



**A G E N D A**  
**REGULAR MEETING OF THE**  
**HIGHLAND VILLAGE CITY COUNCIL**  
**HIGHLAND VILLAGE MUNICIPAL COMPLEX**  
**1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS**  
**TUESDAY, SEPTEMBER 28, 2021 at 5:30 P.M.**

**EARLY WORK SESSION**  
**Training Room – 5:30 P.M.**

**Convene Meeting in Open Session**

1. Discuss Potential Projects for Future Issuance of Bonds and/or Certificates of Obligation
2. Discuss City Representation on the Denton County Transportation Authority (DCTA) Board of Directors
3. Discuss Appointment of Board and Commission Members; Review and Discuss the Attendance Record and Performance of Board and Commission Members and Removal of Board and Commission Members prior to Completion of their Current Term pursuant to Code of Ordinances Section 2.037
4. Clarification of Consent or Action Items listed on Today's City Council Meeting Agenda for September 28, 2021

(Items discussed during Early Work Session may be continued or moved to Open Session and/or Late Work Session if time does not permit holding or completing discussion of the item during Early Work Session.)

**CLOSED SESSION**  
**Training Room**

5. Hold a Closed Meeting in accordance with the following Sections of the Texas Government Code:
  - (a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)
  - (b) Section 551.074 – Deliberate the Appointment, Removal, Evaluation and Duties of Public Officers, specifically Members of the Planning and Zoning Commission, Zoning board of Adjustment, and Board of Directors of the Highland Village Community Development Corporation
  - (c) Section 551.074 – Personnel – Deliberate the Employment and Evaluation of the City Manager

**OPEN SESSION**  
**City Council Chambers – 7:30 P.M.**

6. **Call Meeting to Order**
7. **Prayer led by Councilmember Jon Kixmiller**
8. **Pledge of Allegiance to the U.S. and Texas flags led by Councilmember Jon Kixmiller: “Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”**
9. **Visitor Comments** *(Anyone wishing to address the City Council must complete a Speakers’ Request Form and return it to the City Secretary. In accordance with the Texas Open Meetings Act, the City Council is restricted in discussing or taking action on items not posted on the agenda. Action on your statement can only be taken at a future meeting. In order to expedite the flow of business and to provide all visitors the opportunity to speak, the Mayor may impose a three (3) minute limitation on any person addressing the City Council. A thirty (30) minute time allotment is set for this section, and the remaining speakers will be heard at the end of the Action Agenda.)*
10. **Mayor and Council Reports on Items of Community Interest pursuant to Texas Government Code Section 551.0415 the City Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming City Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety**
  - **Swearing In Ceremony for Officer Jessie Allen**
  - **Presentation of Proclamation for Fire Prevention Week**
11. **City Manager/Staff Reports**
  - **HVTV Update**

*Anyone wishing to address the City Council on any item posted on the City Council agenda for possible action, including matters placed on the Consent Agenda or posted as a Public Hearing, must complete a Speakers’ Request Form available at the entrance to the City Council Chambers and present it to the City Secretary prior to the Open Session being called to order. Speakers may be limited to three (3) minutes and given only one opportunity to speak on an item. Other procedures regarding speaking on matters posted for action on the City Council agenda are set forth on the Speakers’ Request Form. Subject to applicable law, the City Council reserves the right to modify or waive at any time the procedures relating to members of the public speaking on matters placed the Council’s agenda.*

**CONSENT AGENDA**

**All of the items on the Consent Agenda are considered for approval by a single motion and vote without discussion. Each Councilmember has the option of removing an item from this agenda so that it may be considered separately and/or adding any item from the Action Agenda to be considered as part of the Consent Agenda items.**

12. **Consider approval of Minutes of the Regular City Council Meeting held on September 14, 2021**
13. **Consider Resolution 2021-2960 authorizing Extension of the Term of the Agreement with SAZ Infrastructure for Concrete Street Panel Repairs through the City’s Cooperative Purchasing Agreement with the City of Lewisville**
14. **Conduct Annual Review of City’s Investment Policy and Consider Resolution 2021-2961 re-adopting the City’s Investment Policy with any Amendments Thereto**

## ACTION AGENDA

15. Take action, if any, on Matters discussed in Closed Session in accordance with the following Sections of the Texas Government Code:
  - (a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)
  - (b) Section 551.074 – Deliberate the Appointment, Removal, Evaluation and Duties of Public Officers, specifically Members of the Planning and Zoning Commission, Zoning Board of Adjustment, and Board of Directors of the Highland Village Community Development Corporation
  - (c) Section 551.074 – Personnel – Deliberate the Employment and Evaluation of the City Manager
16. Consider Resolution 2021-2962 authorizing the City Manager to Negotiate and Execute an Agreement with the John R. McAdams Company, Inc. for Professional Services relating to Updates to the City’s Comprehensive Plan; Parks, Recreation and Open Space Master Plan; Trail System Master Plan; Thoroughfare Master Plan and FM 407 Corridor and Amenity Plan
17. Discuss and Consider all Matters Incident and Related to approving and authorizing Publication of Notice of Intention to Issue Certificates of Obligation, including the adoption of Resolution 2021-2963 Pertaining Thereto
18. Consider Resolution 2021-2964 appointing City Representation to the Denton County Transportation Authority (DCTA) Board of Directors
19. Review and Discuss the Attendance Record and Performance of City Board and Commission Members and Consider Removal of Board and Commission Members prior to Completion of their Current Term pursuant to Code of Ordinances Section 2.037
20. Consider Resolution 2021-2965 appointing Members to Various Positions on the Board of Ethics, Parks and Recreation Advisory Board, Planning and Zoning Commission, Zoning Board of Adjustment, and Highland Village Community Development Corporation
21. Consider Resolution 2021-2966 authorizing the Purchase of Police Body Worn and Vehicle Cameras, Tasers and Virtual Reality Training System from Axon Enterprises, Inc. through the City’s Competitive Purchasing Agreement with Local Government Purchasing Cooperative (BuyBoard)

## LATE WORK SESSION

(Items may be discussed during Early Work Session, time permitting)

22. Status Reports on Current Projects and Discussion on Future Agenda Items (A Councilmember may inquire about a subject of which notice has not been given. A statement of specific information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.)
  - Discuss cancelling the November 23, 2021 and December 28, 2021 City Council Meetings

**23. Adjournment**

**I HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT THE MUNICIPAL COMPLEX, 1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS IN ACCORDANCE WITH THE *TEXAS GOVERNMENT CODE, CHAPTER 551*, ON THE 24<sup>TH</sup> DAY OF SEPTEMBER 2021 NOT LATER THAN 5:00 P.M.**



**Angela Miller, City Secretary**

**This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 899-5132 or Fax (972) 317-0237 for additional information.**

Removed from posting on the \_\_\_\_\_ day of \_\_\_\_\_, 2021 at \_\_\_\_\_

am / pm by \_\_\_\_\_.

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 1**

**MEETING DATE: 09/28/2021**

**SUBJECT: Discuss Proposed Bond Issue and Projects**

**PREPARED BY: Ken Heerman, Assistant City Manager**

**BACKGROUND:**

Articulated in the FY 2022 Budget Process, the Capital Improvement Program identified a capital projects program to address both Parks and Streets projects totaling \$15.263 M with a Certificate of Obligation to coincide with expiring debt.

**IDENTIFIED NEED/S:**

The City utilizes periodic bond issuance to fund big-ticket capital programs. As the City is approaching substantial build-out, capital needs will primarily be related to infrastructure maintenance.

Two primary recurring capital needs:

- Street / Drainage – Streets have a useful life that range from 20 to as much as 40 years or more with periodic maintenance. Once a street has deteriorated past a prescribed threshold, there is need for the street to be reconstructed. Street reconstruction, large street overlay projects, as well as substantial drainage projects are generally addressed with street bonds. Following are proposed projects totaling **\$8.85M** identified for this bond issue.

