

**LEWISVILLE CITY COUNCIL**

**REGULAR SESSION**

**MAY 1, 2017**

**Present:**

Rudy Durham, Mayor (Absent)

**Council Members:**

TJ Gilmore, Mayor Pro Tem

R Neil Ferguson

Brent Daniels

Brandon Jones

**City Staff:**

Donna Barron, City Manager

Eric Ferris, Assistant City Manager

Claire Swann, Assistant City Manager

Melinda Galler, Assistant City Manager

Julie Heinze, City Secretary

Lizbeth Plaster, City Attorney

**WORKSHOP SESSION – 5:45 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 Gilmore at 5:45 p.m. on Monday, May 1, 2017, 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 Regarding Contracting Pet  
Registration Services**

**(Agenda Item A)**

Assistant City Manager Claire Swann and Health and Animal Services Manager Chris McGinn presented the attached PowerPoint for City Council consideration.

Discussion was held that a resident who wanted to register their pet at the Animal Shelter would have the ability to do that via a computer located at the Shelter and staff could assist them if they needed help. Further discussion was held regarding having some type of incentive to register pets for a longer period of time than one year. City staff advised they could look into various options.

**WORKSHOP SESSION – 5:45 P.M.**

**Discussion Regarding Contracting Pet  
Registration Services (cont'd)**

**(Agenda Item A)**

Councilman Daniels stated that in order to break even on the cost, it appeared registration would have to double. Mr. McGinn advised that with additional water billing mailouts registration had increased; however, information from other cities utilizing this program had shown an increase in their registration rate. Discussion was held regarding the proposed fee staff had recommended. Councilman Daniels questioned if a life of the pet registration could be considered. Animal Control Supervisor Ethel Strother advised that not a lot of pet owners utilize the three-year registration at this time. Discussion was held regarding the potential of pet owners requesting a refund if the pet passed away. City Manager Barron indicated that annual registration allows to ensure that the City has an accurate address as well as vaccinations are current. She pointed out that this program would provide for notification to pet owners to re-register on an annual basis which would increase registration as well.

Mr. McGinn indicated that the more pets that were registered, the more pets could get returned to their owners. He further advised that the Animal Shelter does provide microchipping for \$15 per pet and staff would determine if the registration and chip data base could be tied into together.

At the request of Mayor Pro Tem Gilmore, Mr. McGinn confirmed that a resident could mail in or bring in their registration form to avoid the convenience fee.

The consensus of the City Council was that they like the program. City Manager Barron advised that this would be brought back as an ordinance for consideration based on the consensus.

City Manager Barron confirmed that the only question the City Council had at this time was the chip data being tied in with the registration.

**Discussion Regarding Proposed Valet  
Ordinance**

**(Agenda Item B)**

At the request of City Manager Barron, Assistant City Manager Swann conducted the attached PowerPoint Presentation for City Council consideration.

Discussion was held regarding parking in public spots being utilized for this valet service. Both Councilman Jones and Councilman Ferguson expressed their opposition to this occurring.

Discussion was held that the appeal process would initially be handled through City staff and then secondary to City Council.

**WORKSHOP SESSION – 5:45 P.M.**

**(Agenda Item B)**

**Discussion Regarding Proposed Valet Ordinance (cont'd)**

The consensus of the City Council was to move forward. City Manager Barron advised City staff will bring this back in the form of an ordinance for consideration.

**Discussion of Regular Agenda Items and Consent Agenda Items**

**(Agenda Item C)**

Mayor Pro Tem Gilmore reviewed Agenda Item A, Invocation. There was no discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item B, Pledge to the American and Texas Flags. There was no discussion on this item. Councilman Daniels will do

Mayor Pro Tem Gilmore reviewed Agenda Item C, Proclamations: 1) Declaring the Week of May 14-20, 2017, as “National Police Week” and May 15, 2017, as “Police Memorial Day”; and 2) Declaring the Week of May 7-13, 2017, as “National Drinking Water Week” and the Week of May 21-27, 2017, as “National Public Works Week”. There was no discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item D, Presentation: Certificates of Appreciation for Graduating Teen Court Seniors and Presentation of Teen Court Scholarship. There was no discussion on this item. There was no discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item E-1, Public Hearing: Consideration of an Ordinance Granting a Special Use Permit (SUP) for an Expansion of an Auto Body Shop, on a 1.662-Acre Lot Legally Described as Lot 1R, Block A, BK Drilling Addition, Zoned Light Industrial District (LI), Located on the North Side of East State Highway 121 Business Approximately 1,170 Feet East of Valley Ridge Boulevard, at 999 East State Highway 121 Business, as Requested by Robert Schneeberg, of Gonzalez & Schneeberg, Engineers & Surveyors, Inc., on Behalf of Chuck White, Lone Star Magic, LLC, the Property Owner (Case No. SUP-2017-04-09). There was no discussion on this item.

**WORKSHOP SESSION – 5:45 P.M.**

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

**(Agenda Item C)**

Mayor Pro Tem Gilmore reviewed Agenda Item E-2, Public Hearing: Consideration of an Ordinance Granting a Zone Change Request from Agricultural Open Space District (AO) and Light Industrial District (LI) to Planned Development-Mixed Use District (PD-MU) and Five Associated Variances on an Approximately 10.123-Acre Tract of Land out of the L. Burgois Survey, Abstract No. 52; Located on the Southwest Corner of Rockbrook Drive and East Uecker Lane, as Requested by G&A Consultants, LLC on behalf of UKR Land 1 LLC & Freda J. Wallace, the Property Owners (Case No. PZ-2017-04-06). At the request of City Manager Donna Barron, Planning Director Richard Luedke reviewed the backup material for the City Council regarding this item. Randi Rivera with G&A Consultants gave a brief presentation of this item for City Council consideration. There was no further discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item E-3, Public Hearing: Consideration of an Ordinance Granting a Zone Change Request from Light Industrial District (LI) to Public Use District (PU) on a 2.328-Acre Lot Legally Described as Lot 3, Block A, Texas Instruments Addition, Located on the South Side of West Round Grove Road (FM 3040), Approximately 1,400 Feet East of Edmonds Lane, as Requested by the City of Lewisville, the Property Owner (Case No. PZ-2017-04-05). There was no discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item E-4, Public Hearing: Consideration of an Ordinance Amendment to the Lewisville City Code Sections 17-29.5 “SUP” Special Use Permit Regulations, and Section 17-37 Amendments. There was no discussion on this item.

