas, representing Castle Hills, were both present to respond to any questions posed by the City Council.

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

“An Ordinance Authorizing the Issuance of \$4,965,000 City of Lewisville, Texas, Combination Contract Revenue and Special Assessment Road System Bonds, Series 2019 (Lewisville Castle Hills Public Improvement District No. 6 Project) (The “Series 2019 Road Bonds”) in Accordance With the Terms of That Certain Master Trust Agreement and Third Supplemental Trust Agreement; Approving and Authorizing the Execution of the Third Supplemental Trust Agreement; Authorizing a Final Limited Offering Memorandum Pertaining to the Issuance of The Series 2019 Road Bonds; Approving a Bond Placement Agreement; Providing a Repealer, Severability, and an Effective Date; and Containing Other Matters Related to The Series 2019 Road Bonds.”

**Consideration of Ordinance No. 0103-19-ORD Authorizing the Issuance of \$4,965,000 City of Lewisville, Texas, Combination Contract Revenue and Special Assessment Road System Bonds, Series 2019 (Lewisville Castle Hills Public Improvement District No. 6 Project) (the “Series 2019 Road Bonds”) in Accordance With the Terms of That Certain Master Trust Agreement and Third Supplemental Trust Agreement; Approving and Authorizing the Execution of the Third Supplemental Trust Agreement; Authorizing a Final Limited Offering Memorandum Pertaining to the Issuance of the Series 2019 Road Bonds; Approving a Bond Placement Agreement (cont’d)**

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**(Agenda Item H-16)**

**MOTION:** Upon a motion made by Councilman Gilmore and seconded by Councilman Daniels, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 0103-19-ORD**, as captioned previously, with the corrected amount of \$4,965,000. The motion carried.

**Consideration of Ordinance No. 0104-19-  
ORD Authorizing the Issuance of \$5,865,000  
City of Lewisville, Texas, Combination  
Contract Revenue and Special Assessment  
Utility System Bonds, Series 2019 (Lewisville  
Castle Hills Public Improvement District No.  
6 Project) (the “Series 2019 Utility Bonds”)  
in Accordance With the Terms of That  
Certain Master Trust Agreement and Third  
Supplemental Trust Agreement; Approving  
and Authorizing the Execution of the Third  
Supplemental Trust Agreement; Authorizing  
a Final Limited Offering Memorandum  
Pertaining to the Issuance of the Series 2019  
Utility Bonds; Approving a Bond Placement  
Agreement**

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(Agenda Item H-17)

Denton County Fresh Water Supply District No 1 H has requested the City to authorize and approve the issuance of up to \$5,865,000 of said bonds above for the purpose of acquiring certain water, sewer, and drainage facilities and to pay certain costs incurred in connection with the issuance of the bonds.

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

Ross Martin, Winstead, PC and Eric Stanley, 2509 Chariot Castle Drive, Lewisville, Texas, representing Castle Hills, were both present to respond to any questions posed by the City Council.

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

“An Ordinance Authorizing the Issuance of \$5,865,000 City of Lewisville, Texas, Combination Contract Revenue and Special Assessment Utility System Bonds, Series 2019 (Lewisville Castle Hills Public Improvement District No. 6 Project) (The “Series 2019 Utility Bonds”) in Accordance With the Terms of That Certain Master Trust Agreement and Third Supplemental Trust Agreement; Approving and Authorizing the Execution of the Third Supplemental Trust Agreement; Authorizing a Final Limited Offering Memorandum Pertaining to the Issuance of The Series 2019 Utility Bonds; Approving a Bond Placement Agreement; Providing a Repealer, Severability, and an Effective Date; and Containing Other Matters Related to The Series 2019 Utility Bonds.”

**Consideration of Ordinance No. 0104-19-ORD Authorizing the Issuance of \$5,865,000 City of Lewisville, Texas, Combination Contract Revenue and Special Assessment Utility System Bonds, Series 2019 (Lewisville Castle Hills Public Improvement District No. 6 Project) (the “Series 2019 Utility Bonds”) in Accordance With the Terms of That Certain Master Trust Agreement and Third Supplemental Trust Agreement; Approving and Authorizing the Execution of the Third Supplemental Trust Agreement; Authorizing a Final Limited Offering Memorandum Pertaining to the Issuance of the Series 2019 Utility Bonds; Approving a Bond Placement Agreement (cont’d)**

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(Agenda Item H-17)

**MOTION:** Upon a motion made by Councilman Daniels and seconded by Councilman Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt Ordinance No. 0104-19-ORD, as captioned previously, with the correct amount of \$5,865,000. The motion carried.

**Consideration of Ordinance No. 0105-19-ORD Updating the Assessment/Service Plan and Assessment Roll for Lewisville Castle Hills Public Improvement District No. 5 Project**

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(Agenda Item H-18)

City Council approved a resolution on May 6, 2013 authorizing the creation of Lewisville Castle Hills Public Improvement District (PID) No. 5. An update to the Service Plan and Assessment Roll must be periodically approved by City Council. This plan identifies public improvement costs being provided by the PID along with related information concerning the indebtedness incurred and the current outstanding assessments and indebtedness. PID5 occupies the same area as Denton County Fresh Water Supply District 1 G.

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

Eric Stanley, 2509 Chariot Castle Drive, Lewisville, Texas, representing Castle Hills, was present to respond to any questions posed by the City Council.

**Consideration of Ordinance No. 0105-19-  
ORD Updating the Assessment/Service Plan  
and Assessment Roll for Lewisville Castle  
Hills Public Improvement District No. 5  
Project (cont'd)**

**(Agenda Item H-18)**

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, Updating The Assessment/Service Plan and Assessment Roll for Lewisville Castle Hills Public Improvement District No. 5 Project, Providing a Repealer; Providing for Severability; Providing an Effective Date; and Declaring an Emergency.”

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Councilman Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 0105-19-ORD**, as captioned previously. The motion carried.

**Consideration of Ordinance No. 0106-19-  
ORD Updating the Assessment/Service Plan  
and Assessment Roll for Lewisville Castle  
Hills Public Improvement District No. 6  
Project**

**(Agenda Item H-19)**

City Council approved a resolution on August 4, 2014 authorizing the creation of Lewisville Castle Hills Public Improvement District (PID) No. 6 and the Plan approved on August 16, 2014 was later amended and approved on July 17, 2017. An update to the Service Plan and Assessment Roll must be periodically approved by City Council. This plan identifies public improvement costs being provided by the PID along with related information concerning the indebtedness incurred and the current outstanding assessments and indebtedness. PID 6 occupies the same area as Denton County Fresh Water Supply District 1 H.

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

Eric Stanley, 2509 Chariot Castle Drive, Lewisville, Texas, representing Castle Hills, was present to respond to any questions posed by the City Council.

**Consideration of Ordinance No. 0106-19-  
ORD Updating the Assessment/Service Plan  
and Assessment Roll for Lewisville Castle  
Hills Public Improvement District No. 6  
Project (cont'd)**

**(Agenda Item H-19)**

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, Updating The Assessment/Service Plan and Assessment Roll for Lewisville Castle Hills Public Improvement District No. 6 Project, Providing a Repealer; Providing for Severability; Providing an Effective Date; and Declaring an Emergency.”