<b><u>Reconstruction Projects</u></b>
Highland Shores Blvd (Briahill to Twin Covers-engineering)
Highland Village Rd (Brazos to KCS RR - engineering)
(For the two preceding projects, there is discussion with Denton County to include the related construction of these projects in their next bond issuance)
Various (28 streets meeting criteria)
<b><u>Overlay Projects</u></b>
Sellmeyer Lane (Foggy Glen to Brazos)
Sellmeyer Lane (Brazos to Victoria)
Highland Shores Blvd (HV Rd to Briarhill)
<b><u>Traffic Control</u></b>
Traffic signal Imp. Brazos / HV Rd
Pedestrian crossing HS Blvd. at Community Center Dr.
<b><u>Drainage Projects</u></b>
Wal-Mart pond dredge
Quail Cove pond dredge
Turpin Dr / Sellmeyer Lane drainage Improve
Silverthorne Park creek bank stabilization
Highland Shores Blvd. underdrain

- Parks – While the construction of city parks / trails was primarily accomplished with issuance of bonds, future park bond issues will more likely target maintenance / rehabilitation or replacement of park infrastructure. Park improvements are addressed periodically to address infrastructure replacement / renovation to maintain park assets. Anticipated projects totaling **\$6.413 M** with this issuance include:

<b><u>Highland Village Tennis Center Improvements</u></b>	
	LED lighting upgrades and Musco controls
<b><u>Pilot Knoll Improvements</u></b>	
	Campground / Shelters improvements
	Replace gatehouse
	Boat Ramp improvements
	providing ongoing revenue stream for Corps parks
<b><u>Unity Park Improvements</u></b>	
	Tennis court resurfacing
	Lighted basketball courts
	Field renovations
	Replace portion of turf in Dog Park with synthetic grass
	Replace baseball fencing
	Add backstop netting
<b><u>Other Parks</u></b>	
	Sellmeyer tennis fencing / windscreen replace
	Lions Club Park parking lot
	Village Park fishing pier renovation
	Brazos Park field renovation
	Sellmeyer Park playground replace

Consideration for redevelopment of Copperas Branch Park is not included in the current proposed issue, given current uncertainty of this park possibly being used by TxDOT for staging with next the phase of the I-35 expansion. The next window for bond issuance consideration (again coinciding with expiring debt) would be FY 2027.

**RECOMMENDATION:**

This item is for discussion only.

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

<b>AGENDA#</b> 2	<b>MEETING DATE:</b> 09/28/2021
<b>SUBJECT:</b>	<b>Discuss appointing City Representatives to the Denton County Transportation Authority (DCTA) Board of Directors</b>
<b>PREPARED BY:</b>	<b>Angela Miller, City Secretary</b>

**BACKGROUND:**

The City of Highland Village is a financial participating “founding municipality” member of the Denton County Transportation Authority (DCTA). As such, the City is authorized to appoint a representative to serve as a voting member on the DCTA Board of Directors. Per Article III, Section 2 of the DCTA Amended and Restated Bylaws, the City of Highland Village is allowed one representative and one alternate to serve on the Board of Directors, with each representative serving a term of two (2) years.

City Council previously appointed Mrs. Dianne Costa to serve as the City’s representative and Mayor Charlotte Wilcox to serve as the alternate representative for terms expiring on November 12, 2021.

**IDENTIFIED NEED/S:**

The terms of Mrs. Dianne Costa and Mayor Charlotte Wilcox both expire on November 12, 2021. The City of Highland Village desires to maintain representation on the DCTA Board of Directors and appoint representation for terms to expire in 2023.

**OPTIONS & RESULTS:**

Mrs. Dianne Costa has expressed interest in being reappointed by Council to serve as the City’s representative to the DCTA Board of Directors.

Previous City Manager Michael Leavitt served as the alternative representative until his retirement in 2020, at which time Mayor Wilcox was appointed to fill the unexpired term as the City’s alternate member. Council may wish to consider appointing current City Manager Paul Stevens to the alternate position.

City Council should consider appointments of the incumbent and/or appointment of new DCTA Board Member representation.

**BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

N/A

## **RECOMMENDATION:**

Discuss appointment of representatives to serve on the DCTA Board of Directors. There is an item on the Action Agenda for tonight's meeting to formally appoint representatives.



**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 3**

**MEETING DATE: 09/28/2021**

**SUBJECT: Discuss Appointment of Board and Commission Members; Review and Discuss the Attendance Record and Performance of Board and Commission Members and Removal of Board and Commission Members prior to Completion of their Current Term pursuant to Code of Ordinances Section 2.037**

**PREPARED BY: Angela Miller, City Secretary**

**COMMENTS**

City ordinance states that Council shall make annual appointments to the City's boards and commissions. All appointments are for terms of two years, unless an individual is appointed to fill an unexpired term that exists due to a vacancy. A "term year" shall be from October 1 until the following September 30.

A call for volunteers to serve on a City board or commission was advertised in the June, July and August utility bill inserts, City newsletters, Facebook Page, HVTV News, and on the City's website. In addition, currently serving board/commission members with terms expiring this year were contacted by City staff and given the opportunity to notify the City Secretary's Office if they were interested in being considered for reappointment to the same board, appointment to a different board, or if they no longer wished to serve on a board.

To date, the City Secretary's Office has received a total of twenty-two (22) volunteer applications from residents interested in serving on a board, commission or committee.

The information below was received from currently serving board/commission members:

- Eleven (11) members would like to be considered for reappointment to their respective board/commission
- Two (2) members would like to serve on a different board/commission
- Three (3) members did not wish to serve again
- One (1) member has reached his term limit

There is also one (1) vacancy on the Planning and Zoning Commission.

**There are eighteen (18) positions with terms that will expire on September 30, 2021.**

Following is a listing of each City board and commission that includes all currently serving members and their respective places on the board. The highlighted positions have terms that will expire this year.

<b>BOARD OF ETHICS</b>			
<b>Board Member Name</b>	<b>Board Choice</b>	<b>Place</b>	<b>Original Appt Date</b>
Joseph Kaye, Jr.	---	N/A	10-2020
Kevin McMahan	Same Board	N/A	09-2017
Jordan Wootten	---	N/A	10-2020
James Burmeister	Different Board	N/A	09-2017
Benjamin Somero	Same Board	N/A	09-2017
<b>HV COMMUNITY DEVELOPMENT CORPORATION (4B)</b>			
Dale Butler	Does Not Wish to Serve Again	Citizen Rep	09-2017
Mike Lombardo	Same Board	Council Rep	06-2018
Jared Christianson	---	Citizen Rep	10-2020
Elisabeth Mechem	---	Citizen Rep	09-2018
Barbara Fleming	Same Board	Council Rep	09-2017
Tom Heslep	Same Board	Council Rep	05-2019
Dan Jaworski	---	Council Rep	10-2020
<b>PARKS AND RECREATION ADVISORY BOARD</b>			
William Irwin	---	Place 1	10-2016
Janet Gershenfeld	---	Place 2	02-2018
Mitch O'Brey	---	Place 3	10-2020
Gary Patz	Has Reached Term Limit	Place 4	09-2014
Kenneth Koonsman	Same Board	Place 5	09-2017
Kevan Fenderson	Same Board	Alternate Place 1	09-2018
Vanessa Boyd	---	Alternate Place 2	09-2018
<b>PLANNING AND ZONING COMMISSION</b>			
Vacant	---	Place 1	
Dale Butler	---	Place 2	12-2019
Guy Skinner	---	Place 3	10-2019
Denver Kemery	Same Board	Place 4	09-2018
Angelina Robinson	Does Not Wish to Serve Again	Place 5	09-2018
Jared Christianson	Same Board	Alternate Place 1	10-2020
Michael George	---	Alternate Place 2	10-2020
<b>ZONING BOARD OF ADJUSTMENT</b>			
Christian Hart	Does Not Wish to Serve Again	Place 1	09-2015
Jeremy Booker	Same Board	Place 2	10-2019
David Smith	Same Board	Place 3	10-2016
Jerry Jones	---	Place 4	10-2019
Carley Knowles	---	Place 5	10-2020
Susan Arthur	Different Board	Alternate Place 1	10-2019
Dustin Sides	---	Alternate Place 2	10-2020
Kelli Green	---	Alternate Place 3	10-2020

When considering appointments, Council may consider appointing a current alternate member of a board/commission prior to appointing new applicants.

