

**A G E N D A**

**LEWISVILLE CITY COUNCIL MEETING  
MARCH 19, 2018**

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

**WORKSHOP SESSION - 6:00 P.M.**

**REGULAR SESSION – 7:00 P.M.**

Call to Order and Announce a Quorum is Present.

**WORKSHOP SESSION - 6:00 P.M.**

- A. Presentation of Body Worn Camera Program and Overview of the Special Operations Division
- B. Discussion of Regular Agenda Items and Consent Agenda Items

**REGULAR SESSION – 7:00 P.M.**

- A. **INVOCATION:** Deputy Mayor Pro Tem Jones
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Ferguson
- C. **PUBLIC HEARINGS:**
  - 1. **Public Hearing:** Consideration of an Ordinance Granting a Special Use Permit for a Contractor's Yard; on Approximately 2.4718 Acres, Legally Described as a Lot 1, Block C of the Riverview Industrial Addition, Located at 1620 Riverview Drive; as Requested by Luis Pedraza, of Luis Construction Service Inc. & Newstar Drilling Inc., the Property Owner (Case No. SUP-2018-02-02).

**AGENDA  
LEWISVILLE CITY COUNCIL  
MARCH 19, 2018**

**ADMINISTRATIVE COMMENTS:**

Newstar Drilling's proposed contractor's yard, located on Riverview Drive, will include a new office building, shop, and screened space for outside storage. The site features enhanced building materials and landscaping, as well as the absence of any freestanding signage. On February 20, 2018, the Planning and Zoning Commission recommended unanimous approval (5-0) of the SUP.

**RECOMMENDATION:**

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

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

2. **Public Hearing:** Consideration of an Ordinance Granting a Special Use Permit for Minor Automobile Services Including Tune-up and Repair Services Facility; on Approximately 0.572 Acres, Legally Described as Lot 1-B, Block A of the McGee Park Addition, Located at 1299 Justin Road (F.M. 407); as Requested by Ralph Martinez, of RGM Architects, on Behalf of Riyad Hossainy, INI LLC, the Property Owner (Case No. SUP-2018-02-04).

**ADMINISTRATIVE COMMENTS:**

Kwik Kar Oil & Lube is requesting a Special Use Permit to convert existing auto wash bays into auto repair bays. As a part of this SUP the applicant is proposing a variety of site improvements. These improvements include: adding new brick work and decorative stone work to the front façade; adding additional landscaping to the site; and replacing existing signage with a low-profile monument sign. Two variances are requested: a) To allow a reduction in the required landscape buffer along frontage property lines from ten feet to zero feet; and b) To eliminate the requirement for Right of Way evergreen screening. On February 20, 2018, the Planning and Zoning Commission recommended unanimous approval (5-0) of the SUP. The applicant did not provide the required variance request letter; therefore, the public hearing must be continued.

**RECOMMENDATION:**

That the City Council continue the public hearing to the April 2, 2018 regular meeting.

**AGENDA  
LEWISVILLE CITY COUNCIL  
MARCH 19, 2018**

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

- 3. Public Hearing: Consideration of the Adoption of the Parks, Recreation and Open Space Master Plan Update.**

**ADMINISTRATIVE COMMENTS:**

The Parks & Recreation Department has been working with Halff Associates to complete an update to the Parks, Recreation and Open Space Master Plan since September 2017. The proposed updates to the plan's goals, objectives and action steps are based on input gathered through the meetings with Parks & Recreation stakeholders and staff, two surveys, as well as information from needs and spatial assessments. The Parks & Recreation Advisory Board voted to support the proposed update on March 14, 2018.

**RECOMMENDATION:**

That City Council adopt the Parks, Recreation and Open Space Master Plan as presented.

- D. **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.
  - E. **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.
- 4. Approval of a Bid Award to The Security Center, Inc., Dallas, Texas, for the Purchase of Bullet-Resistant Glass and Installation in the Amount of \$110,051.82; and Authorization for the City Manager to Execute the Agreement.**

**ADMINISTRATIVE COMMENTS:**

A total of nine (9) bid invitations were downloaded from Bidsync.com. A total of three (3) bids were received and opened February 2, 2018. This project is for enhanced perimeter security for the police department. All glass facing the east side of the police building will be replaced with bullet-resistant glass. Funding is available in the Security Perimeter Fencing capital project.

**AGENDA  
LEWISVILLE CITY COUNCIL  
MARCH 19, 2018**

**RECOMMENDATION:**

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

- 5. Approval of a Professional Services Agreement With Halff Associates, Inc., Fort Worth, Texas, in the Amount of \$75,000 for Professional Services in Connection with Preparation of a Flood Depth Analysis and Hazard-Specific Supplement to the City's Emergency Plan.**

**ADMINISTRATIVE COMMENTS:**

A total of fifty-four (54) requests for qualifications were downloaded from Bidsync.com. Four (4) statements of qualifications were received and opened November 27, 2017. The statements of qualifications were evaluated using a matrix of 35% for experience of providing like services; 35% for experience of assigned staff; and 30% for experience with designing training seminars and/or table-top exercises for training purposes. Halff Associates, Inc. was selected based on receiving the highest evaluation score. Funding is available through the Homeland Security Grant Program's Urban Area Security Initiative (UASI).