**MOTION:** Upon a motion made by Councilman Daniels and seconded by Deputy Mayor Pro Tem Troyer, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 0106-19-ORD**, as captioned previously. The motion carried.

**Consideration of an Agreement to Participate  
in Tax Increment Reinvestment Zone,  
Number Three, Between the City of Lewisville  
and Denton County, and Authorization for  
the Mayor to Execute the Agreement**

**(Agenda Item H-20)**

The agreement to participate in Tax Increment Reinvestment Zone, Number Three, between the City of Lewisville and Denton County, establishes the terms and limitations in which the City and County will participate in the Zone. The agreement covers duration and increment participation by each taxing authority, bond limit, use of funds, deposit and collection of funds, limit of obligation by the County and City and County board representation.

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

Eric Stanley, 2509 Chariot Castle Drive, Lewisville, Texas, representing Castle Hills, was present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Councilman Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve an Agreement to Participate in Tax Increment Reinvestment Zone, Number Three, Between the City of Lewisville and Denton County, and authorize the Mayor or Mayor Pro Tem to execute the agreement. The motion carried.

**Consideration of an Agreement to Provide  
Revenues for Refunded Debt Within the  
Castle Hills Development, Districts 1 G and 1  
H, Between the City of Lewisville and Tax  
Increment Reinvestment Zone, Number  
Three**

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**(Agenda Item H-21)**

This agreement between the City and Tax Increment Reinvestment Zone Number Three, establishes the intention of the City to refund previously issued bonds used to fund public improvement construction on lands within the boundaries of the Zone and a portion of the Zone's revenues will be transferred to the City and used to pay debt service on said refunding upon annexation of the Zone into the City.

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

Eric Stanley, 2509 Chariot Castle Drive, Lewisville, Texas, representing Castle Hills, was present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Councilman Gilmore, the Council voted five (5) "ayes" and no (0) "nays" to approve an Agreement to Provide Revenues for Refunded Debt Within the Castle Hills Development, Districts 1 G and 1 H, Between the City of Lewisville and Tax Increment Reinvestment Zone, Number Three. The motion carried.

**Consideration of an Amendment to Policy  
Statement 1.0 Administration, Section VII  
Public Art, to Clarify When City Council  
Approval is Needed for a Proposed Public Art  
Acquisition**

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**(Agenda Item H-22)**

The proposed amendment would specify that City Council approval is required before adding any art or group of related art to the City's Public Art Collection, but make an exception for art or groups of related art with a market value of less than \$5,000.

The City staff's recommendation was that the City Council approve the amendment as described in the caption above.

James Kunke, Community Relations & Tourism Director, was available to address any questions posed by the City Council.



**Consideration of an Amendment to Policy  
Statement 1.0 Administration, Section VII  
Public Art, to Clarify When City Council  
Approval is Needed for a Proposed Public Art  
Acquisition (cont'd)**

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**(Agenda Item H-22)**

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Deputy Mayor Pro Tem Troyer, the Council voted five (5) “ayes” and no (0) “nays” to approve an Amendment to Policy Statement 1.0 - Administration, Section VII - Public Art, to Clarify When City Council Approval is Needed for a Proposed Public Art Acquisition. The motion carried.

**Consideration of a Tax Increment  
Reinvestment Zone Reimbursement  
Agreement by and Among the City of  
Lewisville, the Lewisville Tax Increment  
Reinvestment Zone, Number Three, and  
Bright Realty, LLC for Public Improvements  
Within the Zone; and Authorization for the  
City Manager to Execute the Agreement**

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**(Agenda Item H-23)**

The agreement covers the terms and conditions of financing and reimbursing of the public improvement within the Zone #3.

The City staff’s recommendation was that the City Council approve the agreement and authorize the City Manager to execute the agreement as set forth in the caption.

Eric Stanley, 2509 Chariot Castle Drive, Lewisville, Texas, representing Castle Hills, was present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Councilman Gilmore and seconded by Councilman Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve a Tax Increment Reinvestment Zone Reimbursement Agreement by and Among the City of Lewisville, the Lewisville Tax Increment Reinvestment Zone, Number Three, and Bright Realty, LLC for Public Improvements Within the Zone; and authorize the City Manager to execute the agreement. The motion carried.

**Consideration of the Provision of Special  
Police Resources as Determined by the Police  
Chief in the City's Extraterritorial  
Jurisdiction**

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**(Agenda Item H-24)**

The City of Lewisville provides law enforcement services to the Denton County Fresh Water Supply Districts (Castle Hills) through a Public Safety Agreement at an annual cost for fiscal year 2018 19 of \$567,663. The Police Department would like to deploy certain department resources as determined by the Police Chief to begin building public relations between the residents of Castle Hills and police personnel and to assist staff in assessing the possible need for additional police resources at the time of annexation.

The City staff's recommendation was that the City Council allow special police resources as determined by the Police Chief within the annual cost of the Public Safety Agreement as stated in the caption above.

Police Chief Kevin Deaver and Eric Stanley, 2509 Chariot Castle Drive, Lewisville, Texas, representing Castle Hills were both available to address any questions posed by the City Council.

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Deputy Mayor Pro Tem Troyer, the Council voted five (5) "ayes" and no (0) "nays" to allow special police resources as determined by the Police Chief within the annual cost of the Public Safety Agreement. The motion carried.

**Reports**

**(Agenda Item I)**

- Fourth Quarter 2018 Boards/Commissions/Committees Attendance Reports
- Director of Public Services Keith Marvin gave an update on the status of the lake.
- Director of Communications and Tourism James Kunke gave the Legislative Update.
- Councilman Gilmore reviewed upcoming event being held at the Lewisville Library.
- Councilman Ferguson reviewed upcoming events being held at the MCL.

There were no additional reports at this time.

Mayor Pro Tem Jones adjourned the regular session of the Lewisville City Council into Closed Session at 8:22 p.m. Monday, January 28, 2019, in accordance with the requirements of the Open Meetings Law.

**Closed Session**

**(Agenda Item J)**

In accordance with Texas Government Code, Subchapter D, Section 551.072 (Real Estate), the Lewisville City Council convened into Closed Session at 8:22 p.m. on Monday, January 28, 2019, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining to the following:

1. Property Acquisition

Section 551.087 (Economic Development):

2. Deliberation Regarding Economic Development Negotiations.

The Closed Session was adjourned at 9:16 p.m. on Monday, January 28, 2019.

**Reconvene into Regular Session and  
Consider Action, if any, on Items Discussed  
in Closed Session**

**(Agenda Item K)**

Mayor Pro Tem Jones reconvened the Regular Session of the Lewisville City Council at 9:16 p.m. on Monday, January 28, 2019, in the Council Chambers of the Lewisville City Hall.

Mayor Pro Tem Jones opened the floor for action to be taken on the items discussed in the Closed Session. There was no action taken on the items discussed during the Closed Session.