In addition to making appointments, Council may wish to also review and discuss the attendance records and performance during a single term year of current members of the various City boards and commissions whose terms do not expire in 2021. If considering whether to remove one or more members and declare such seat(s) vacated, consideration must be based on the attendance policy enacted by Council requiring that a member of a board or commission may not miss three (3) consecutive regularly scheduled meetings without a valid excuse, or miss more than 25% of the regular meetings during a term year. Please note, according to state law, members of the Zoning Board of Adjustment may be removed prior to the end of their term only for cause found by the City Council and only after presentation of written charges and a public hearing.

City Council has been provided with copies of all volunteer applications and currently serving board member updates that have been submitted for consideration. Council hosted a "Meet and Greet" event on September 14, 2021 to allow an opportunity for new applicants and Council to meet face to face. This item provides an opportunity for Council to discuss appointments and removals, if needed, during their Early Work Session and to take formal action during the regular City Council meeting on September 28, 2021.

## BOARD AND COMMISSION MEMBER PREFERENCES

Member Name	Current Service	Interest in Appointment	Ethics Board	HVCDC	Parks Board	P & Z	ZBA
<b>ETHICS BOARD</b>							
Kevin McMahan	Ethics Board	Same Board	1	-	3	2	4
James Burmeister	Ethics Board	Different Board	-	2	1	-	-
Benjamin Somero	Ethics Board	Same Board	1	2	3	4	5
<b>HVCDC (4B)</b>							
Dale Butler	Citizen Representative	Does Not Wish to Serve Again	-	-	-	-	-
Mike Lombardo	Council Representative	Same Board	-	1	-	-	-
Tom Heslep	Council Representative	Same Board	-	1	-	-	-
Barbara Fleming	Council Representative	Same Board	-	1	-	-	-
<b>PARKS &amp; RECREATION ADVISORY BOARD</b>							
Gary Patz	Place 4	Has Reached Term Limit	-	-	-	-	-
Kenneth Koonsman	Place 5	Same Board	-	-	1	-	-
Kevan Fenderson	Alternate Place 1	Same Board	3	2	1	-	-

## BOARD AND COMMISSION MEMBER PREFERENCES

Member Name	Current Service	Interest in Appointment	Ethics Board	HVCDC	Parks Board	P & Z	ZBA
<b>PLANNING &amp; ZONING COMMISSION</b>							
VACANCY	Place 1						
Denver Kemery	Place 4	Same Board	4	2	3	1	5
Angelina Robinson	Place 5	Does Not Wish to Serve Again	-	-	-	-	-
Jared Christianson	Alternate Place 1	Same Board	4	2	5	1	3
<b>ZONING BOARD of ADJUSTMENT</b>							
Christian Hart	Place 1	Does Not Wish to Serve Again	-	-	-	-	-
Jeremy Booker	Place 2	Same Board	-	3	-	2	1
David Smith	Place 3	Same Board	2	5	4	3	1
Susan Arthur	Alternate Place 1	Different Board	3	5	2	1	4

## BOARD AND COMMISSION APPLICANT PREFERENCES

Applicant Name	Ethics Board	HVCDC	Parks Board	P & Z	ZBA
ATKINSON, Lora	5	1	2	3	4
BATES, Jason	1			2	
BILLINGS, Tyler	4	3	2	1	5
BUSCHE, Fred	4	3	2	1	5
CASEY, Peter	1	3	2		
CLEARY, Brian		3	1	2	
COX, Kevin	3	4	1	2	5
CYPHER, James	4	1	2	3	5
FRIEDEWALD, Stephen		1			
HAMILTON, Joseph (Joe)		3	2	1	
HEATHINGTON, Hogan		3	2	1	
HOCH, Paul	1		2	3	
JACKSON, Jay	5	3	4	1	2
LIMON, Karla	2	1			3
METIVIER, Richard	NO PREFERENCE				
MYERS, Brent	5	4	3	1	2
PEARSON, Kevin	5	3	1	2	4
RICHTER, Cynthia (Cindy)	2	3	4	1	5
RUSH, Dave			1		
SWARM-SURRATT, Lou Ann			1		
WELLS, Kathy	2		1	3	
WILLIAMS, Bert				1	

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 10**

**MEETING DATE: 09/28/2021**

**SUBJECT: Mayor and Council Reports on Items of Community Interest**

**PREPARED BY: Karen McCoy, Executive Assistant**

**COMMENTS**

Pursuant to Texas Government Code Section 551.0415 the City Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming City Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety.

- Swearing In Ceremony for Officer Jessie Allen
- Presentation of Proclamation for Fire Prevention Week

# Proclamation

## The City of Highland Village

**Whereas**, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

**Whereas**, smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as 2 minutes to escape safely; and

**Whereas**, working smoke alarms cut the risk of dying in reported home fires in half; and

**Whereas**, residents should be sure everyone in the home understands the sounds of the alarms and knows how to respond; and

**Whereas**, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

**Whereas**, the 2021 Fire Prevention Week theme, “Learn the Sounds of Fire Safety” effectively serves to remind us it is important to learn the different sounds of smoke and carbon monoxide alarms.

**NOW THEREFORE**, I, Charlotte J. Wilcox, Mayor of the City of Highland Village, do hereby proclaim the week of October 3-9, 2021, as:

### “Fire Prevention Week”

in the City of Highland Village.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed on this 28<sup>th</sup> day of October 2021.

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Charlotte J. Wilcox, Mayor



**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 12**

**MEETING DATE: 09/28/2021**

**SUBJECT: Consider Approval of Minutes of the Regular City Council Meeting held on September 14, 2021**

**PREPARED BY: Angela Miller, City Secretary**

**BACKGROUND:**

Minutes are approved by a majority vote of Council at the Council meetings and listed on the Consent Agenda.

**IDENTIFIED NEED/S:**

Council is encouraged to call the City Secretary's Office prior to the meeting with suggested changes. Upon doing so, staff will make suggested changes and the minutes may be left on the Consent Agenda in order to contribute to a time efficient meeting. If the change is substantial in nature, a copy of the suggested change will be provided to Council for consideration prior to the vote.

**OPTIONS & RESULTS:**

The City Council should review and consider approval of the minutes. Council's vote and approval of the minutes reflect agreement with the accuracy of the minutes.

**PROGRESS TO DATE: (if appropriate)**

The City Manager has reviewed the minutes and given approval to include the minutes in this packet.

**BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

N/A

**RECOMMENDATION:**

To approve the minutes of the Regular City Council Meeting held on September 14, 2021.



**MEETING MINUTES OF THE REGULAR MEETING  
HIGHLAND VILLAGE CITY COUNCIL  
HIGHLAND VILLAGE MUNICIPAL COMPLEX  
1000 HIGHLAND VILLAGE ROAD  
TUESDAY, SEPTEMBER 14, 2021**

**EARLY WORK SESSION**

Mayor Charlotte J. Wilcox called the meeting to order at 5:00 p.m.

**Roll Call**

Present:	Charlotte J. Wilcox	Mayor
	Jon Kixmiller	Councilmember
	Michael Lombardo	Mayor Pro Tem
	Barbara Fleming	Deputy Mayor Pro Tem
	Tom Heslep	Councilmember
	Robert A. Fiester	Councilmember
	Daniel Jaworski	Councilmember
Staff Members:	Paul Stevens	City Manager
	Ken Heerman	Assistant City Manager
	Kevin Laughlin	City Attorney
	Angela Miller	City Secretary
	Doug Reim	Chief of Police
	Mike Thomson	Fire Chief
	Scott Kriston	Public Works Director
	Phil Lozano	Parks & Recreation Director
	Jana Onstead	Human Resource Director
	Laurie Mullens	Marketing & Communications Director
	Andrew Boyd	Media Specialist
	Karen McCoy	Executive Assistant
	Ingrid Rex	Deputy City Secretary/Records Coordinator

**1. Receive a Presentation on Potential Future Bond Issuance**

Assistant City Manager Ken Heerman reported a reduction in Debt Service in FY 2021-2022 provides a window to consider new debt issuance for Street/Drainage Improvements and Park Improvements without the need to increase the tax rate. Mr. Jim Sabonis from Hilltop Securities presented information on funding the projects through the issuance of Certificates of Obligation and General Obligation Refunding Bonds. He reported that with expiring debt, current low interest rates and the City's AAA bond rating, the City is in a good position to fully fund the projects.

