

## **A G E N D A**

### **LEWISVILLE CITY COUNCIL MEETING SEPTEMBER 11, 2017**

**LEWISVILLE CITY HALL  
151 WEST CHURCH STREET  
LEWISVILLE, TEXAS 75057**

**WORKSHOP SESSION - 5:00 P.M.**

**REGULAR SESSION – 7:00 P.M.**

Call to Order and Announce a Quorum is Present.

#### **WORKSHOP SESSION - 5:00 P.M.**

- A. Open Data Policy and Operational Performance Dashboard Presentation
- B. Youth Council Program Reception  
(City Council will move to the 3<sup>rd</sup> Floor of Lewisville City Hall)
- C. Discussion of Regular Agenda Items and Consent Agenda Items  
(City Council will move back to the City Council Conference Room located on the 1<sup>st</sup> Floor of Lewisville City Hall)

#### **REGULAR SESSION – 7:00 P.M.**

- A. **INVOCATION:** Mayor Pro Tem Daniels
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Gilmore
- C. **PROCLAMATION:** Declaring the Month of September, 2017, as “Live United Month”
- D. **PRESENTATION:** Certificates of Appointment and Oaths-of-Offices to Newly Appointed Members of the Youth Council

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**E. PUBLIC HEARINGS:**

- 1. Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Light Industrial District (LI) to Warehouse District (WH), on Approximately 6.68 Acres Legally Described as Lots 11 & 12, Block A, ARTX Park Addition, Bounded by East Valley Ridge Boulevard on the Northeast Side and Mario Court on the West Side, and an Ordinance Granting a Special Use Permit and Four Associated Variances to Allow a Wholesale Establishment With Outside Storage on More Than 10% of the Platted Lot on the Above-Referenced Land, Both Requested by Richard DeOtte, DeOtte Inc., on Behalf of Jim Bedworth Jr., of REW Gray Properties, LLC, the Property Owner (Case No. PZ-2017-07-15 and Case No. SUP-2017-07-11).**

**ADMINISTRATIVE COMMENTS:**

The property owner, REW, is proposing to relocate from their current site on South Mill Street to the subject site in ARTX Park. The zone change is necessary to consider a Special Use Permit. The following four variances are requested: a) to allow a reduction in exterior material requirements from 80% brick veneer to 30% brick veneer for the main building; b) to allow a reduction in exterior material requirements from 80% brick veneer to 0% brick veneer for the two outside storage three-sided sheds; c) to allow storage to exceed the height of the screening wall; and d) to allow precast panel screening wall within 25 feet of the street right-of-way in lieu of the required brick or stone screening wall. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request and the SUP request at their meeting on July 18, 2017.

**RECOMMENDATION:**

That the City Council continue the public hearing to the September 18, 2017 City Council meeting.

**AVAILABLE FOR** - Richard E. Luedke, Planning Director  
**QUESTIONS:** - Richard DeOtte, DeOtte Inc.

- 2. Public Hearing: Consideration of the Proposed FY 2017-2018 Budget, Property Tax Revenue Increase and Proposed Property Tax Rate.**

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**ADMINISTRATIVE COMMENTS:**

In accordance with the City Charter and state law, a public hearing is being held on the proposed FY 2017-18 budget, property tax revenue increase and proposed property tax rate to provide an opportunity for citizen comment. The proposed FY 2017-18 property tax rate is .436086, equal to the current .436086 tax rate. The proposed budget includes changes made by City Council at the budget workshop held on August 12<sup>th</sup>. The first public hearing was held on September 5, 2017. Today's hearing is the second, and final, public hearing to be held. An agenda item to adopt the budget, property tax revenue increase, and property tax rate will be on the September 18, 2017 City Council meeting at 7:00 p.m. in the Council Chambers.

**RECOMMENDATION:**

That the City Council conduct the Public Hearing.

- F. **VISITORS/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.
- G. **CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.
3. **APPROVAL OF MINUTES:** a) City Council Minutes of the August 7, 2017, Workshop Session and Regular Session; and b) City Council Minutes of the August 21, 2017, Workshop Session and Regular Session.
4. **Approval of Contract Award to Midwest Employers Casualty Company for Excess Workers' Compensation Insurance in the Amount of \$106,788 Annually for a Two Year Contract with an Option to Renew for Two Additional Years; and Authorization for the City Manager to Execute All Required Contracts.**

**ADMINISTRATIVE COMMENTS:**

The City sent out a Request for Proposal for workers' compensation excess insurance coverage. Midwest Employers Casualty Company submitted the best proposal at an annual rate of \$106,788 for two years. Funding is available in the Insurance Risk Fund.