**Adjournment**

**(Agenda Item L)**

**MOTION:** Upon a motion made by Councilman Gilmore and seconded by Councilman Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 9:16 p.m. on Monday, January 28, 2019. The motion carried.

These minutes approved by the Lewisville City Council on the 4<sup>th</sup> day of March, 2019.

APPROVED

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Rudy Durham  
MAYOR

ATTEST:

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Julie Worster  
CITY SECRETARY



# PROPOSED MINOR CODE AMENDMENTS

CITY COUNCIL JANUARY 28, 2019



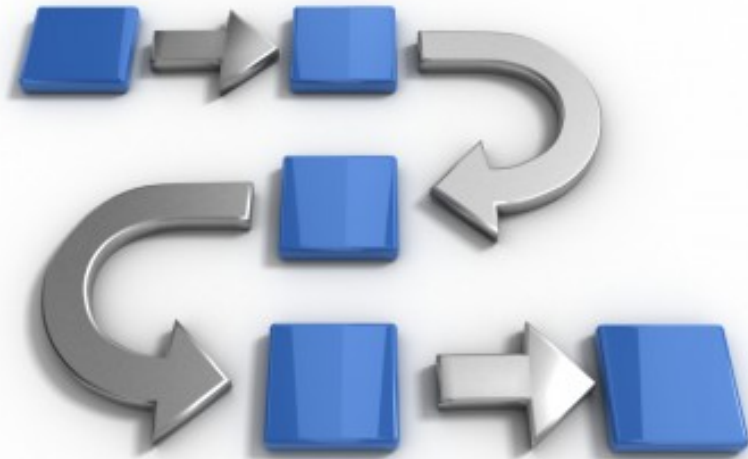
# MINOR AMENDMENTS

- Quick fixes while we go through the major code update.
- Clarify process and language.
- Change standards without waiting two years.
- Includes the Land Development Code, the Zoning Ordinances, and the Old Town Development Code.
- Does not include changes to OTC or OTMUI.



## THREE FOCUS AREAS

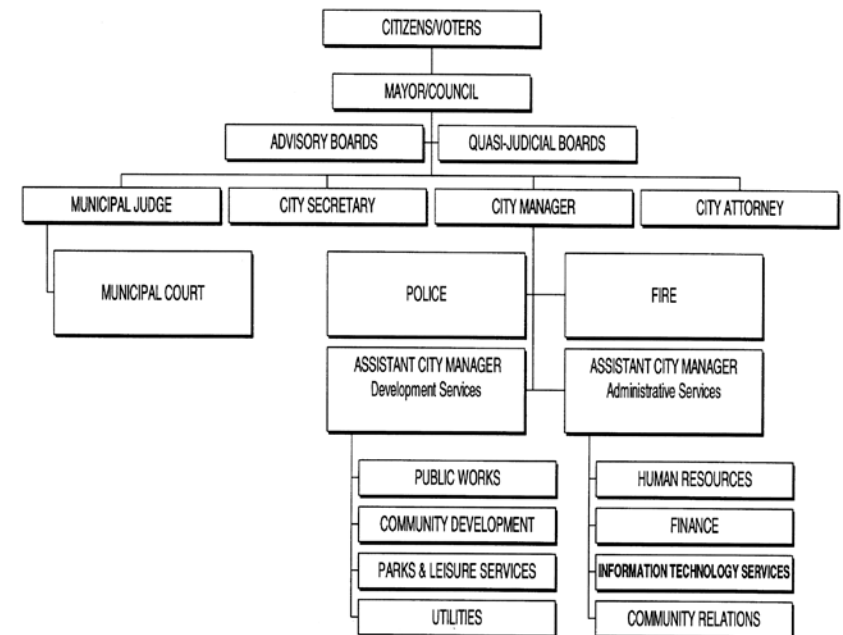
- Clean up language for clarification and consistency with current processes
- Incremental increases to some aesthetic standards – screening, parking and architecture
- Support sustainability initiatives



# LANGUAGE CLEAN UP & CONSISTENCY

- Remove old organizational charts.
- Revise language on submittal process and keep on line a development guide with published steps for submittals.
- Provide consistency between Old Town General Development Ordinance and Land Development Regulations
- Clarify that official zoning map to be housed on-line.
- Add independent senior living as a separate use in the Multifamily districts. Currently code is not specific on independent senior living.

## CITY OF LEWISVILLE ORGANIZATIONAL CHART



# LANGUAGE CLEAN UP & CONSISTENCY



- Define heavy vehicles
- Redefine open storage or outside storage to clarify difference between storage and display. Display being for sale and brought in at night. Should allow for better enforcement.
- Clarify requirements for connecting to parks and trails along floodplain and drainage areas. Specify the park Director, not the Parks Board will have approval authority for approval of the connection.
- Remove specification for no more than 1 inch of sediment accumulating – often significant amount of erosion do not equal 1 inch of sediment. Any measurable amount of sediment will need to be controlled.



# INCREMENTAL AESTHETIC INCREASES

- Require screening of roof-mounted or ground mounted equipment.
- Reduce parking for restaurants from 1.5/100 to 1/100 to be in line with industry standards.
- Reduce parking for retail and personal service uses from current range of 1/100 - 1/200 to a flat 1/200 to be in line with industry standards.



# INCREMENTAL AESTHETIC INCREASES

## Old Town

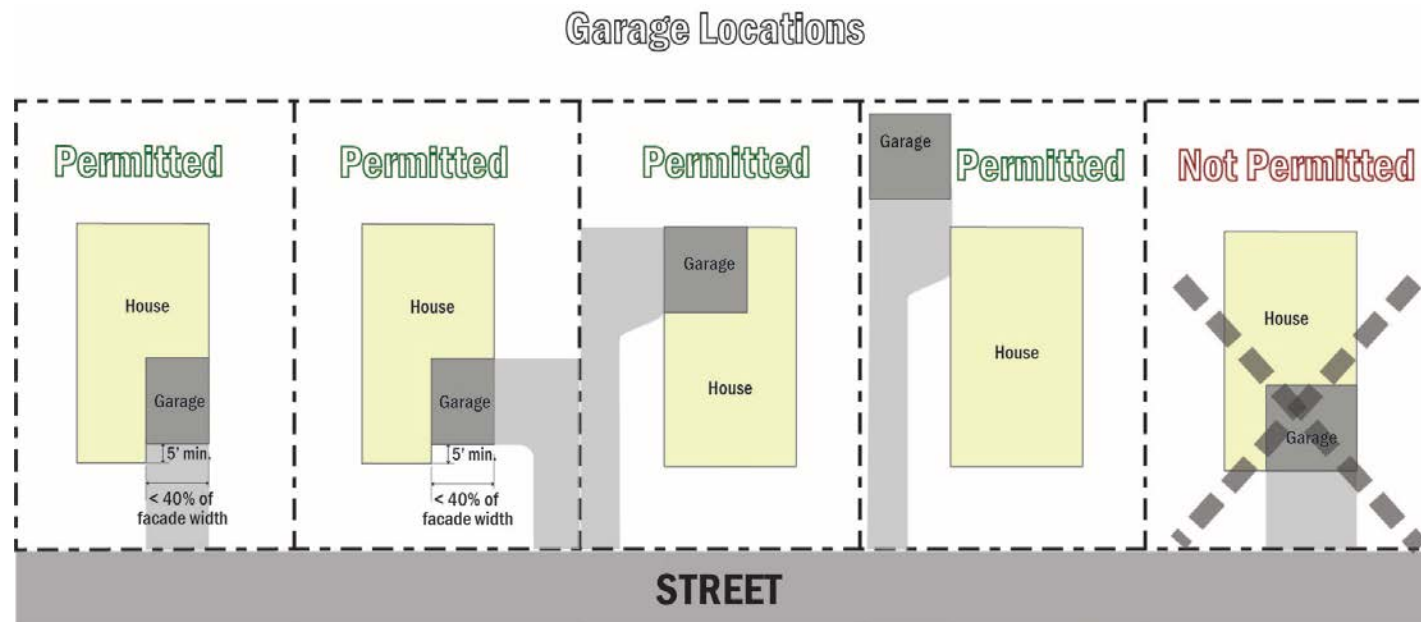
- Require lots to front on a public street.
- Require lots less than 40 feet in width or less to have alley access.