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

Mayor Pro Tem Gilmore reviewed Agenda Item G-5, Approval of City Council Minutes of the April 17, 2017, Workshop Session and Regular Session. There was no discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item G-6, Approval of the First Amendment to the Public Road Crossing License Agreement With Denton County Transportation Authority for Grade Crossing and Signal Improvements at Valley Ridge Boulevard Within Railroad Right-of-Way Increasing the Amount of Compensation to be Paid to the DCTA From \$656,250 to \$1,000,000; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

**WORKSHOP SESSION – 5:45 P.M.**

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

**(Agenda Item C)**

Mayor Pro Tem Gilmore reviewed Agenda Item G-7, Approval of Interlocal Cooperation Agreement for Mutual Access to Cloudlibrary Digital Resources With the City of Burleson, City of Carrollton, City of Colleyville, City of Coppell, City of Euless, Town of Flower Mound, City of McKinney, City of Sachse, City of Southlake, and the Town of Little Elm; Designation of the Director of Library Services as the Official Liaison for the City of Lewisville; and Authorization for the City Manager to Execute the Agreement. Library Director Carolyn Booker explained what a great opportunity this was for the City of Lewisville. There was no further discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item G-8, Approval of a Bid Award for CDBG Program Year 2016 Sewer Manhole Rehabilitation Project to Krapff Reynolds Construction Company, Oklahoma City, Oklahoma, for \$449,490.00; and Authorization for the City Manager to Execute the Contract. City Manager Barron advised staff had worked hard to expand this project to encourage bidders; however, only one bid had been received. Director of Public Services Keith Marvin advised that this project needed to move forward in order to utilize the CDBG funding. There was no further discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item G-9, Approval of an Amendment to the Economic Development Agreement That was Approved on December 21, 2015 By and Between Bed, Bath and Beyond, Inc., and the City of Lewisville; and Authorization for the City Manager to Execute the Contract. City Manager Barron advised that the sales tax revenue had far exceeded expectations and staff was comfortable with allowing the 90% as requested. There was no further discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item G-10, Approval of a Resolution Amending the Authorized Representatives Who Have Authority to Approve Investment Changes with Texpool. There was no discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item H-11, Consideration of a Preliminary Plat of Castle Hills Phase 10 Lewisville Addition; Containing 264 Single-Family Lots, Four Multi-Family Lots, 28 Townhouse Lots, One General Business Lot and 11 Common Area Lots on 215.46-Acres, With Zoning Designations of Estate Townhouse (ETH), Townhouse Two (TH-2), Multi-Family Three (MF-3) and General Business Two (GB-2); Located on the South Side of Windhaven Parkway, North side of FM 544 and West of Josey Lane; Containing Three Associated Variances, as Requested by LandDesign Inc., Representing the Property Owner. There was no discussion on this item.

**WORKSHOP SESSION – 5:45 P.M.**

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

**(Agenda Item C)**

Mayor Pro Tem Gilmore reviewed Agenda Item H-12, Consideration of a Resolution Nominating One Member to the Board of Managers of the Denco Area 9-1-1 District. There was no discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item H-13, Consideration of Declaring Vacancies in Place No. 5 of the Lewisville Parks and Library Development Corporation (4B) and Place No. 5 of the Lewisville Local Government Corporation (LLGC); and Consideration of an Appointment to Fill the Vacancies on the 4B and LLGC. There was no discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item I, Reports. There was no discussion on this item.

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

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:42 p.m. on Monday, May 1, 2017.

**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 Gilmore at 7:00 p.m. on Monday, May 1, 2017, 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 Gilmore, Councilman Jones gave the invocation.

**Pledge to the American and Texas Flags**

**(Agenda Item B)**

At the request of Mayor Pro Tem Gilmore, Councilman Daniels gave the pledge to the American and Texas flags.

**Proclamation: Declaring the Week of May 14-20, 2017, as “National Police Week” and May 15, 2017, as “Police Memorial Day”**

**(Agenda Item C-1)**

Councilman Jones read and presented a proclamation declaring the week of May 14-20, 2017, as “National Police Week” and May 15, 2017, as “Police Memorial Day” to City of Lewisville Officer Marvi Hill.

**Proclamation: Declaring the Week of May 7-13, 2017, as “National Drinking Water Week” and the Week of May 21-27, 2017, as “National Public Works Week”**

**(Agenda Item C-2)**

Councilman Jones read and presented a proclamation declaring the week of May 7-13, 2017, as “National Drinking Water Week” and the week of May 21-27, 2017, as “National Public Works Week” to City of Lewisville representatives: David Evans, Kelly Rouse, Malcom Texeria, Chris Presley, Ryan Dromgoole, James Wallingsford.

**Presentation: Certificates of Appreciation for Graduating Teen Court Seniors and Presentation of Teen Court Scholarship**

**(Agenda Item D)**

Judge Holly Fox presented Certificates of Appreciation for Graduating Teen Court Seniors Anastasia Loney and Summer Jaber and presented the Teen Court Scholarship to Anastasia Loney.

**Public Hearing: Consideration of Ordinance No. 4371-05-2017 (SUP) Granting a Special Use Permit (SUP) for an Expansion of an Auto Body Shop, on a 1.662-Acre Lot Legally Described as Lot 1R, Block A, BK Drilling Addition, Zoned Light Industrial District (LI), Located on the North Side of East State Highway 121 Business Approximately 1,170 Feet East of Valley Ridge Boulevard, at 999 East State Highway 121 Business, as Requested by Robert Schneeberg, of Gonzalez & Schneeberg, Engineers & Surveyors, Inc., on Behalf of Chuck White, Lone Star Magic, LLC, the Property Owner (Case No. SUP-2-04-09)**

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**(Agenda Item E-1)**

The SUP proposal identifies enhanced features to the new buildings including the use of natural stone to complement the existing structure, and an awning above the main entrances. The applicant proposes to remove the existing pole sign and replace it with a monument sign. An additional 9 trees above minimum requirements will be provided on the site. On April 4, 2017, the Planning and Zoning Commission recommended unanimous approval (7-0) of the SUP.

The City staff's recommendation was that the City Council approve the proposed ordinance as set forth in the caption above with the condition that the existing pole sign on the site be removed and replaced with a six-foot tall monument sign.

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

Mayor Pro Tem Gilmore opened the public hearing.