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**RECOMMENDATION:**

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

- 5. Approval of a Professional Services Agreement Amendment for Additional Design Services With Nathan D. Maier Consulting Engineers, Inc., in the Amount of \$63,000 and Delete Unused Design Services Included in the Previous Agreement in the Amount of \$199,726.45 for a Net Reduction of \$136,726.45 Related to the Main and Mill Street Pedestrian and Landscape Improvements Project; and Authorization for the City Manager to Execute the Agreement.**

**ADMINISTRATIVE COMMENTS:**

The Main and Mill Street Pedestrian and Landscape Improvements project consists of streetscape improvements based on the conceptual master plan provided as part of the Lewisville Old Town Transit Oriented Development (TOD) Master Plan. Staff is proposing the project scope be expanded to include additional survey and design work totaling \$63,000. Due to continued negotiations with property owners along the south side of Main Street and west of Mill Street causing delays as well as cost escalation, staff is also proposing that the scope of the project be reduced to remove the alley and water line extension and services south of Main Street, the Poydras Plaza on the south side of Main Street and the mid-block pedestrian crosswalk on Main Street near the Wayne Ferguson Plaza resulting in a deduction of \$199,726.45. The net change in the contract cost due to the PSA amendment is a deduction of \$136,726.45.

**RECOMMENDATION:**

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

**H. REGULAR HEARINGS:**

- 6. Consideration of an Ordinance of the City of Lewisville Approving the 2017-2018 Annual Service Plan Update to the Service and Assessment Plan and Assessment Roll for Public Improvements for the Josey Lane Public Improvement District.**

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**ADMINISTRATIVE COMMENTS:**

On October 6, 2014, the City created the Josey Lane Public Improvement District for construction of street and water/wastewater improvements in a designated area located along Josey Lane north of FM544 and south of Windhaven Drive. An update to the Service Plan and Assessment Roll must be considered and approved by City Council. This plan identifies public improvement costs to be provided by the PID along with the manner of assessing the property in the PID and the assessment roll.

**RECOMMENDATION:**

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

- 7. Consideration of the Adoption of the Old Town Lewisville Transit Oriented Development Master Update, the Northern Gateway Plan and the Southern Gateway Plan.**

**ADMINISTRATIVE COMMENTS:**

The Old Town Transit Oriented Development (TOD) Master Plan was adopted in October 2010 upon completion of Denton County Transit Authority's (DCTA) A-Train passenger rail station in Old Town Lewisville. The Master Plan Update is intended to serve as a supplement to the 2010 Master Plan focusing on current market conditions and strategies to accelerate redevelopment in the area. Furthermore, in the spring of 2015, following the adoption of the I-35E Corridor Redevelopment Plan and the Lewisville 2025 plan, efforts were made to analyze development potential in the northern and southern gateways. A design workshop was held, and the input from the land owners in the focus areas formed the basis and vision for the overall plans. Staff has now identified the benefit of formally adopting these plans. The Planning and Zoning Commission recommended unanimous approval (5-0) for the adoption of all three plans on August 15, 2017.

**RECOMMENDATION:**

That the City Council adopt the plans as presented.

**AVAILABLE FOR QUESTIONS:** - Richard E. Luedke, Planning Director

- 8. Consideration of a Resolution Nominating Candidates to the Denton Central Appraisal District Board of Directors.**

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**ADMINISTRATIVE COMMENTS:**

The Denton Central Appraisal District has requested that the City nominate up to five individuals to serve as the DCAD Board of Directors prior to October 15<sup>th</sup>. After all entities have made their nominations and votes have been cast, the five candidates that receive the most votes become the Board of Directors as of January 1<sup>st</sup>. Board members serve a two-year term. All board members are up for reelection and wish to be re-elected, with the exception of Robert Gallagher. Denton Central Appraisal District's current Board of Directors include Charles Stafford, Connie Smith, David Terre, Robert Gallagher, Mike Hassett, and Michelle French (serves as an ex officio member).

**RECOMMENDATION:**

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

- I. **REPORTS:** Reports about items of community interest regarding which no action will be taken.
- J. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D,
  - 1. Section 551.074 (PERSONNEL) City Attorney Lizbeth Plaster
  - 2. Section 551.072 (Real Estate): Property Acquisition
  - 3. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations
- K. **RECONVENE** into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.
- L. **ADJOURNMENT**

The City Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).