# INCREMENTAL AESTHETIC INCREASES

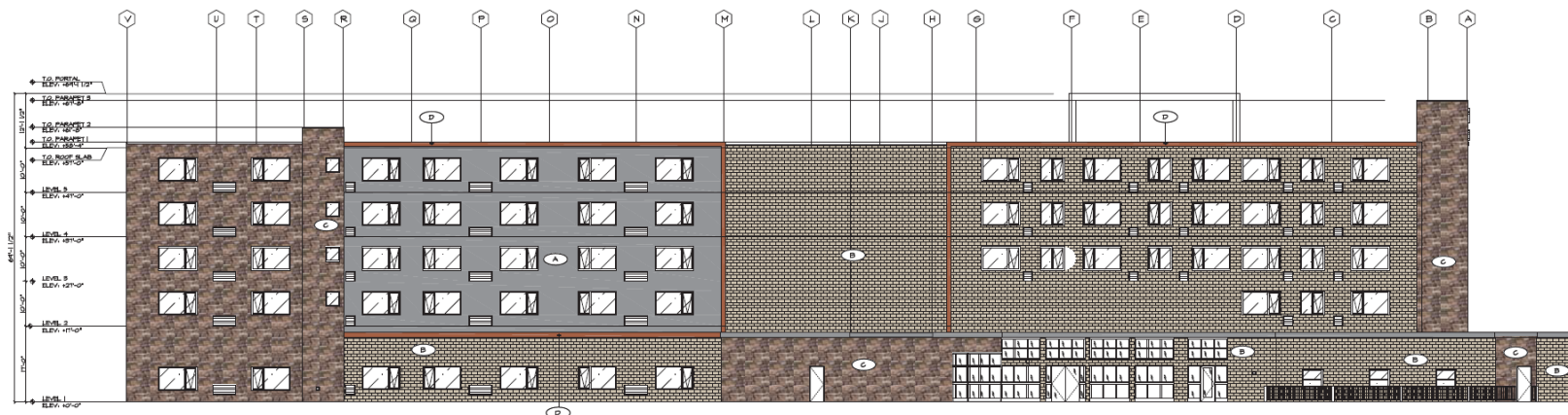
## Old Town

- If front accessed garages the following standards apply



# INCREMENTAL AESTHETIC INCREASES

- Re-define masonry to be in line with industry standards.
- Require elevations to be submitted with Engineering Site Plans.
- Reorganize 'Exterior finish requirements' to 'Building design standards'.
- Limit EIFS to locations above 9 feet in height.





# SUPPORT SUSTAINABILITY

## Plant Materials

- Revised tree lists – native or adaptive species included. Provision allows the Parks Director to approve additional species that are not listed provided they are native, adaptive and drought tolerant. Clarifies understory v. canopy trees.
- Prohibit any plant species that is determined to be invasive in Texas, the Parks Director shall have authority to make this determination.
- Remove list of recommended shrubs. Require shrubs to be native or adaptive and drought tolerant and give the Parks Director authority to approve the species selected.



# CANOPY TREES

Caddo Maple

Pecan

Black Hickory

Texas Ash

Texas Walnut

Sweetgum

Southern Magnolia

Afghan Pine

Austrian Pine

Japanese Black Pine

Mexican Sycamore

Sawtooth Oak

Lacey Oak

Bur Oak

Chinquapin Oak

Willow Oak

Monterey Oak

Shumard Red Oak

Durand Oak

Bigelow Oak

Post Oak

Live Oak

Black Locust

Pond Cypress

Bald Cypress

Winged Elm

American Elm

Cedar Elm

Lacebark Elm



Note: Trees listed in red are new trees added to the list

# UNDERSTORY TREES



Texas Buckeye

Red Buckeye

Mexican Redbud

Texas Redbud

Eastern Redbud

Desert Willow

Roughleaf Dogwood

Hawthorne

Texas Persimmon

Thornless Common

Honey Locust

Possunhaw Holly

Hollywood Juniper

Eastern Red Cedar

Crepe Myrtle

Little Gem Magnolia

Mexican Plum

Carolina Buckthorn

Prairie Flameleaf Sumac

Western Soapberry

Chittamwood

Eve's Necklace

Mexican Buckeye

Rusty Blackhaw

Viburnum

Note: Trees listed in red are new trees added to the list



## SUPPORT SUSTAINABILITY

- Require conduit to support electric vehicle parking for hotels motels and multi-family. Must be available to 3% of required parking for multi-family and 6% of required parking for hotels/motels.
- Clarify that solar is permitted as an accessory use by-right in all zoning districts.
- Require planning of space for recycling containers on commercial and multi-family sites.





# OLD TOWN ZONING

- City Council Direction Needed:
  - Should single family detached regulations proposed in OTMUI be carried over to OTMU2?
  - Should accessory dwelling unit regulations proposed in OTMUI be carried over to OTMU2?