**RECOMMENDATION:**

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

- 6. Approval of a Resolution Amending the City's Legislative Agenda to Express Support for the Texas Bullet Train High-Speed Rail Project, and Authorizing the Mayor and City Manager to Communicate the City's Adopted Position, as Requested by Mayor Durham.**

**ADMINISTRATIVE COMMENTS:**

Dallas Regional Mobility Council has asked local mayors to provide statements of support for the Texas Bullet Train, a privately funded high-speed rail project that would connect Dallas and Houston. This topic is not addressed in the Legislative Priorities and Agenda. Therefore, City Council approval is required for the City to take an official position.

**RECOMMENDATION:**

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

**AGENDA  
LEWISVILLE CITY COUNCIL  
MARCH 19, 2018**

- 7. Approval of a Third Amendment to the Economic Development Agreement, Approved on May 19, 2016, Between Hard Sun 100, LLC and the City of Lewisville, and Authorization for the City Manager to Execute the Agreement.**

**ADMINISTRATIVE COMMENTS:**

On May 19, 2016, the City and Hard Sun 100, LLC, entered into an Economic Development Agreement (Agreement) for the development of a restaurant at 119 East Main Street (Lewisville Feed Mill). The Agreement was amended on December 4, 2017, to extend the date of substantial completion of the improvements to March 30, 2018. The owner is now requesting another extension of the date of substantial completion to May 30, 2018.

**RECOMMENDATION:**

That the City Council approve the third amendment to the Agreement and authorize the City Manager to execute the agreement.

**F. REGULAR HEARINGS:**

- 8. Consideration of an Ordinance Approving a Tariff Authorizing an Annual Rate Review Mechanism (“RRM”) as a Substitution for the Annual Interim Rate Adjustment Process Defined by Section 104.301 of the Texas Utilities Code, and as Negotiated Between Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”) and the Steering Committee of Cities Served by Atmos; Requiring the Company to Reimburse Cities’ Reasonable Ratemaking Expenses; Adopting a Savings Clause; Determining That This Ordinance Was Passed in Accordance With the Requirements of the Open Meetings Act; Declaring an Effective Date; and Requiring Delivery of this Ordinance to the Company and Legal Counsel for the Steering Committee.**

**AGENDA  
LEWISVILLE CITY COUNCIL  
MARCH 19, 2018**

**ADMINISTRATIVE COMMENTS:**

The City is a member of the Atmos Cities Steering Committee (“ACSC” or “Steering Committee”). In 2007, ACSC and Atmos Mid-Tex agreed to implement an annual rate review mechanism, known as the Rate Review Mechanism (“RRM”), as a temporary replacement for the statutory mechanism known as GRIP (the “Gas Reliability Infrastructure Program”). Since 2007, there have been several modifications to the original RRM Tariff. The Ordinance that resolved the Company’s application under the RRM Tariff in 2017 also terminated the existing RRM Tariff and required a renegotiation of the terms of that tariff. Negotiations have taken place over the past several months, and have resulted in a revised RRM Tariff that has been agreed to by the Company. The Cities’ Executive Committee has recommended acceptance of the revised RRM Tariff, which is attached to the Ordinance.

**RECOMMENDATION:**

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

- 9. Consideration of a Request for a Variance to the Lewisville City Code, Section 9.5-101(b) Underground Utilities, Related to South Village Mixed Use Building Located at 251 S. Mill Street as Requested by Texas New Mexico Power Company.**

**ADMINISTRATIVE COMMENTS:**

Texas New Mexico Power Company has applied for a permit to install a new power pole to provide electric service to the new building at 251 S. Mill Street. Staff denied the permit for the new power pole installation citing Chapter 9.5 Section 101 of the Old Town Development Ordinance, which requires all new utility lines of 60 kilovolts and below to be located underground. Texas New Mexico Power is requesting a variance to set a new pole, pole mounted transformer and install 90 feet of overhead electric lines at the southeast corner of the subject property.

**RECOMMENDATION:**

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

- AVAILABLE FOR QUESTIONS:**
- Jeff Kelly, P.E., Assistant City Engineer
  - Mohammed Nabolsi, Texas New Mexico Power

**AGENDA  
LEWISVILLE CITY COUNCIL  
MARCH 19, 2018**

- 10. Consideration of Three Variances to the Lewisville City Code Section 6-57, Procedures for Issuance of Building Permit, Relating to the Tower Bay Lofts Project Located at 3000 N. Stemmons Freeway as Requested by Bobby Dollak, P.E. of G&A Consultants, Inc. Representing Wittington Holdings; and Authorization of the City Manager to Execute the Related Letter Agreement.**

**ADMINISTRATIVE COMMENTS:**

The subject site is a 5.082-acre lot zoned PD-MU located within the Tower Bay Lofts Addition, Lot 1, Block A. The Tower Bay Lofts project is a 308-unit multi-family project. The applicant is requesting the following three variances: (1) the issuance of a building permit prior to completion of all public improvements; (2) a performance bond in the amount of the total cost of the public improvements in lieu of a cash escrow; and (3) the construction of limited, non-combustible improvements above the foundation slab. Staff recommends that the variances be approved only under certain conditions which are set forth in the attached letter agreement. The applicant has agreed to these conditions.

**RECOMMENDATION:**

That the City Council approve the variances as set forth in the caption above subject to the final execution of the attached letter agreement.

**AVAILABLE FOR QUESTIONS:** - Tim Ippolito, Fire Marshal

- G. **REPORTS:** Reports about items of community interest regarding which no action will be taken.
- H. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D,
1. Section 551.072 (Real Estate): Property Acquisition
  2. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations

**AGENDA  
LEWISVILLE CITY COUNCIL  
MARCH 19, 2018**

- I. **RECONVENE** into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.
  
- J. **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).