Mr. Sabonis provided a schedule of events if Council wished to move forward with the issuance. The next step would be authorization to publish a Notice of Intent to issue Certificates of Obligation and a Reimbursement Resolution, followed by publication of the Notice. For clarification, Councilmember Jaworski asked if the rationale of issuing Certificates of Obligation and Refunding Bonds versus a bond election was due to the current economic climate. Mr. Sabonis stated he sees the issuance of Certificates of Obligation more often because of the difference in strategic initiatives and ongoing projects. Since there would be no need to increase the tax rate to cover the Certificates of Obligation, and with current low interest rates, it would be a good time to move forward.

**2. Clarification of Consent or Action Items listed on Today's City Council Meeting Agenda for September 14, 2021**

No items were discussed.

Early Work Session ended at 5:30 p.m.

**CLOSED SESSION**

**3. Hold a Closed Meeting in accordance with the following Sections of the Texas Government Code:**

**(a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)**

Council did not meet in Closed Session.

**MEET AND GREET**

**4. Conduct a Meet and Greet with Board and Commission Volunteer Applicants**

The Mayor and City Council welcomed the applicants and thanked them for their interest in serving in Highland Village. The Meet and Greet was conducted in shifts with small groups so Council and City staff could visit with the new applicants.

**OPEN SESSION**

**5. Call Meeting to Order**

Mayor Charlotte J. Wilcox called the meeting to order at 7:30 p.m.

**Roll Call**

Present:	Charlotte J. Wilcox	Mayor
	Jon Kixmiller	Councilmember
	Michael Lombardo	Mayor Pro Tem
	Barbara Fleming	Deputy Mayor Pro Tem
	Tom Heslep	Councilmember
	Robert A. Fiester	Councilmember
	Daniel Jaworski	Councilmember

Staff Members:	Paul Stevens	City Manager
	Ken Heerman	Assistant City Manager (arrived at 7:40 p.m.)
	Kevin Laughlin	City Attorney
	Angela Miller	City Secretary
	Doug Reim	Chief of Police
	Mike Thomson	Fire Chief
	Jason Collier	Assistant Fire Chief
	Travis Nokes	Assistant Fire Chief
	Scott Kriston	Public Works Director (arrived at 7:40 p.m.)
	Phil Lozano	Parks & Recreation Director (arrived at 7:40 p.m.)
	Jana Onstead	Human Resource Director (arrived at 7:40 p.m.)
	Laurie Mullens	Marketing & Communications Director
	Andrew Boyd	Media Specialist

**6. Prayer led by Mayor Charlotte J. Wilcox**

Mayor Wilcox gave the invocation.

**7. Pledge of Allegiance to the U.S. and Texas flags led by Mayor Charlotte J. Wilcox**

Mayor Wilcox led the Pledge of Allegiance to the U.S. and Texas flags.

**8. Visitor Comments**

The following person spoke:

John McGee (2703 Quail Cove Drive) – Regarding Agenda Item #12, Mr. McGee voiced concern about the wording in the proposed animal control ordinance regulating the tethering of dogs and requested the item be moved for further discussion.

**9. City Manager/Staff Reports**

- **Foodie Friday Video**

The Foodie Friday video featured Salerno's Italian Restaurant.

**10. Mayor and Council Reports on Items of Community Interest pursuant to Texas Government Code Section 551.0415 the City Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming City Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety**

Mayor Wilcox sent condolences to the family of Denton County Fire Marshal and former Highland Village Fire Chief Roland Asebedo and reported flags at City facilities would fly at half-staff for the remainder of the week.

- **Presentation of a Proclamation celebrating the 50<sup>th</sup> Anniversary of the Highland Village Fire Department**

Mayor Wilcox presented a proclamation to Chief Thomson and members of the Fire Department recognizing the 50<sup>th</sup> Anniversary of the Highland Village Fire Department.

## CONSENT AGENDA

Mayor Wilcox moved Agenda Item #12 from Consent to the Regular Agenda to allow for further discussion.

11. **Consider approval of Minutes of the Regular City Council Meeting held on August 24, 2021**
13. **Consider Resolution 2021-2953 authorizing Renewal of the Employee Health and Dental Insurance Plans with Blue Cross Blue Shield of Texas**
14. **Receive Budget Reports for Period Ending July 31, 2021**

***Motion by Mayor Pro Tem Lombardo, seconded by Councilmember Heslep, to approve Consent Agenda Items #11, #13 and #14. Motion carried 7-0.***

## ACTION AGENDA

15. **Take action, if any, on Matters discussed in Closed Session in accordance with the following Sections of the Texas Government Code:  
(a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)**  
**NO ACTION TAKEN**
12. **Consider Ordinance 2021-1286 amending in its Entirety Chapter 4 “Animal Control” of the City’s Code of Ordinances as it relates to the Regulation of the Care and Keeping of Animals within the City Limits (2nd and final read)**  
**APPROVED 2<sup>ND</sup> READ (7 – 0)**

Mayor Wilcox moved this item from Consent to the Regular Agenda for further discussion.

Mayor Wilcox reported Governor Abbott has an item regarding the tethering of animals on the agenda for a Special Legislative Session. Chief Reim reported he and Mr. McGee met previously to discuss the topic of tethering of animals. Chief Reim added that he and City Attorney Kevin Laughlin have reviewed the proposed ordinance and there are provisions that provide options for City staff to address tethering-related issues, even if no action is taken at the State level. If there are changes made by the State that would affect regulations in the proposed ordinance, City staff would recommend amending the ordinance, as needed. With current State law and City ordinances, Chief Reim reported the City’s Animal Services staff would have to ability to take action, if action is warranted. Chief Reim added Animal Services has not received any complaints regarding tethering.

Councilmember Jaworski asked if the State took action, would there be a timeframe on needing to amend our ordinance to reflect State action. Mr. Laughlin reported if there is preemption, it would be voiced by State law and a cleanup of the ordinance could be done at that time. Due to other issues that need to be addressed by other amendments proposed in the ordinance, Mr. Laughlin and Chief Reim recommended moving forward with approval of the proposed ordinance and amending, if needed, at a later time.

***Motion by Deputy Mayor Pro Tem Fleming, seconded by Councilmember Fiester, to approved the final read of Ordinance 2021-1286. Motion carried 7-0.***

16. **Conduct a Public Hearing on the Proposed Budget and Tax Rate for Fiscal Year 2021-2022**

**PUBLIC HEARING CONDUCTED**

City Manager Paul Stevens provided highlights of the Proposed FY 2021-2022 budget. The certified estimate provided by Denton Central Appraisal District (DCAD) provided a 5.3% growth in estimated property values which will provide an additional \$711,707 in property tax revenues. The tax rate of \$.56302 remains unchanged from last year. Sales tax revenues reflect a large increase of 15.2% from last year's budgeted amount. This year's budget includes proportional funding for a joint fire training facility in conjunction with Lewisville and Flower Mound, and a partnership with Enterprise Fleet Management to manage the bulk of the City's service vehicles providing efficiency from optimized resale as well as operating with a significantly newer fleet and a stabilized expenditure level for vehicles. Mr. Stevens added that a bond issuance is anticipated for FY 2022 to focus on numerous maintenance issues across all city parks, needed street reconstruction, and enhanced services at Pilot Knoll Park with the addition of rental cabins. This bond issuance will not have an impact on the tax rate as it will coincide with retiring debt. Looking to the future, funding is included for a Comprehensive Plan Update; Parks, Recreation and Open Space Master Plan Update; Trail System Master Plan Update and a FM407 Trail Corridor and Amenity Plan. These plans will work in concert in formulating a direction to improve economic development opportunities and quality of life for our residents and visitors, and will provide opportunities for input from our residents and business owners.