# TIMELINE MINOR AMENDMENTS

- Internal Staff and Legal Review
- Public Hearing with Planning and Zoning – April 2019
- Public Hearing with City Council – May 2019



# DCTA's PATH FORWARD

# DCTA'S PATH FORWARD



- **FOCUS ON STAKEHOLDER VALUE AND A SHARED FUTURE VISION**
  - **MOBILITY, AIR QUALITY, DEVELOPMENT, LIVABILITY**
- **ASSESSING EVERYTHING WE DO w/INNOVATIVE SERVICE STRATEGIES**
- **86<sup>TH</sup> STATE LEGISLATIVE AGENDA & CHAPTER 460 PROPOSED CHANGES**
- **MAXIMIZE TRANSIT ASSETS, BECOME MORE EFFICIENT AND EFFECTIVE, BUILD A GREAT EMPLOYEE CULTURE AND A QUALITY BRAND**
- **LOCAL & REGIONAL TRANSIT SYSTEM: DENTON & COLLIN COUNTY GROWTH**
  - **ANSWER THE QUESTION: WHY ARE WE IN COLLIN COUNTY**

# FIRST 4 MONTHS ON THE JOB & BEYOND



- RESTRUCTURING THE AGENCY (Phase 1) **COMPLETE**
- NEW 3 YEAR AGREEMENT w/ AMALGAMATED TRANSIT UNION LOCAL 1338 **COMPLETE**
- START POSITIVE TRAIN CONTROL REVENUE SERVICE DEMONSTRATION – **COMPLETE, 1<sup>ST</sup> in TEXAS**
- EVALUATING EXISTING OPERATING AGREEMENT **IN PROCESS – MAR, 2019**
- OPERATING COST MODEL BY CITY + TTI SERVICE ANALYSIS **IN PROCESS – MAY, 2019**
- FINALIZE ELAP PROGRAM OR EQUIVALENT – **MAY, 2019**
  - FINANCIAL MODELING & STAKEHOLDER WORKSHOPS
- STAKEHOLDER ENGAGEMENT – STRATEGIC VISIONING **MAY, 2019**

# IMPROVING EFFICIENCIES & MAXIMIZING CITY'S RETURN ON INVESTMENTS WITHIN LEWISVILLE



## Investments made by the city as a percentage of funding from the three sales-tax providing cities

- Sales tax from DCTA's three member cities represents the largest source of revenue for DCTA at 64.13% for the Fiscal Year 2019 budget
- From FY2011 to FY2018, Lewisville's sales tax receipts have increased 66%. DCTA's sales tax receipts (from all three member cities) have increased 63% over the same period
- To date, Lewisville's sales tax collections from 2011 - 2018 = \$200M; DCTA's sales tax collections during the same period = \$89.6M
- A-train Station Area Development = ~\$400M and growing

# IMPROVING EFFICIENCIES & MAXIMIZING CITY'S RETURN ON INVESTMENTS WITHIN LEWISVILLE



## Sales Tax Breakout by City FY2011 - FY2018

Cities	Growth	Total
Denton	70%	\$ 227,449,413
Highland Village	29%	\$ 27,717,287
Lewisville	66%	\$ 252,060,421
<b>Total</b>		<b>\$ 507,227,121</b>
<b>DCTA</b>	63%	
Denton Estimated Portion		\$ 80,873,173
HV Estimated Portion		\$ 9,859,762
Lewisville Estimated Portion		\$ 89,635,795
<b>Total</b>		<b>\$ 180,368,730</b>

# IMPROVING EFFICIENCIES & MAXIMIZING CITY'S RETURN ON INVESTMENTS WITHIN LEWISVILLE



## Local Assistance Program (LAP)

- Mike Levitan (DART's former Head of Financial Planning and Budget/CPA) is leading the project
- Update the DCTA financial plan to ensure necessary financial coverages and operating requirements are included. LAP options will also be included in the financial plan as it is developed





# IMPROVING EFFICIENCIES & MAXIMIZING CITY'S RETURN ON INVESTMENTS WITHIN LEWISVILLE



Create an accurate allocation of administrative costs within DCTA service contracts – establishing a cost of service model so that DCTA cities do not cover overhead costs



- Cost of service analysis as requested by letter from the member cities on November 1, 2018 – The Texas A&M Transportation Institute. This is not typical industry practice (this is different than the Benchmark Study):



- Cost of all Bus service for each of the member Cities
- Cost of Rail service (I-35E Corridor)
- Cost for each “Innovative services”
- Cost of all contract for services (UNT, Frisco & McKinney Contracts)
- Establish a reserve policy to meet all current Bond requirements



- Conduct an efficiency review of DCTA’s direct, indirect and administrative overhead to include headcount and cost of service (timeline to follow based on input from member cities)



# IMPROVING EFFICIENCIES & MAXIMIZING CITY'S RETURN ON INVESTMENTS WITHIN LEWISVILLE

## Moving to new modes of transportation services, Mobility as a Service (MaaS)

- Focus on best value service strategy & broker of services
- Transition significant portions of service to Micro Transit to improve mobility effectiveness and efficiency
- Transition to smaller fleet to lower cost and be more efficient
- MaaS RFP issued in January 2019, award by end of March 2019
  - Micro Transit Providers e.g. VIA
  - Bikes, Scooters, E-Car
  - Autonomous Vehicles
  - Uber, Lyft, Bubble, etc.
  - Software as a Service Platform Co. (Uber-like for transit)
  - Fare Payment Platform Co.



# IMPROVING EFFICIENCIES & MAXIMIZING CITY'S RETURN ON INVESTMENTS WITHIN LEWISVILLE



## Redefining Lewisville service delivery strategy, better return on investment

- Focus on shorter trips with more frequency
- Hebron Station/Lakeway Zone launched January 2019
- Evaluate Route 21 & 22 for potential change to zone service, August 2019
- Develop On-Demand Service Plan for Old Town Area
- Explore Old Town Trolley with connection to A-train
- Develop Service Plan for Main Street / F.M. 1171 West of I-35E
- Options for Lewisville to Flower Mound Service for Elderly and Disabled
- Last mile options for trail connectivity– Importance of regulatory consistency between cities

# DCTA TO PARTNER WITH CITY ON POTENTIAL TRANSPORTATION PROGRAMS



- Main Street / F.M. 1171 corridor plan – traffic signal timing coordination, signal priority to speed up commute from West Lewisville to A-train station
- Review Business 121 corridor planning options from SRT 121 to I-35E
- DCTA Rail O&M Land Use Plan
- Storm Management and Infrastructure Projects that support transit and mobility
- Explore opportunities for station area development
- Work with Member Cities regarding I-35E corridor economic development opportunities

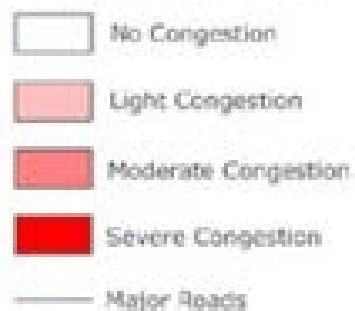
# EAST/WEST REGIONAL CONNECTIVITY – CONNECTING DENTON AND COLLIN COUNTIES



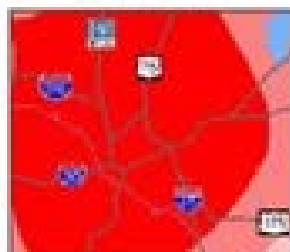
## Benefits to Denton County/Lewisville for improving connection in Collin County

- Denton & Collin counties are the fastest growing in the DFW region, with Collin County in the lead
- It is critical that this region address the expected growth and start planning now
- Distribution of Federal funds to the North Texas Region and the importance of regional planning, distribution of funds to Urbanized Areas (UZA) via Metropolitan Planning Organizations (MPO) NCTCOG
- Important for Lewisville/Highland Village to lead advancing opportunities that benefit development along BUS-121 and SRT-121/I-35E
- High potential for growth within Old Town area with a well-defined plan