**MOTION:** Upon a motion made by Councilman Jones and seconded by Councilman 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 the Zoning Ordinance by Granting a Special Use Permit for the Expansion of an Auto Body Shop on a 1.662-Acre Lot Legally Described as Lot 1R, Block A, BK Drilling Addition, Located on the North Side of East State Highway 121 Business Approximately 1,170 Feet East of Valley Ridge Boulevard at 999 State Highway 121 Business, and Zoned Light Industrial District (LI); Providing for a Repealer, Severability, and a Penalty; and Declaring an Emergency."

**Public Hearing: Consideration of Ordinance No. 4371-05-2017 (SUP) Granting a Special Use Permit (SUP) for an Expansion of an Auto Body Shop, on a 1.662-Acre Lot Legally Described as Lot 1R, Block A, BK Drilling Addition, Zoned Light Industrial District (LI), Located on the North Side of East State Highway 121 Business Approximately 1,170 Feet East of Valley Ridge Boulevard, at 999 East State Highway 121 Business, as Requested by Robert Schneeberg, of Gonzalez & Schneeberg, Engineers & Surveyors, Inc., on Behalf of Chuck White, Lone Star Magic, LLC, the Property Owner (Case No. SUP-2-04-09) (cont'd)**

**(Agenda Item E-1)**

**MOTION:** Upon a motion made by Councilman Jones and seconded by Councilman Ferguson, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4371-05-2017 (SUP)**, as previously captioned. The motion carried.

**Public Hearing: Consideration of Ordinance No. 4372-05-2017 (Z) Granting a Zone Change Request from Agricultural Open Space District (AO) and Light Industrial District (LI) to Planned Development-Mixed Use District (PD-MU) and Five Associated Variances on an Approximately 10.123-Acre Tract of Land out of the L. Burgois Survey, Abstract No. 52; Located on the Southwest Corner of Rockbrook Drive and East Uecker Lane, as Requested by G&A Consultants, LLC on behalf of UKR Land 1 LLC & Freda J. Wallace, the Property Owners (Case No. PZ-2017-04-06)**

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(Agenda Item E-2)

The proposed development is an age-restricted community for seniors age 55 years or more consisting of 66 craftsman style single-family detached condominium units on one platted lot with an emphasis on resident interaction. Mixed Use zoning is preferred due to potential medical services offered on site. The following five variances are requested: a) to allow private streets maintained by the HOA; b) to waive the ally/rear entry requirement; c) to allow a reduction in the exterior finish requirement; d) to allow a reduction in the clear vision area from 45'x45' to 35'x35'; and e) to allow a reduction in the required corner clip from 12'x12' to 7.5'x7.5'. Variance requests a), b), d), and e) will require further investigation and will be addressed at the time of preliminary plat. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request at their meeting of April 18, 2017.

The City staff's recommendation was that the City Council approve the ordinance, take no action on variances a), b), d) and e) and approve variance c).

Richard Luedke, Planning Director, Chip Tabor, 231 Roma Drive, Lewisville, Texas 75067, and Randi Rivera 111 Hillside, Lewisville, Texas, were all available to address any questions posed by the City Council.

Mayor Pro Tem Gilmore opened the public hearing.

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Councilman Jones, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

**Public Hearing: Consideration of Ordinance No. 4372-05-2017 (Z) Granting a Zone Change Request from Agricultural Open Space District (AO) and Light Industrial District (LI) to Planned Development-Mixed Use District (PD-MU) and Five Associated Variances on an Approximately 10.123-Acre Tract of Land out of the L. Burgois Survey, Abstract No. 52; Located on the Southwest Corner of Rockbrook Drive and East Uecker Lane, as Requested by G&A Consultants, LLC on behalf of UKR Land 1 LLC & Freda J. Wallace, the Property Owners (Case No. PZ-2017-04-06) (cont'd)**

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(Agenda Item E-2)

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 an Approximately 10.123-Acre Tract of Land Out of the L. Burgois Survey, Abstract No. 52; Located on the Southwest Corner of Rockbrook Drive and East Uecker Lane; From Agriculture Open Space District (AO) and Light Industrial District (LI) Zoning to Planned Development-Mixed Use District (PD-MU) 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, and a Penalty; and Declaring an Emergency.”

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Councilman Jones, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4372-05-2017 (Z)**, as previously captioned. The motion carried.

**Public Hearing: Consideration of Ordinance No. 4373-05-2017 (Z) Granting a Zone Change Request from Light Industrial District (LI) to Public Use District (PU) on a 2.328-Acre Lot Legally Described as Lot 3, Block A, Texas Instruments Addition, Located on the South Side of West Round Grove Road (FM 3040), Approximately 1,400 Feet East of Edmonds Lane, as Requested by the City of Lewisville, the Property Owner (Case No. PZ-2017-04-05)**

(Agenda Item E-3)

Fire Station 3 will relocate to this site, providing improved response times to this part of the City. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request at their meeting of April 18, 2017.

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

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

Mayor Pro Tem Gilmore opened the public hearing.

**MOTION:** Upon a motion made by Councilman Jones and seconded by Councilman 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 the Zoning Ordinance by Rezoning a 2.328 Acre Lot Legally Described as Lot 3, Block A, Texas Instruments Addition; Located on the South Side of West Round Grove Road (FM 3040), Approximately 1,400 Feet East of Edmonds Lane; From Light Industrial District (LI) Zoning to Public Use District (PU) 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, and a Penalty; and Declaring an Emergency."

**MOTION:** Upon a motion made by Councilman Jones and seconded by Councilman Ferguson, the Council voted four (4) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 4373-05-2017 (Z)**, as previously captioned. The motion carried.

**Public Hearing: Consideration of Ordinance  
No. 4374-05-2017 (Z) Amendment to the  
Lewisville City Code Sections 17-29.5 “SUP”  
Special Use Permit Regulations, and Section  
17-37 Amendments**

**(Agenda Item E-4)**

The proposed amendments will revise the language to clarify that Special Use Permits follow the same process as zoning change requests. The Planning and Zoning Commission recommended unanimous approval (7-0) of the proposed amendments at their April 18<sup>th</sup> meeting.

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

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

Mayor Pro Tem Gilmore opened the public hearing.

**MOTION:** Upon a motion made by Councilman Jones and seconded by Councilman Daniels, 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 17-29.5, Special Use Permit, and Section 17-37, Amendments, to Clarify the Process for Amendments to Special Use Permits; Providing for a Repealer; Effective Date; and Severability; and Declaring an Emergency.”

**MOTION:** Upon a motion made by Councilman Daniels and seconded by Councilman Jones, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4374-05-2017 (Z)**, as previously captioned. The motion carried.