The proposed budget is available on the City's website and in the City Secretary's Office. The final read of the budget will be approved at a special meeting on Tuesday, September 21.

Mayor Wilcox opened the public hearing. With no one wishing to speak, she closed the public hearing

17. **Consider Ordinance 2021-1287 approving and adopting the Fiscal Year 2021-2022 Annual Budget (1<sup>st</sup> of two reads)**

**APPROVED 1<sup>ST</sup> READ (7 – 0)**

***Motion by Councilmember Kixmiller, seconded by Councilmember Jaworski, to approve the first read of Ordinance 2021-1287 adopting the Fiscal Year 2021-2022 Annual Budget. City Secretary Angela Miller took a roll call vote on the motion:***

***Mayor Wilcox - Aye***

***Mayor Pro Tem Lombardo – Aye***

***Deputy Mayor Pro Tem Fleming – Aye***

***Councilmember Kixmiller – Aye***

***Councilmember Heslep – Aye***

***Councilmember Fiester - Aye***

***Councilmember Jaworski – Aye***

***Motion carried 7-0.***

18. **Consider Ordinance 2021-1288 levying the Ad Valorem Taxes for the Year 2021 at a Rate of \$.56302 per \$100 Assessed Valuation on all Taxable Property within the**

**Corporate Limits of the City of Highland Village as of January 1, 2021 (1<sup>st</sup> of two reads)**

**APPROVED 1<sup>ST</sup> READ (7 – 0)**

Assistant City Manager Ken Heerman reported the Texas Tax Code §26.05 requires a tax rate be adopted by official action following passage of a budget. He added that the tax rate must be adopted in two separate components – Maintenance and Operations (M&O), and Interest and Sinking (I&S). Mr. Heerman explained because the proposed M&O tax rate will exceed the no-new-revenue tax rate, State law requires certain language and font size be included in the ordinance adopting the tax rate for the next fiscal year. In addition, as the proposed tax rate exceeds the no-new-revenue tax rate, at least sixty (60) percent of the governing body must vote in favor of the ordinance by a record vote.

Mr. Heerman reported the total tax rate of \$.56302/\$100 is unchanged from last year. Proposed Ordinance 2021-1288 provides for the adoption of a total tax rate of \$.56302 per \$100 valuation (composed of a M&O rate of \$.482635 per \$100 valuation and a debt service rate of \$.080385 per \$100 valuation) to fund the FY 2021-2022 budget.

***Motion by Councilmember Heslep, seconded by Councilmember Jaworski, that the property tax rate be increased by the adoption of a tax rate of \$.56302, which is effectively a 4.5 percent increase in the tax rate and, therefore, further move that Ordinance No. 2021-1288 be approved on first read. City Secretary Angela Miller took a roll call vote on the motion:***

***Mayor Wilcox - Aye  
Mayor Pro Tem Lombardo – Aye  
Deputy Mayor Pro Tem Fleming – Aye  
Councilmember Kixmiller – Aye  
Councilmember Heslep – Aye  
Councilmember Fiester - Aye  
Councilmember Jaworski – Aye***

***Motion carried 7-0.***

- 19. Consider Resolution 2021-2954 approving the Annual Rate Adjustment pursuant to the Solid Waste, Recycling, and Household Hazardous Waste Collection Contract with Community Waste Disposal (CWD)**

**APPROVED (7 – 0)**

Mr. Heerman reported CWD has requested a rate increase, as is allowed per the agreement between the City and CWD for Solid Waste and Recycling Services. Rate adjustments are based on three criteria: the Dallas/Fort Worth Consumer Price Index, the change in US Price of Natural Gas Sold to Commercial Customers Index, and the percentage change in the gate rate charged to CWD by the Disposal Site(s) they utilize pursuant to our contract. In turn, indexes were determined for each component (residential trash, recycling, roll-off trash, front load trash), with the adjustment based on the percentage change for each – applied to the respective weight assigned to each component for each service. The existing agreement with CWD was initiated in 2018 with a five-year term. The contract contains a provision to update rates in October of each year. This is the third requested CPI adjustment for the agreement term. CWD also received an additional increase related to the unexpected closure of the DFW landfill in 2020.

Mr. Heerman added that CWD has provided the pertinent CPI, natural gas index and disposal site cost information for determination of the adjustment as required by the contract – and this has been substantiated by City staff. When including sales tax, the monthly bill to each resident will increase from \$17.88 to \$18.58 – a \$.70 increase. Senior citizen rates (with the 10% discount), will increase from \$16.09 to \$16.70. In addition, the City also incurs a separate charge associated with processing of compost from another vendor, which equates to a \$.25 additional pass-through charge.

CWD Municipal Coordinator Jason Roemer updated Council on challenges they have faced recently, such as labor shortages and increased residential trash volumes. Councilmembers Heslep and Jaworski requested more care be used in placement of residential trash receptacles after they have been emptied.

***Motion by Councilmember Fiester, seconded by Councilmember Heslep, to approve Resolution 2021-2954. Motion carried 7-0.***

20. **Consider Resolution 2021-2955 authorizing a Lease Agreement and Related Agreements with Enterprise FM Trust and Enterprise Fleet Management, Inc. for the Leasing and Maintenance of the City’s Fleet Vehicles and the Sale of Surplus City Vehicles**

**APPROVED (7 – 0)**

Mr. Stevens reported City staff has studied fleet management options since the beginning of the budget process looking at the possibility of cutting costs as well as flattening annual purchases without spikes from year to year, a particularly important aspect due to Senate Bill 2 and tax rate ramification. Enterprise Fleet Management offers a complete program beginning with acquisition, maintenance all the way through vehicle resale, which was presented to Council at their last meeting and included in the next fiscal year’s budget. Mr. Stevens stated all agreements have been reviewed by the City Attorney and would ultimately be a savings to the City.

***Motion by Deputy Mayor Pro Tem Fleming, seconded by Councilmember Jaworski, to approve Resolution 2021-2955. Motion carried 7-0.***

**LATE WORK SESSION**

21. **Status Reports on Current Projects and Discussion on Future Agenda Items (A Councilmember may inquire about a subject of which notice has not been given. A statement of specific information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.)**

- **Receive a Presentation on the Insurance Services Office (ISO) Survey Results**

Fire Chief Mike Thomson reported the ISO is an insurance advisory organization that provides statistical and actuarial information to insurance companies, with a primary focus on property/casualty insurance. He added that insurers develop their rates based on projections of future losses. Highland Village was last surveyed in November 2005. In May 2021, Highland Village was re-surveyed and was retrograded from a Property Protection Classification (PPC) of 2 to a PPC of 3/3X Split Grading. The City has ninety (90) days to develop and submit a plan before the new PPC rating will take effect. In order



to address the lower rating, ISO recommendations were presented to Council. The primary recommendation addressed was to add personnel to staff the City's 2<sup>nd</sup> fire engine.

Councilmember Kixmiller asked when the City could be reevaluated and what would be the cost to add personnel. Chief Thomson explained if the City has a plan submitted, reevaluation could be done upon request. The cost for additional personnel would be approximately \$1.2 million, with recurring costs. Chief Thomson added that more equipment would not be needed for the additional staff, and that the current station has enough room to accommodate, possibly with some modification. Regarding a second station, Chief Thomson stated it could be a few more years down the road and would depend on what future development occurs in the City, and that Highland Village is a young city that really only started growing around 2001.

Mayor Wilcox asked if the use of volunteers had reflected the previous higher rating. Chief Thomson stated there were a lot of volunteers at that time which would have had an impact. Mayor Wilcox added that the impact of Senate Bill 2 makes it even more difficult to fund an increase in staffing levels and could result in a property tax increase if a new station were considered. Mr. Heerman added probability of a required public vote would also need to be factored into a future increase in the tax rate.

**22. Adjournment**

Mayor Wilcox adjourned the meeting at 9:16 p.m.