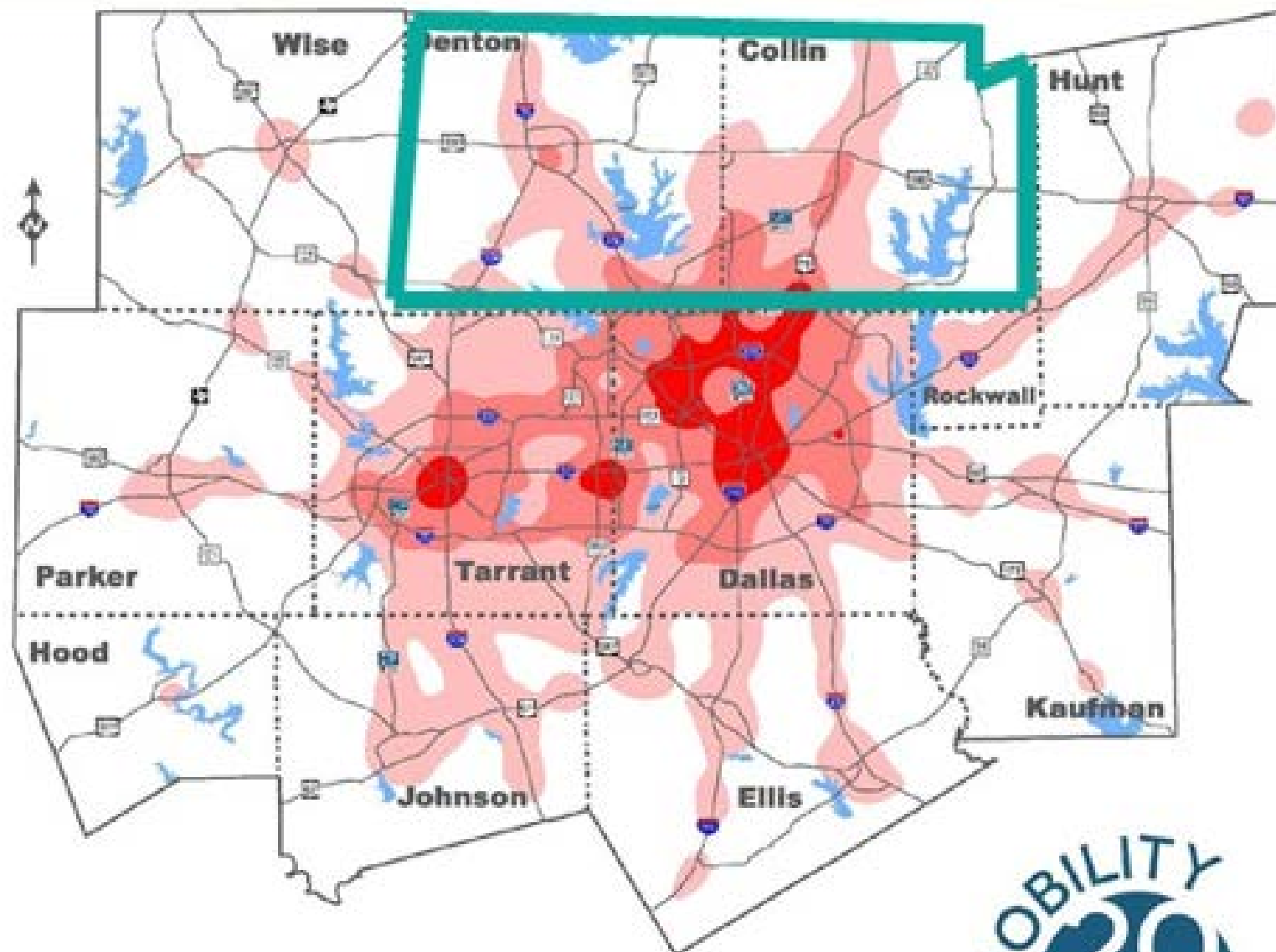
# **Congestion Index\***



Dallas CBD



Fort Worth CBD



North Central Texas  
Council of Governments

March 2010

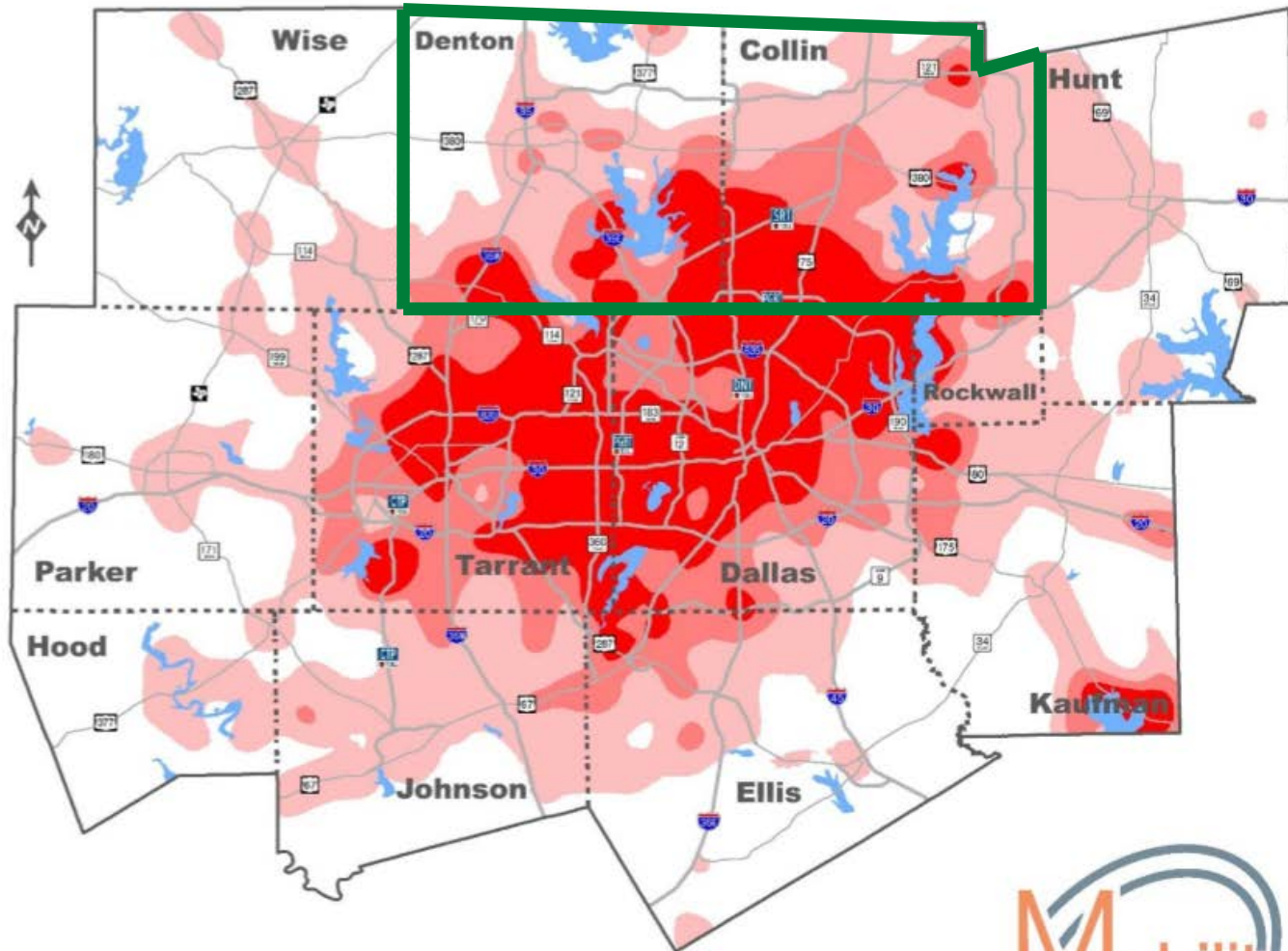
Cost of Congestion/Delay: \$10.7 billion