**Visitors/Citizens Forum**

**(Agenda Item F)**

Kellie Stokes, 132 West Main Street, Lewisville, Texas, spoke before the City Council on behalf of the Children’s Advocacy Center regarding fund sharing. Ms. Stokes requested that the City Council consider holding a workshop to discuss this possibility.

No one else appeared to speak at this time.

**CONSENT AGENDA**

**(Agenda Item G)**

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Councilman Jones, 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:

5. APPROVAL OF MINUTES: City Council Minutes of the April 17, 2017, Workshop Session and Regular Session.
6. Approval of the First Amendment to the Public Road Crossing License Agreement With Denton County Transportation Authority for Grade Crossing and Signal Improvements at Valley Ridge Boulevard Within Railroad Right-of-Way Increasing the Amount of Compensation to be Paid to the DCTA From \$656,250 to \$1,000,000; and Authorization for the City Manager to Execute the Agreement.
7. Approval of Interlocal Cooperation Agreement for Mutual Access to Cloudlibrary Digital Resources With the City of Burleson, City of Carrollton, City of Colleyville, City of Coppell, City of Euless, Town of Flower Mound, City of McKinney, City of Sachse, City of Southlake, and the Town of Little Elm; Designation of the Director of Library Services as the Official Liaison for the City of Lewisville; and Authorization for the City Manager to Execute the Agreement.
8. Approval of a Bid Award for CDBG Program Year 2016 Sewer Manhole Rehabilitation Project to Krapff Reynolds Construction Company, Oklahoma City, Oklahoma, for \$449,490.00; and Authorization for the City Manager to Execute the Contract.
9. Approval of an Amendment to the Economic Development Agreement That was Approved on December 21, 2015 By and Between Bed, Bath and Beyond, Inc., and the City of Lewisville; and Authorization for the City Manager to Execute the Contract.
10. Approval of a Resolution Amending the Authorized Representatives Who Have Authority to Approve Investment Changes with Texpool.

The motion carried.

**END OF CONSENT AGENDA**

**Consideration of a Preliminary Plat of Castle Hills Phase 10 Lewisville Addition; Containing 264 Single-Family Lots, Four Multi-Family Lots, 28 Townhouse Lots, One General Business Lot and 11 Common Area Lots on 215.46-Acres, With Zoning Designations of Estate Townhouse (ETH), Townhouse Two (TH-2), Multi-Family Three (MF-3) and General Business Two (GB-2); Located on the South Side of Windhaven Parkway, North side of FM 544 and West of Josey Lane; Containing Three Associated Variances, as Requested by LandDesign Inc., Representing the Property Owner**

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**(Agenda Item H-11)**

The preliminary 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 future commercial and residential development. The following variances are being requested: a) to allow a 41-ft street easement with an 8-ft sidewalk and utility easement in lieu of the required 50-ft right-of-way; b) to waive the alley requirement for lots less than 10,000 square feet in area; and c) to allow Block N to have a zoning designation of Townhouse Two (TH-2). The Planning and Zoning Commission recommended unanimous approval (7-0) at their April 18, 2017, meeting.

The City staff's recommendation was that the City Council approve the Preliminary Plat and three requested variances as set forth in the caption above.

David Salmon, P.E., City Engineer and Eddie Collins, 2520 King Arthur Blvd., Ste 200, Lewisville Texas 75056, were both present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Councilman Daniels and seconded by Councilman Ferguson, the Council voted four (4) "ayes" and no (0) "nays" to approve a Preliminary Plat of Castle Hills Phase 10 Lewisville Addition; containing 264 single-family lots, four multi-family lots, 28 townhouse lots, one general business lot and 11 common area lots on 215.46-Acres, with zoning designations of Estate Townhouse (ETH), Townhouse Two (TH-2), Multi-Family Three (MF-3) and General Business Two (GB-2); located on the south side of Windhaven Parkway, north side of FM 544 and west of Josey Lane; and approving the following three associated variances: a) to allow a 41-ft street easement with an 8-ft sidewalk and utility easement in lieu of the required 50-ft right-of-way; b) to waive the alley requirement for lots less than 10,000 square feet in area; and c) to allow Block N to have a zoning designation of Townhouse Two (TH-2), as requested by LandDesign Inc., representing the property owner. The motion carried.

**Consideration of Resolution No. 4375-05-2017 (R) Nominating One Member to the Board of Managers of the Denco Area 9-1-1 District**

(Agenda Item H-12)

Sue Tejml, Mayor of Town of Copper Canyon, currently represents area municipalities on the Denco Area 9-1-1 District Board of Managers. Mayor Tejml's term expires on September 30, 2017 and the District has requested that each participating city submit their nomination for a candidate to represent their municipality by June 15, 2017. Mayor Tejml has expressed her desire to serve another term.

The City staff's recommendation was that the City Council approve the resolution nominating one member to the Board of Managers of the Denco Area 9-1-1 District.

**MOTION:** Upon a motion made by Councilman Jones and seconded by Councilman Ferguson, the Council voted four (4) "ayes" and no (0) "nays" to approve and adopt **Resolution No. 4375-05-2017 (R)**, a Resolution of the City Council of the City of Lewisville, Texas, Nominating Sue Tejml to the Board of Managers of the Denco Area 9-1-1 District. The motion carried.

**Consideration of Declaring Vacancies in Place No. 5 of the Lewisville Parks and Library Development Corporation (4B) and Place No. 5 of the Lewisville Local Government Corporation (LLGC); and Consideration of an Appointment to Fill the Vacancies on the 4B and LLGC**

(Agenda Item H-13)

Due to the passing of Deputy Mayor Pro Tem Leroy Vaughn, a vacancy now exists on both the Lewisville Parks and Library Development Corporation (4B) and the Lewisville Local Government Corporation (LLGC). At their inception, it was the intent of the City Council that the positions currently vacant be filled by a City Council Member. The rosters for both these corporations have been included for City Council review. Currently the only City Council Members not serving on the 4B are Councilman Daniels and Councilman Jones. The only City Council Member not serving on LLGC is Mayor Pro Tem Gilmore. Staff strongly recommends appointing another City Council Member to fill these vacancies.

The City staff's recommendation was that the City Council declare vacancies in Place No. 5 of the Lewisville Parks and Library Development Corporation (4B) and Place No. 5 of the Lewisville Local Government Corporation (LLGC); and consider new appointments to Place No. 5 of the 4B and Place No. 5 of the LLGC.