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Charlotte J. Wilcox, Mayor

**ATTEST:**

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Angela Miller, City Secretary

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

<b>AGENDA#</b> 13	<b>MEETING DATE:</b> September 28, 2021
<b>SUBJECT:</b>	<b>Consider Resolution 2021-2960 authorizing the extension of the term of the Agreement with SAZ Infrastructure for concrete pavement repairs through the City's cooperative purchasing agreement with the City of Lewisville and authorizing task orders for concrete pavement repairs</b>
<b>PREPARED BY:</b>	<b>Scott Kriston, Director of Public Works</b>

**BACKGROUND:**

The City of Highland Village has a pavement management program and typically overlays identified asphalt roadways on an annual basis to maintain asphalt roadway infrastructure and increase their longevity. City staff also targets for repair existing concrete roadways that have shown pavement deterioration and/or pavement failures. City staff has identified several concrete streets that are exhibiting panel failure. Staff targeted concrete panels located in the Briarhill, Castlewood and Highland Shores Subdivisions. Pursuant to previous council action in 2019, the City Council authorized the City Manager to sign an Agreement with SAZ Infrastructure through the City's cooperative purchasing agreement with the City of Lewisville. Council previously authorized the extension of said agreement, the term of which ended on September 16, 2021.

The City of Lewisville has executed their second optional annual renewal for the concrete repair agreement with SAZ Infrastructure effective on September 16, 2021. The contract is a unit price contract that allows the Lewisville to request concrete panel repairs on a task order basis that identifies the street panels to be repaired or replaced as well as sidewalk replacement / construction. City Administration has reviewed the Agreement between Lewisville and SAZ Infrastructure and find the unit prices are still favorable and competitive.

**IDENTIFIED NEED/S:**

The City of Highland Village desires to make several concrete panel street repairs in the Briarhill, Castlewood and Highland Shores Subdivisions. If the City desires to use the unit pricing set forth in the Lewisville agreement with SAZ Infrastructure, an extension letter is required to be delivered to the contractor.

**OPTIONS & RESULTS:**

The concrete panel replacement will provide additional longevity and ride quality to the concrete pavement structures.

**PROGRESS TO DATE: (if appropriate)**

In 2019, the City entered into a unit price contract with SAZ Infrastructure for concrete panel

replacements through the City's cooperative purchasing agreement with the City of Lewisville, which contract ended on September 15, 2020 with two annual renewable options. The City of Lewisville has extended their second renewal option and the City desires to do the same. The concrete panel replacements performed by SAZ for the City under the prior contract is satisfactory. City staff has identified additional concrete panels that require repair.

**BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

Funding through the General fund.

**RECOMMENDATION:**

To approve Resolution 2021-2960.

**CITY OF HIGHLAND VILLAGE**

**RESOLUTION NO. 2021-2960**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING EXTENSION OF THE TERM OF THE AGREEMENT WITH SAZ INFRASTRUCTURE FOR CONCRETE PANEL REPAIRS THROUGH THE CITY'S COOPERATIVE PURCHASING AGREEMENT WITH THE CITY OF LEWISVILLE; AUTHORIZING TASK ORDERS FOR CONCRETE PAVEMENT REPAIRS; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, during the course of each fiscal year, the Director of Public Works identifies various concrete street sections that need repair; and

**WHEREAS**, the City previously entered into a unit price contract with SAZ Infrastructure ("SAZ") through the City's cooperative purchasing agreement with the City of Lewisville ("Lewisville") to perform concrete panel repairs when needed, the term of which ended on September 15, 2021, but which can be extended for an additional year subject to the Lewisville extending its agreement with SAZ; and

**WHEREAS**, Lewisville has extended the term of its agreement with SAZ for an additional year ending on September 15, 2022; and

**WHEREAS**, City Administration recommends the term of the City's agreement with SAZ be extended; and

**WHEREAS**, the City Council finds it to be in the public interest to concur in the foregoing recommendation.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**SECTION 1.** The City Manager is hereby authorized to agree to an extension of the term of the existing agreement with SAZ Infrastructure until September 15, 2022, and to negotiate such task orders on behalf of the City with SAZ Infrastructure to perform concrete pavement repairs as needed from time to time during the term of said agreement subject to City policy, state law, and, the availability of current funds in the City's adopted budget to pay for such costs.

**SECTION 2.** This Resolution shall be effective immediately upon its approval.

**PASSED AND APPROVED THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER 2021.**

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**Charlotte J. Wilcox, Mayor**

**ATTEST:**

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**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**

(kbl:9/21/2021:124903)

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 14**

**MEETING DATE: 09/28/2021**

**SUBJECT: Consider Resolution 2021-2961 Adopting the City's Investment Policy and Making a Record of the Council Annual Review and Any Policy Changes.**

**PREPARED BY: Ken Heerman, Assistant City Manager**

**BACKGROUND:**

A requirement of the Public Funds Investment Act, Chapter 2256 of the Texas Government Code, and the City of Highland Village, Texas, Investment Policy, Section VIII.2 Amendments, is an annual review of the investment policy. Any changes must be approved by the Investment Officer and submitted as a resolution for adoption to the City Council.

**IDENTIFIED NEED/S:**

Our consultants with Valley View Consulting, L.L.C. have compared the Public Funds Investment Act (PFIA) written policy requirements with the City's Investment Policy. The policy is in compliance with the PFIA.

**OPTIONS & RESULTS:**

There were no legislative changes this session that would require changes to consider. But in review, there were a few minor grammatical and clarification changes suggested to update the City's Investment Policy as previously adopted.

- Section I.2 a.1. Updated description of issuer as investment issuer rather than security issuer.
- Section I.2 d. Removed bullet point of identified internal controls – 'Avoidance of physical delivery securities, as actual delivery of securities'. Physical delivery of securities is now substantially obsolete.
- Section III.1 Updated language regarding prudence standard of care to match specific wording in the Public Funds Investment Act.
- Section IV.2 Clarified term for third-party agent to hold securities as a safekeeping agent rather than custodian.
- Section V.3 provided additional clarification for deposits requiring collateralization as financial institution deposits.
- Changes made to authorized broker/dealers:
  - o No additions / deletions of authorized broker/dealers. However, updated associated descriptions to reflect 'Active market maker in suitable & authorized investments' for consistency.

The updated investment policy is provided as Attachment "A" with the associated resolution.

**RECOMMENDATION:**

Council to adopt Resolution 2021-2961 and record the annual review process.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2021-2961**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ADOPTING THE CITY OF HIGHLAND VILLAGE INVESTMENT POLICY ATTACHED HERETO AS EXHIBIT "A"; DECLARING THAT THE CITY COUNCIL HAS COMPLETED ITS REVIEW OF THE INVESTMENT POLICY OF THE CITY AND THAT EXHIBIT "A" RECORDS ANY CHANGES TO THE INVESTMENT POLICY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in accordance with the Public Funds Investment Act, Chapter 2256, Texas Government Code, the City Council of the City of Highland Village, Texas has adopted an investment policy; and,

**WHEREAS**, Section 2256.005, Texas Government Code requires the City Council to review the investment policies and investment strategies not less than annually and to adopt a resolution or order stating the review has been completed and record any changes made to either the investment policies or investment strategies.

**NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**SECTION 1.** The City's Investment Policy, attached as Exhibit "A", is hereby adopted and shall govern the investment policies for the City, and shall define the authority of the investment official of the City from and after the effective date of this resolution.

**SECTION 2.** The City Council of the City of Highland Village has completed its review of the investment policies and investment strategies and any changes made to either the investment policies or investment strategies are recorded in Exhibit "A" hereto.

**SECTION 3.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said resolution which shall remain in full force and effect.

**SECTION 4.** This resolution shall become effective immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THIS THE 28<sup>th</sup> DAY OF SEPTEMBER 2021.**

**APPROVED:**

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Charlotte J. Wilcox, Mayor



**ATTEST:**

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Angela Miller, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

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Kevin B. Laughlin, City Attorney  
(kbl: 9/22/2021:124933)

**RESOLUTION NO. 2021-2961**  
**Exhibit "A"**

**CITY OF HIGHLAND VILLAGE, TEXAS**  
**INVESTMENT POLICY**  
**INTRODUCTION**

This Investment Policy applies to the investment activities of the City of Highland Village (the "City"). These policies and procedures serve to satisfy the statutory requirement of Chapter 2256, Texas Government Code, the Public Funds Investment Act (the "PFIA"), to define and approve a formal investment policy. Upon City Council adoption, this Investment Policy supersedes all others.