\*Congestion Index is based on a percent increase in travel time.

# 2045 Levels of Congestion/Delay

2040 Network without TEXpress Lanes

- No Congestion
- Light Congestion
- Moderate Congestion
- Severe Congestion



North Central Texas  
Council of Governments

May 10, 2018

Cost of Congestion/Delay: \$31.6 billion

Congestion Index is based on a percent increase in travel time.





# EAST/WEST REGIONAL CONNECTIVITY – CONNECTING DENTON AND COLLIN COUNTIES



## Commuter Bus linking Old Town Lewisville to McKinney along SRT-121

- Federal Grant Proposal submitted ~ \$6.4M for Vehicles, Infrastructure and First/Last Mile services
- Strong grant proposal; if not successful, the grant application will be submitted for future grant opportunities
- SRT-121 service is part of the 2045 Mobility Plan corridor of interest
- Timing of the Commuter Service will not impact Old Town Station Development Plan





# DCTA OLD TOWN DEVELOPMENT PLAN



# DCTA OLD TOWN DEVELOPMENT PLAN



# EAST/WEST REGIONAL CONNECTIVITY – CONNECTING DENTON AND COLLIN COUNTIES



## Collin County Initiatives, Autonomous Vehicles in Frisco

- DCTA involvement with the Transit Management Association (TMA)
- Drive.ai Pilot Program at Blue Star and Hall Development
- Pilot fully funded by Drive.ai; Member Cities of DCTA have no financial investment
- Drive.ai AV Program is one of the first in the Country supported by the NCTCOG; asked DCTA to lead the project. Program was highly competitive for site location in Texas
- DCTA strong partnership with NCTCOG provides opportunities for the AV 2.0 \$20M initiative as the next phase of AV programs in North Texas
- Potential AV Pilot project for Old Town area or other part of Lewisville



# AV PUBLIC-PRIVATE PILOT PROGRAM



**DCTA**

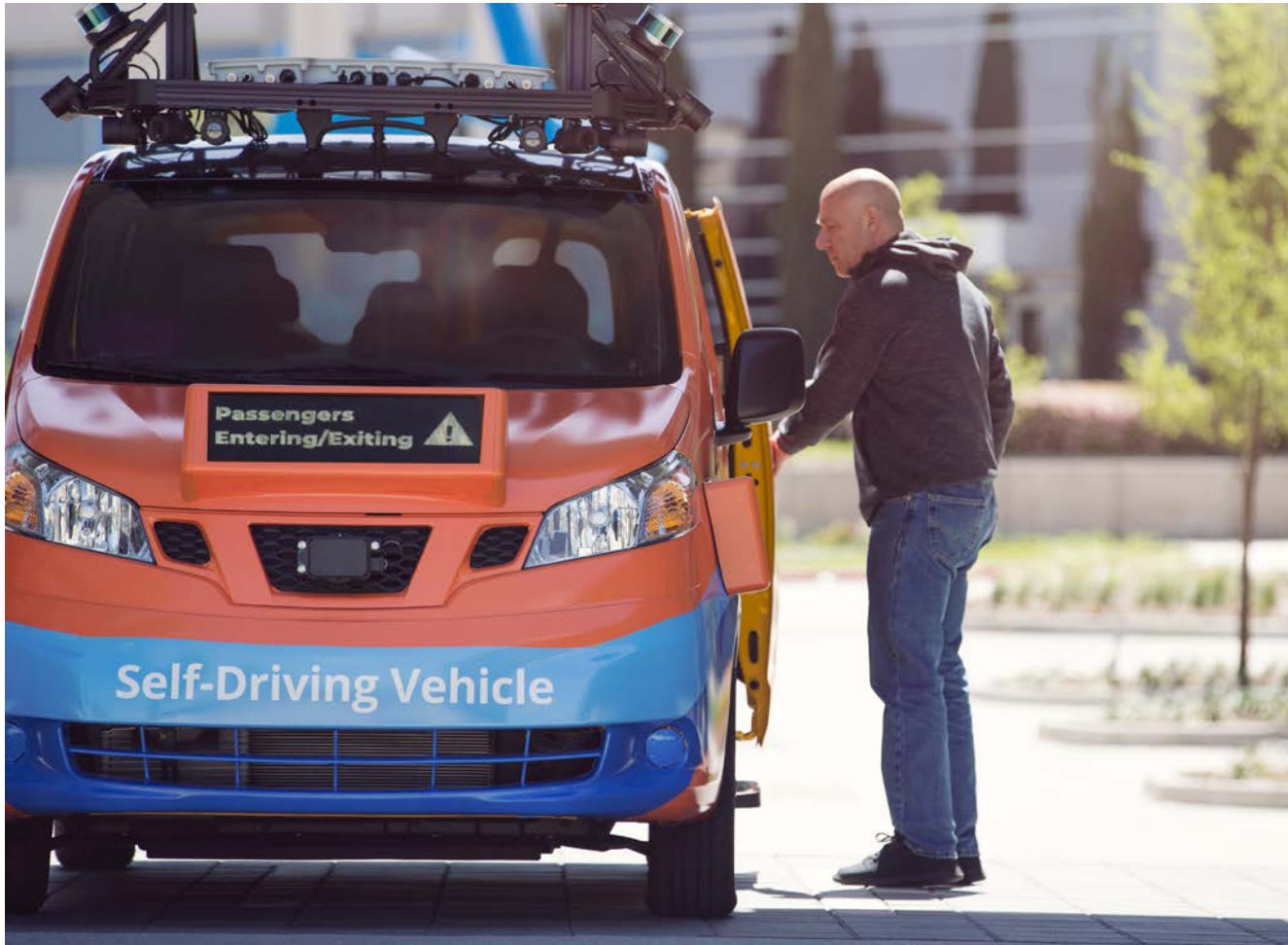
**drive.ai**

HALL  PARK

 **FRISCOSTATION**

  
**THE STAR**

# AV COMMUNITY ACCEPTANCE



## Rider Survey

**98%**

Felt **SAFE**

**9 out of 10 riders**

**Never felt scared**

Ride was **smooth**

Ride was what they **expected**

Said they **would ride again**

# LEWISVILLE SPECIFIC DEVELOPMENT PROJECTS



## Maintenance Facility

- Received FTA Bus and Bus Facilities grant April 2018, \$2.6M
- Plans include 2 maintenance bays, bus wash facility and driver's room
- Environmental documentation underway
- Expect the grant to be funded and begin engineering, Spring, 2019