**Consideration of Declaring Vacancies in Place No. 5 of the Lewisville Parks and Library Development Corporation (4B) and Place No. 5 of the Lewisville Local Government Corporation (LLGC); and Consideration of an Appointment to Fill the Vacancies on the 4B and LLGC (cont'd)**

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**(Agenda Item H-13)**

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Gilmore, the Council voted four (4) “ayes” and no (0) “nays” to declare a vacancy in Place No. 5 of the Lewisville Parks and Library Development Corporation (4B); and appoint Councilman Jones to Place No. 5 of the 4B. The motion carried.

**MOTION:** Upon a motion made by Councilman Daniels and seconded by Councilman Jones, the Council voted four (4) “ayes” and no (0) “nays” to declare a vacancy in Place No. 5 of the Lewisville Local Government Corporation (LLGC); and appoint Mayor Pro Tem Gilmore to Place No. 5 of the LLGC. The motion carried.

**Reports**

**(Agenda Item I)**

- Fire Chief Tim Tittle advised of the upcoming Keeping the Tradition Alive event and encouraged everyone to come out and experiencing this event.
- Library Director Carolyn Booker advised Library staff was preparing for the summer reading program.
- Director of Public Services Keith Marvin gave an update on the status of the lake and advised that water restrictions had gone into effect today.
- Councilman Daniels encouraged everyone to vote if they have not voted yet for the May 15, 2017, City Council and School Trustee Elections.
- Councilman Jones extended thoughts and prayers for everyone that had been affected by the recent tornado in Canton. He also extended thoughts and prayers for the Dallas Fire and Rescue member that had been injured today.
- At the request of Councilman Ferguson, Director of Communications and Tourism reviewed the upcoming events at the MCL Grand.
- Mayor Pro Tem Gilmore thanked the Police Officers for their presence and the entire Department for their hard work and dedication. He further advised of the event at LLELA on May 6<sup>th</sup> from 7:30 a.m. to 4:00 p.m. celebrating birds. He encouraged anyone interested to visit the City’s website<sup>4</sup> for more information.

There were no additional reports at this time.

Mayor Pro Tem Gilmore adjourned the regular session of the Lewisville City Council into Closed Session at 7:36 p.m. Monday, May 1, 2017, 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 7:36 p.m. on Monday, May 1, 2017, 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 7:47 p.m. on Monday, May 1, 2017.

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

**(Agenda Item K)**

Mayor Pro Tem Gilmore reconvened the Regular Session of the Lewisville City Council at 7:47 p.m. on Monday, May 1, 2017, in the Council Chambers of the Lewisville City Hall.

Mayor Pro Tem Gilmore 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 Ferguson and seconded by Councilman Jones, the Council voted four (4) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 7:47 p.m. on Monday, May 1, 2017. The motion carried.

These minutes approved by the Lewisville City Council on the 5th day of June, 2017.

APPROVED

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Rudy Durham  
MAYOR

ATTEST:

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Julie Heinze  
CITY SECRETARY

# City of Lewisville - Animal Registrations



City Council Workshop 05.01.17

# Current City of Lewisville Ordinance

▶ What is the purpose for registration?

▶ **Sec. 3-81. - Proof of current registration required—Animals.**

Each dog, cat, and ferret kept in the city that is four or more months of age, shall be registered with city animal services every 12 or 36 months, whichever registration period the registrant chooses to purchase.

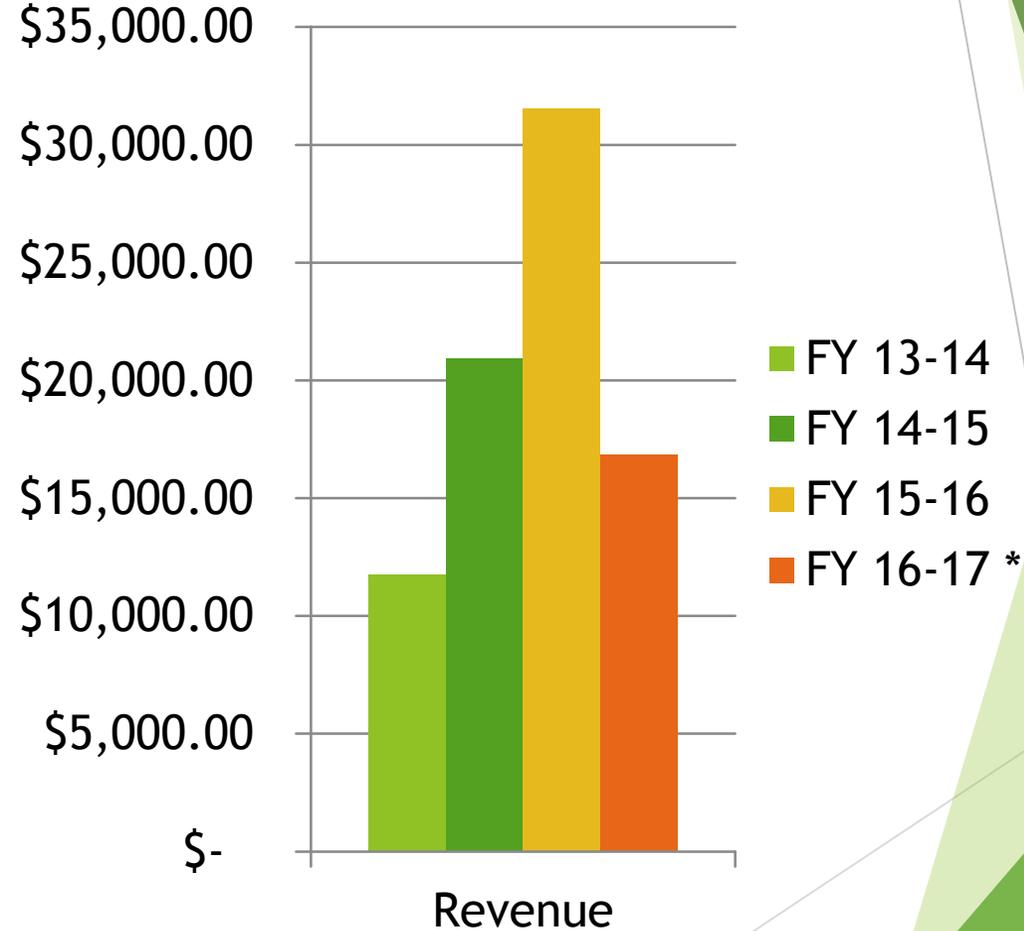
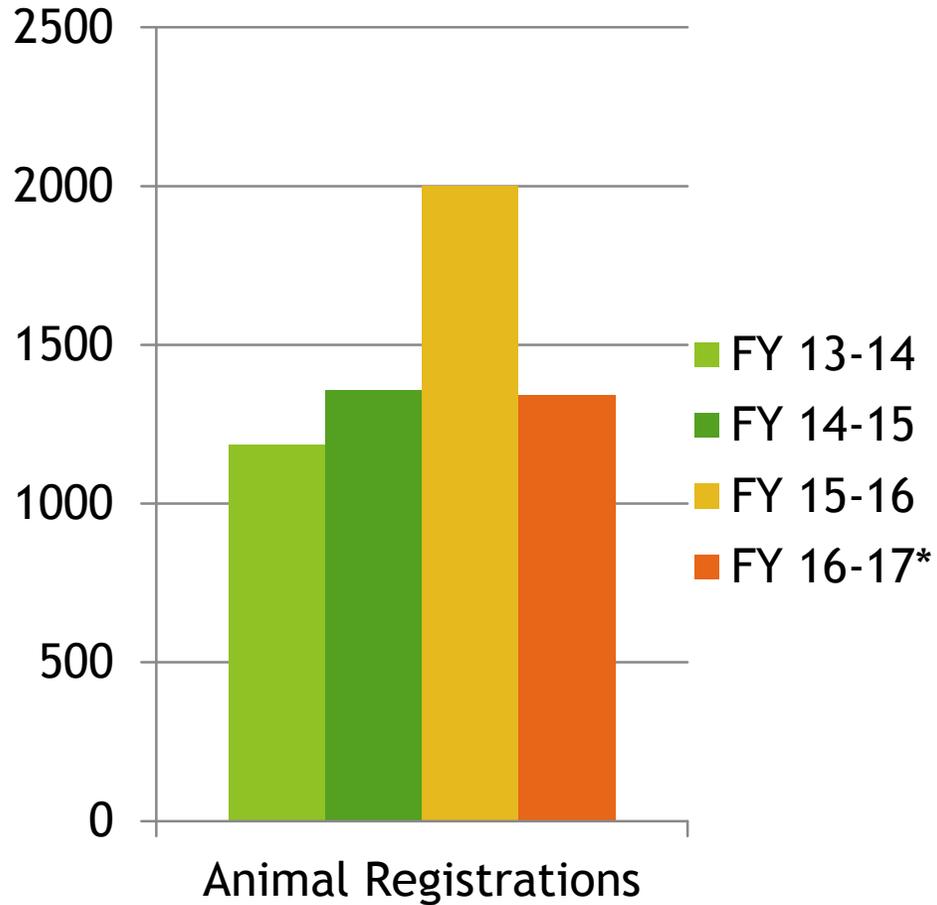
# Process for registration