**ARTICLE I**  
**GENERAL OBJECTIVES**

- I.1 **Purpose** It is the purpose of this Policy to invest in a manner which assures the safety of principal of invested funds by maintaining sufficient liquidity, diversifying investment instruments and maturities, creating accountability and internal controls, accurately reporting portfolio status, and to include the investment process as part of the annual audit.
- I.2 **Objectives** The primary objectives of the City's investment activities, in order of importance are:
- a. **Safety:** Investments of the City shall be selected in a manner that seeks to ensure the preservation of capital. The objective will be to mitigate credit risk and interest rate risk.
    1. Credit Risk is the risk of loss due to the failure of the investment issuer or backer. Credit risk may be mitigated by:
      - Limiting investments to the safest types,
      - Pre-qualifying the financial institutions, brokers/dealers, intermediaries, and advisors with which the City will do business, and
      - Diversifying the investment portfolio so that potential losses from individual issuers will be minimized.
    2. Interest rate risk is the risk that the market value of investments in the portfolio will fluctuate due to changes in general interest rates. Interest rate risk may be mitigated by:
      - Structuring the investment portfolio so that investments mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell investments prior to maturity, and
      - By investing funds primarily in shorter-term investments.
  - b. **Liquidity:** The investment portfolio will remain sufficiently liquid to enable the City to meet all reasonably anticipated operating requirements. This shall be accomplished by projecting cash flow requirements and matching investment maturities with anticipated demands (static liquidity).
  - c. **Diversification and Maturity:** The City's investment portfolio shall be diversified to minimize the risk resulting from over concentration of assets in specific maturity, market sector or issuer categories, where appropriate. Diversification strategies shall be established and reviewed periodically by the Investment Officers.
  - d. **Internal Controls:** The Assistant City Manager is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes

that (1) the cost of a control should not exceed the benefits likely to be derived and (2) the valuation of costs and benefits requires estimates and judgments by management.

As part of the annual audit, the Investment Officer shall facilitate an independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following points:

- Control of collusion
  - Separation of transaction authority from accounting and record keeping
  - Custodial safekeeping
  - Clear delegation of authority to subordinate staff members
  - Written confirmation of transactions for investments and wire transfers
- e. **Yield:** The City's investment portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles, commensurate with the City's investment risk constraints and the cash flow needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. The core of investments is limited to relatively low risk investments in anticipation of earning a fair return relative to the risk being assumed. Securities shall not be sold prior to maturity with the following exceptions:
- A security with declining credit may be sold early to minimize loss of principal,
  - A security swap that improves the quality, yield, or target duration in the portfolio, and
  - Liquidity needs of the portfolio require that the security be sold.

## **ARTICLE II SCOPE & STRATEGY**

II.1 Scope This Policy applies to all financial assets of the City. These funds are accounted for in the City's Comprehensive Annual Financial Report and include:

- General Fund
- Enterprise Fund
- Special Revenue Funds
- Debt Service Funds - including Interest & Sinking Funds & Reserve Funds
- Capital Improvement Funds
- Other funds not specifically prohibited by law
- Component units of the City

II.2. Investment Strategy For each of the major fund types listed in paragraph II.1, there shall be a written investment strategy, with the exception of Other Funds and Component Units for which the Operating Fund and Enterprise Fund strategy will apply. The strategy shall take into consideration the unique cash flow requirements, both inflows and outflows, of the funds. Appendix A contains each fund's investment strategy.

For funds subject to the arbitrage regulations, the City shall annually calculate an estimated arbitrage rebate amount. Positive or negative rebate estimates will be incorporated into the implemented investment strategy. Additionally, estimated positive rebate amounts shall be restricted from expenditure and a rebate liability fund established in anticipation of payment to the IRS per the arbitrage regulations.

### **ARTICLE III STANDARDS OF CARE**

- III.1 Prudence Investments shall be made with careful judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived.

The standard of prudence to be used by Investment Officers shall be the "prudent person" standard and shall be applied in the context of managing the overall portfolio. Investment Officers acting in accordance with written procedures and the Investment Policy, and exercising due diligence, shall be relieved of personal responsibility for an individual investment's credit risk or market price changes, provided that deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

In accordance with Section 113.005, Texas Local Government Code, the Investment Officer is not responsible for any loss of the City's funds through the failure or negligence of a depository. This section does not release the Investment Officer from the responsibility for a loss resulting from official misconduct or negligence, including misappropriation of funds, or from responsibility for funds until a depository is selected and funds are deposited.

- III.2. Ethics and Conflicts of Interest Investment Officers shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial decisions.

Investment Officers shall disclose any personal business relationship, as defined by the PFIA, or relative within the second degree by affinity or consanguinity, as determined under Chapter 573 of the Texas Local Government Code, to an individual or business organization seeking to engage in an investment transaction with the City. A statement required under this section must be filed with the Texas Ethics Commission and the City Council in compliance with the PFIA.

- III.3. Delegation of Authority for Investment Program In accordance with the PFIA, the overall responsibility for conducting investment transactions resides with the City Council. Management oversight is delegated to the City Manager and Assistant City Manager who shall develop and maintain written procedures for the operation of the investment program consistent with these policies. The Assistant City Manager, Assistant Director of Finance, and Staff Accountant shall be designated as Investment Officers.

Operational procedures shall be established by the Assistant City Manager that will include reference to safekeeping, repurchase, depository, and collateral agreements. Such procedures shall include explicit delegation of authority to persons responsible for conducting investment transactions. No person may engage in an investment transaction except as provided under the terms of this Policy and the procedures as described herein. The City Manager and Assistant City Manager shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinates.

### **ARTICLE IV TRANSACTION PROCEDURES**

- IV.1 Authorized Broker/Dealers The Assistant City Manager will maintain a list of broker/dealers approved by the City Council who are authorized to provide investment services. These may include primary broker/dealers or regional broker/dealers that qualify under Securities and Exchange Commission Rule 15C3-1 (uniform net capital rule) and Texas investment regulations.

All investment providers eligible to transact investment business with the City shall be presented a written copy of this Investment Policy.

Additionally, the qualified representative of a local government investment pool or discretionary investment management firm ("business organization") seeking to transact investment business shall execute a written instrument substantially to the effect that the qualified representative has:

1. Received and thoroughly reviewed this Investment Policy, and
2. Acknowledged that the organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the City's Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires an interpretation of subjective investment standards, or relates to investment transactions of the City that are not made through accounts or other contractual arrangements over which the business organization has accepted discretionary investment authority..

The City shall not enter into an investment transaction with a business organization prior to receiving the written instrument described above.

All broker/dealers who desire to become authorized for investment transactions must supply the Investment Officer with the following (as applicable):

- Audited financial statements
- Proof of Financial Industry Regulatory Authority (FINRA) certification
- Proof of registration in the State of Texas
- Completed broker/dealer questionnaire, including:
  - Related investment experience
  - Public fund investment officer references

This information shall be submitted to the Investment Officers for review. The Investment Officers will make a recommendation for changes to the list of authorized broker/dealers and submit the list for approval by the City Council. At least annually, the City Council shall approve the list of authorized broker/dealers. The most recent City Council-authorized list shall be attached to this Policy as Appendix B.

In order to create a competitive pricing environment for each investment transaction, the City shall solicit quotations from multiple financial institutions for time deposits and authorized broker/dealers for securities.

IV.2 Delivery Versus Payment All transactions, where applicable, will be executed on a delivery versus payment (DVP) basis to ensure that securities are delivered to an eligible financial institution prior to the release of funds. An independent third-party safekeeping agent authorized by the City, and evidenced by safekeeping receipts, will hold securities.