## Proposed Intersection & Road Improvement Grant Application

- US Dept of Transportation Build Grant Application (unsuccessful)
- \$5.1M to close and reroute Purnell; close Andes Metal crossing & surface street improvements including McKenzie Street, Redbud Lane, Purnell Street and install a new signalized intersection at HWY 121 & McKenzie
- We will re-apply for future grant opportunities



## Rail O&M Land Use Planning and Solar Farm Investigation to offset utility cost

- Preliminary engineering underway



## Connection between DCTA & DART

- History of why and how DART bought all the ROW it owns
- Terms of ROW lease with DART: 20 year, may renew for an additional 20 year term and pay fair market value as rent, current payment through end of existing term \$100k per year
- DART owns land & DCTA owns improvements
- Current interface with DART is the Green Line
- Options for extension South

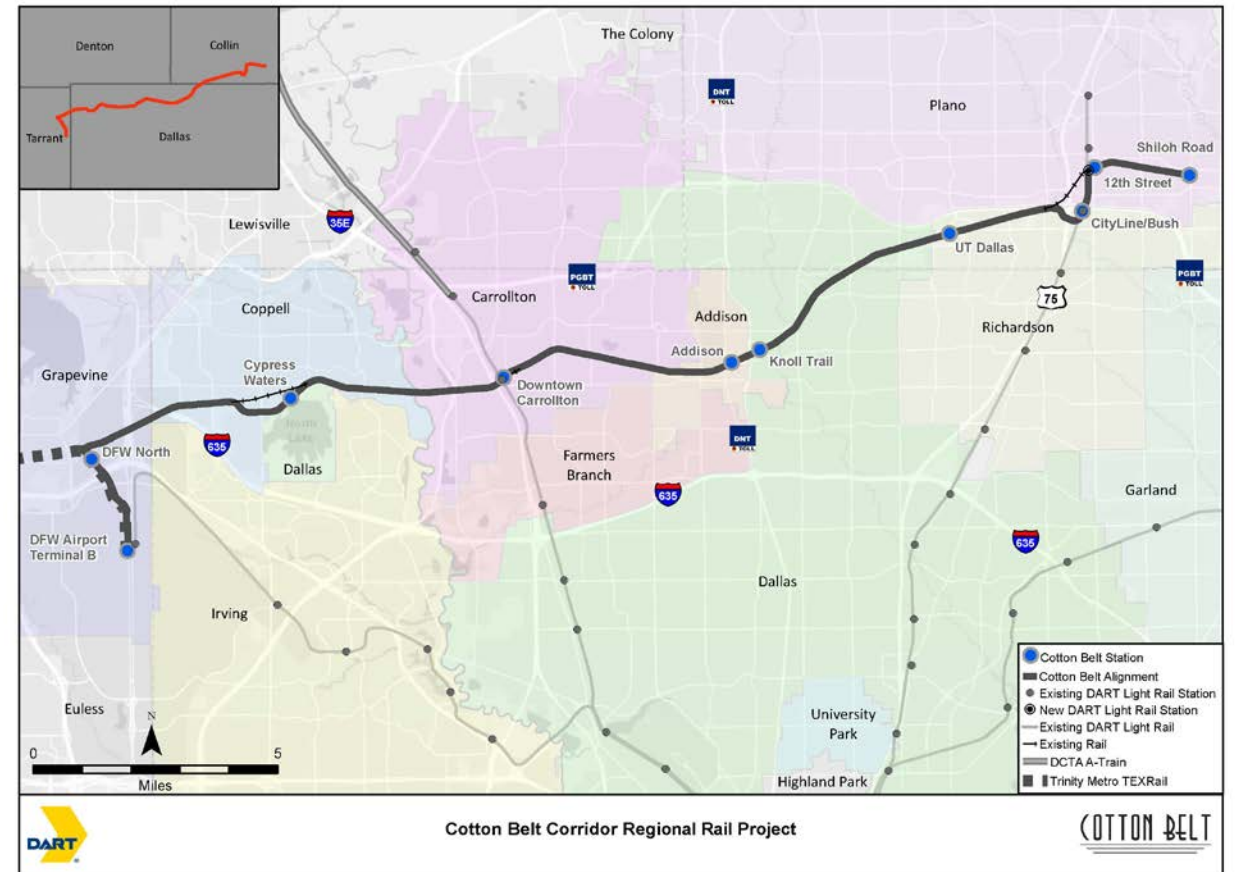


# FUTURE CONNECTIVITY TO COTTON BELT



## Current Status:

- Design-Build Contract Awarded to Archer Western/Herzog at DART Board Meeting. NTP, January 2019
- \$782 million
- Contract Timeline 1/2019 – 12/2022
- Options for connecting with Cotton Belt



# WHAT IS PTC:



- PTC (Positive Train Control ) is an additional layer of technology on top of the existing signaling and dispatch system that complements DCTA signaling and dispatch systems
- It prevents human factor-induced errors in the operation of trains:
  - Passing stop signals
  - Train-to-train collisions
  - Derailments caused by excessive speed
  - Unauthorized train movement where maintenance activities are taking place
  - Movement of a train through a track switch left in the wrong position
  - Ensures train complies with temporary speed restrictions, crossing malfunction messages, etc.

# CHOOSING E-ATC SYSTEM OVER I-ETMS (DART)



- E-ATC (Enhanced Automatic Train Control system) was approved as an alternative technology of PTC by the FRA
- Suggested strongly as a solution for DCTA, good for small rail lines
- E-ATC complements DCTA's current signal system
- I-ETMS (Interoperable Electronic Train Management System) requires acquiring spectrum, installation of radio antenna towers, wayside interface units, onboard computers, etc.
- E-ATC proved to be less costly to implement, shorter install period and results in less operating cost over the life of the technology

# PTC OPTIONS FOR DCTA TO RUN ON THE COTTON BELT



- No modifications are required if DCTA terminates at new proposed Cotton Belt Station terminus
- Access on the Cotton Belt requires new vehicles equipped with EATC and I-ETMS
- Dual equipped, E-ATC turned off, and I-ETMS turned on
- DCTA will be utilizing the interoperable features (ability to run a train on a HOST railroad)
- I-ETMS technology can use the existing infrastructure (Radio towers, etc.) when running on DART corridors
- Dispatching on the Cotton Belt will be performed by DART
- To enable DART and TexRail vehicles to run on DCTA territory would require additional I-ETMS equipment to be installed along the DCTA corridor

# QUESTIONS?



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