- ▶ **What is the current process for registration?**
- ▶ **How do we currently educate the public on the importance of registration?**
- ▶ **Who currently registers pets?**

# Current Registration Fees

- ▶ **Current Fees**
  - ▶ **Sterilized animals: \$5.00 per animal per year**
  - ▶ **Unsterilized animals: \$25.00 per animal per year**
- ▶ **Current fees have been in place for sterilized animals for 15 years +**

# Registration and Revenue - City of Lewisville



# How effective have we been at getting pets registered?

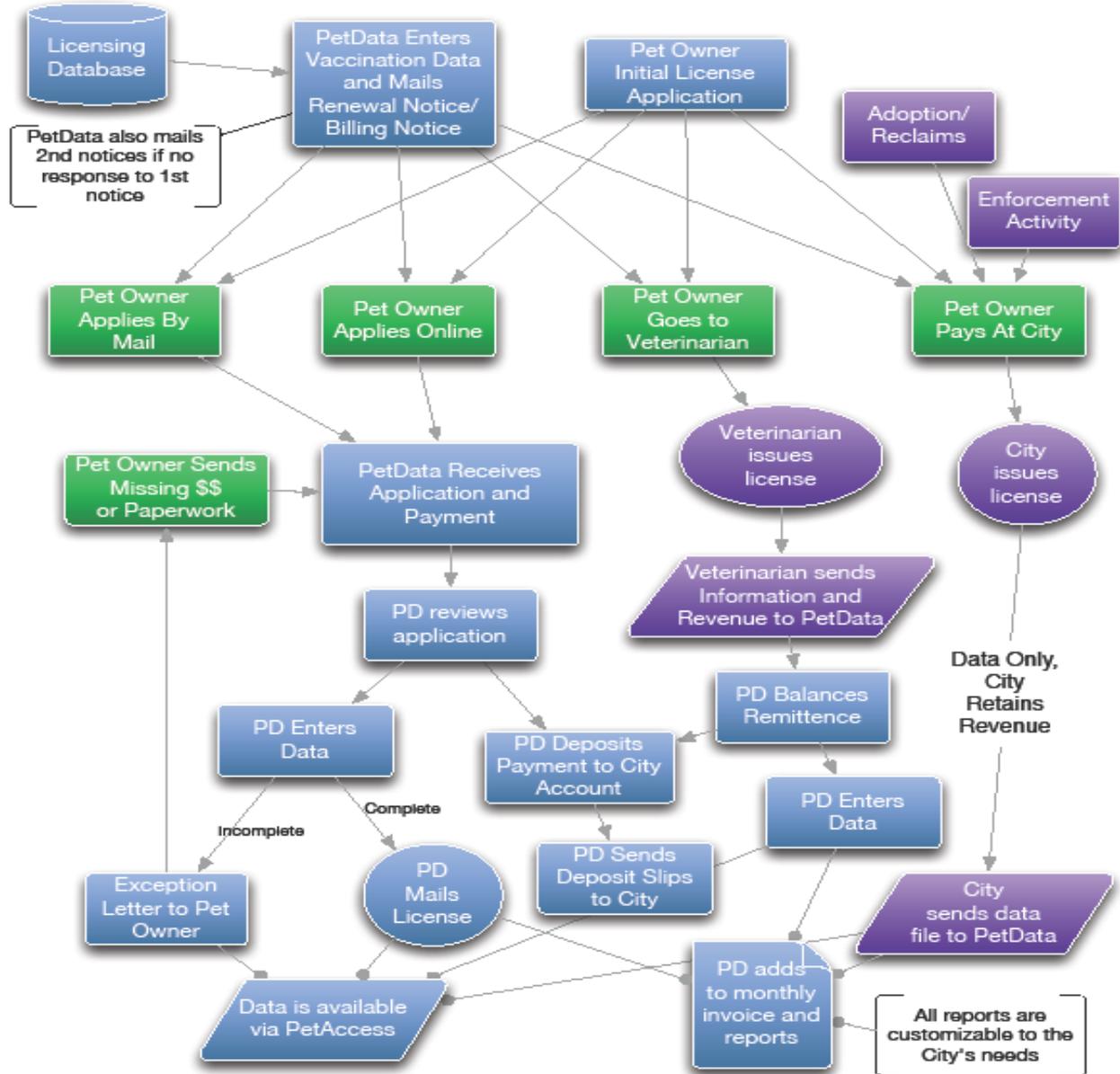
- ▶ According to the latest estimates, from the Department of Commerce, **104,039** people currently reside in Lewisville.
- ▶ The American Veterinary Medical Association Pet Ownership Calculator estimates **48,899** dogs and cats in Lewisville.
- ▶ The Humane Society of the US estimates that 88% of pets are sterilized.
- ▶ Total possible revenue based on current fees, if 100% of the pet population registered, will equate to **\$480,000**.
- ▶ Last year the total revenue of \$31,500 represents **6.5%** of the total possible revenue.
- Water billing mail-out in December 2016 created an increase of 224 licenses compared to the previous year.





# Animal Licensing Process Chart

All License payments are made payable to Lewisville Animal Licensing



# PetData

## ▶ Benefits:

- ▶ PetData has been in business for more than **21 years** and issued more than **9 million** pet licenses.
- ▶ PetData offers **24-hour call center** to answer question concerning registration.
- ▶ PetData reports that clients on average can expect a **40%** increase of registrations after the first year of using their software.
- ▶ PetData currently administers animal licensing programs for over **67** municipalities including Irving, Plano, Frisco, University Park, and Highland Village.

# City of Plano - Jamey Cantrell/ Director of Animal Services

- ▶ The City of Plano saw an increase of 7,485 in FY 09/10 registrations to almost 13,268 in FY 10/11 registrations with PetData.
  - ▶ Increased time for staff to focus on other operations in the facility
  - ▶ Easy way for citizens to register their animal without going to the shelter

# Cost of the PetData Program

Initial Start-Up Fee	\$1,000 City Responsibility
Fee Charged to Lewisville	\$4.25 City Responsibility
Proposed Base Fee	\$7.00 Customer Responsibility
On-line Convenience Fee	\$2.00 Customer Responsibility

# Staff Recommendation

- ▶ Staff is ready to move forward with signing an annual contract with PetData.
  - ▶ Benefits:
    - ▶ Provide staff with additional time to focus on animal welfare activities of the shelter
    - ▶ Meet citizen expectations to offer registration on-line with access to a calling service
    - ▶ Increasing compliance and revenue

# Proposed Fee Changes

- ▶ In order to offset the cost of PetData, it is recommended that there be an increase to the fees of pet licensing.

	1year sterilized	1 year unsterilized	3 years sterilized	3 years unsterilized
Current Fee	\$5	\$25	\$15	\$75
Proposed Fee	\$7	\$30	\$21	\$90

# Survey of Registration Fees

City	1 Year Sterilized	1 Year Unsterilized
ARLINGTON	\$7.00	\$30.00
CARROLLTON	\$5.00	\$20.00
DALLAS	\$7.00	\$7.00
FRISCO*	\$6.25	\$16.00
FORT WORTH	\$12.00	\$36.00
HIGHLAND VILLAGE*	\$5.00	\$5.00
IRVING*	\$10.00	\$15.00
FLOWER MOUND	No Charge	No Charge
LEWISVILLE	\$5.00	\$25.00
DENTON	\$4.00	\$25.00
COPPELL	\$10.00	\$20.00
MCKINNEY	\$5.00	\$5.00
MESQUITE	\$5.00	\$15.00
PLANO*	\$10.00	\$30.00
RICHARDSON	\$5.00	\$10.00
UNIVERSITY PARK*	\$10.00	\$20.00

Questions?

# Proposed Valet Parking Ordinance

City Council Workshop May 1, 2017

# Demand for Valet Parking



- Old Town Center District
- Restaurants
- Feed Mill

# Regulatory Programs



- Dallas
- Fort Worth
- McKinney
- Plano
- Austin

# Considerations



## Use of public property

- Drop off and pick up
- Parking
- Maneuvering

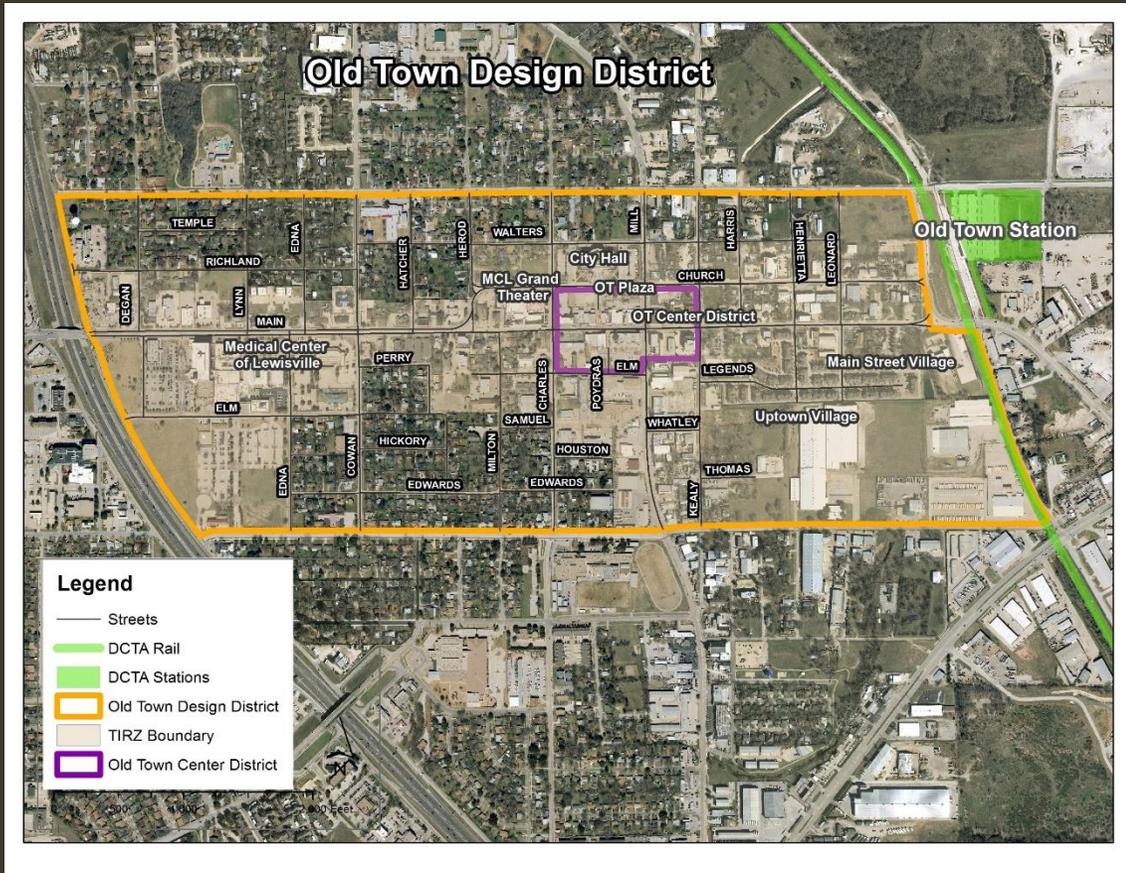
## Liability Issues

- Indemnification
- Insurance

## Protection of Citizens and Visitors

Exemption for special events and city or city-sponsored events.

# Authorization



Valet parking permit could be issued annually and would only be permitted:

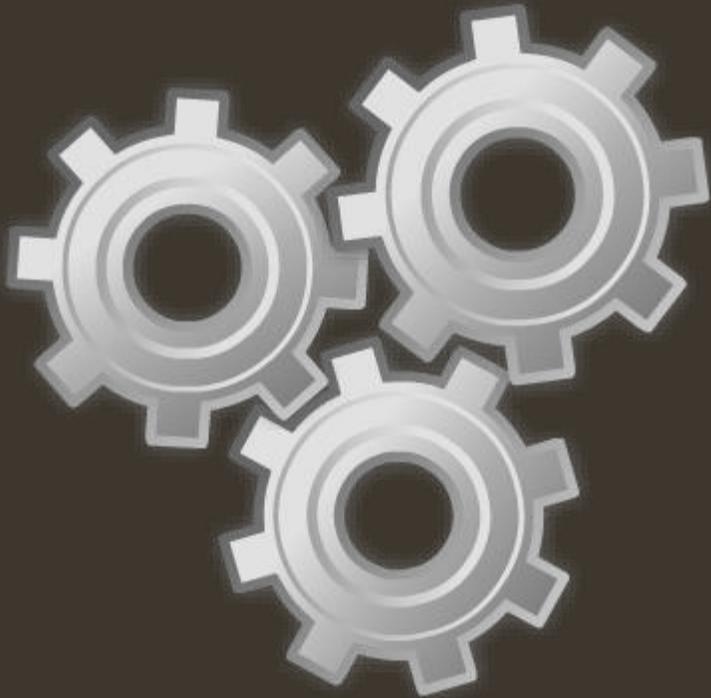
1. Within Old Town Design District
2. Between 5 pm- 2 am
3. When operated in conjunction with a restaurant use
4. By permit only
5. So long as applicant has ability to designate three parallel parking spaces for valet queuing; and
6. So long as valet queuing is not:
  - Located on a street segment directly adjacent to a single family residential use
  - Within ten feet of a cross-walk
  - Within ten feet of a fire hydrant, fire call box, police or other emergency facility
  - Within five feet of a driveway
  - Within three feet in front of or fifteen feet behind a sign marking a designated bus stop.

# Application Information



- Name and location of restaurant served
- Seating capacity of restaurant served
- Telephone number of designated agent at restaurant
- Name of valet operator with contact information
- Hours of operation and numbers of employees of valet service
- Location and proposed number of spaces to be reserved for valet queuing
- Valet site map showing proposed valet station, queuing areas, driving routes, designated parking area, traffic control devices, etc....
- Disclosure of Lewisville valet parking permits issued and/or revoked within last three years (associated with both restaurant and valet operator).
- Evidence of a written contract between applicant and operator of any private parking facility where they propose parking vehicles and evidence that parking facility can accommodate both business uses.
- Proof of required insurance and indemnification

# Application Review



Application shall be approved within 10 business days by Engineering Department if the Engineering Department finds:

- (1) The proposed valet operation will not unreasonably interfere with vehicular or pedestrian traffic;
- (2) The applicant and/or the proposed valet service provider have not violated any conditions of a previous or existing valet permit within the past three years;
- (3) The proposed valet parking operation will not endanger the safety of any persons; and
- (4) The proposed valet parking operation is permitted under the adopted valet parking ordinance.

Staff may place conditions on valet permits if needed to protect the public health, safety and welfare; to mitigate traffic impacts; and/or to protect surrounding uses.

# Operating Standards



- Must comply with all conditions of permit.
- Operators must provide a minimum pedestrian passing clearance of four feet on any pedestrian walkway.
- Operators must provide adequate staffing to park vehicles. Each valet staff member must have current and valid drivers license.
- No vehicle may stop or stand at a drop-off or loading area for longer than five minutes.
- Operator must give a claim check to the owner upon receipt of each motor vehicle accepted for valet parking. Claim check shall state terms and conditions under which vehicle is being parked.
- A copy of the valet permit must be displayed at every valet parking operation site.
- After parking, attendant shall lock vehicle, remove key and place key in a safe place. Key shall not be placed in or upon the parked vehicle.
- Must install required valet signs.
- Valet services must be complimentary if using city ROW for queuing location.
- At closing, operator shall lock vehicle and deposit key with restaurant. If vehicle is left for more than 48 hours, operator shall notify the police department.

# Reasons for Revocation



- Operator negligently or intentionally fails to make proper provisions for safeguarding of vehicles left in his custody.
- Operator fails to comply with the valet parking permit or any federal, state, or local laws.
- Operator fails to cooperate with police in any investigation of an accident or theft involving a patron's vehicle.
- Operator knowingly or negligently delivered a vehicle to the person who is not owner or operator of the vehicle.
- Material misrepresentation on the application
- Lapse of insurance.
- If city determines that the operation of the valet service endangers the public safety or unreasonably interferes with:
  - Pedestrian or vehicular traffic;
  - Use of any pole, traffic signal, fire hydrant, mail box, or other object permitted near the location of the valet service; or
  - An existing use near the location of the valet service.

# Questions & Direction