IV.3 Investment Training In order to ensure the quality and capability of the City's Investment Officers, the City shall provide periodic training in investments through courses and seminars offered by professional organizations and associations. Pursuant to the PFIA, designated Investment Officers, and their designees responsible for investing City funds, shall attend within twelve months of assuming duties and receive not less than ten hours of instruction and, on a continuing basis, receive not less than eight hours of instruction in a two year period that begins on the first day of the City's fiscal year and consists of the two consecutive fiscal years after that date, for instruction. Said instruction shall relate to investment responsibilities described in the PFIA and this Policy. The training shall be conducted by approved independent training sources: GFOA, GFOAT, GTOT, TML, COG, UNT, or AICPA.

**ARTICLE V**  
**SUITABLE & AUTHORIZED INVESTMENTS**

V.1 Suitable & Authorized Investment Types The following instruments are considered suitable and authorized investments for the City's funds. At least quarterly, the City shall monitor issuer rating changes from independent information sources. In the event an authorized investment loses its required minimum credit rating, all prudent measures will be taken to liquidate said investment.

- a. Except as provided in paragraph V.2. the following are authorized investments
- Obligations of the United States or its agencies and instrumentalities, including the Federal Home Loan Banks;
  - Direct obligations of this State or its agencies and instrumentalities;
  - Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this State or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States; and
  - Obligations of states, agencies, counties cities and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent.
- b. Deposits with a state or national bank, a savings bank, or a state or federal credit union that has its main office or a branch office in this State that are:
- Guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
  - Secured in compliance with state and federal regulations, by obligations eligible under the Public Funds Collateral Act; or
  - Secured in compliance with state and federal regulations, by letters of credit issued by the United States or its agencies and instrumentalities.

Or are placed through a depository institution or broker that has its main office or a branch office in Texas and meets the requirements of the PFIA.

- c. Fully collateralized repurchase agreements are authorized if the repurchase agreement:
- Has a defined termination date;
  - Is secured by cash or obligations in paragraph V.1.a;
  - Requires the securities being purchased by the City to be pledged to the City, held in the City's account and deposited at the time the investment is made with the City or with a third-party selected and approved by the City; and
  - Is placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this State.

For purposes of this paragraph a repurchase agreement means a simultaneous agreement to buy, hold for a specified time and sell back at a future date obligations described by paragraph V.1.a, at a market value at the time the funds are disbursed of not less than the principal amount of the funds disbursed.

- d. No load money market mutual funds are authorized if the mutual fund:
- Is registered with and regulated by the Securities and Exchange Commission;
  - Provides the City with a prospectus and other information required by the Securities Exchange Act of 1934 or the Investment Company Act of 1940;
  - Is categorized as a "Treasury" or "Government" money market fund;
  - Must maintain a AAAM, or equivalent rating, from at least one nationally recognized rating agency;

- Includes in its investment objectives the maintenance of a stable net asset value of \$1.0000 for each share; and
  - The City's investment shall not exceed 10% of the fund's total assets.
- e. A public funds investment pool specifically authorized by City Council, meeting the requirements of the PFIA, that is categorized as a "Treasury" or "Government" investment pool, and includes in its investment objectives the maintenance of a stable net asset value of \$1.00 for each share.

V.2. Investments Not Authorized The following investments are not authorized under paragraph V.1.a.

- a. Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pay no principal;
- b. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
- c. Collateralized mortgage obligations that have a stated final maturity date of greater than ten years; and
- d. Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

V.3. Collateralization will be required on two types of investments: financial institution deposits and repurchase agreements. With the exception of deposits secured with irrevocable letters of credit at 100% of amount, in order to anticipate market changes and provide a level of security for all funds, the collateralization level will be at least 102% of market value of the pledged investment's principal, less any applicable federal deposit insurance.

Collateral will always be held by an independent third-party custodian acceptable to the City. A clearly marked evidence of pledge (pledge receipt) must be supplied to the City and retained. The City grants the right of collateral substitution with equal or greater market value, with notification to and the right of refusal by the City. The City has the option to also accept a surety bond from a qualified insurance company (rated A or its equivalent by the A.M. Best Company or similar rating agency) or a letter of credit from a federal agency or instrumentality as deposit collateralization.

Financial institutions accepting City deposits will be required to sign a "Depository Agreement" with the City. The collateralized deposit portion of the Agreement shall define the City's rights to the collateral in the event of default, bankruptcy, or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- the Agreement must be in writing;
- the Agreement has to be executed by the depository and the City contemporaneously with the acquisition of the asset;
- the Agreement must be approved by the Board of Directors or designated committee of the depository and a copy of the meeting minutes must be delivered to the City; and
- the Agreement must be part of the depository's "official record" continuously since its execution.

## **ARTICLE VI INVESTMENT PARAMETERS**

VI.1. Diversification The City will diversify its investment portfolio by type and maturity, where appropriate, as described in the fund-type investment strategies.

- VI.2. Maximum Maturities The City shall not exceed anticipated cash flow requirements when selecting investment maturities. Regardless of cash flow projection, the maximum maturity per fund-type is outlined in Appendix A Investment Strategy.

Because of inherent difficulties in accurately forecasting cash flow requirements, a portion of the portfolio will be continuously invested in readily available funds (e.g. short-term financial institution deposits, local government investment pools, money market funds, or overnight repurchase agreements) to ensure that appropriate liquidity is maintained to meet ongoing obligations.

## **ARTICLE VII REPORTING**

- VII.1 Methods The Investment Officers will present to the City Council a signed investment report on a quarterly basis, including a management summary that provides an analysis of the status of the current investment portfolio and transactions made over the last quarter. This management summary will be prepared in a manner which will allow the City to ascertain whether investment activities during the reporting period have conformed to the Investment Policy. This report will include a summary statement of each fund that states:

- The beginning market value for the reporting period;
- Ending market value for the period; and
- Fully accrued interest for the reporting period.

Additionally the report will:

- State the book value and market value of each separately invested asset at the end of the reporting period by the type of asset and fund type invested;
- State the maturity date of each separately invested asset;
- State the account, fund or pooled group fund of the City for which each individual investment was acquired;
- State the compliance of the investment portfolio as it relates to (1) the City's investment strategy for each fund type and (2) the PFIA; and
- Provide any additional information as required by the PFIA.

- VII.2 Performance Standards The investment portfolio will be managed in accordance with the parameters specified within this Policy. "Weighted Average Yield to Maturity" shall be the performance measurement standard for the portfolio. The portfolio should seek to attain a market average rate of return, over time, during various market/economic cycles. A series of appropriate benchmarks shall be established against which portfolio performance shall be compared on a regular basis.

- VII.3 Market Valuation The market value of the portfolio will be calculated on a quarterly basis in compliance with the reporting requirements of Paragraph VII.1. In defining market value, sources independent of the investment provider will determine valuations and consideration will be given to applicable GASB Statement(s).

- VII.4 Independent Review As part of the annual audit, the City's independent auditor will review each of these quarterly investment reports.

## **ARTICLE VIII ADDITIONAL CONSIDERATIONS**

- VIII.1. Exemption Any investment currently held and purchased before the date of implementation of this Policy that does not meet the guidelines of this Policy and/or the PFIA shall be exempted from the



requirements of this Policy and the PFIA. It is therefore unnecessary to liquidate such investments. However, at maturity or liquidation, such funds shall be reinvested only as provided by this Policy.

- VIII.2. Amendments This Policy shall be reviewed on an annual basis by the City Council and a written instrument adopted attesting to said review. Any changes must be approved by the Investment Officers and submitted as a resolution for adoption to the City Council.

## Appendix A

### **INVESTMENT STRATEGY**

In order to minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed the anticipated cash flow requirements of the funds. Investment guidelines by fund-type are as follows:

#### A. **Operating and Enterprise Funds**

**Suitability** - Any investment eligible in the Investment Policy is suitable for Operating or Enterprise Funds.

**Safety of Principal** - All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing the weighted average days to maturity of each fund's portfolio to less than 180 days and restricting the maximum allowable maturity to two years will minimize the price volatility of the portfolio.

**Marketability** - Investments with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement. Historical market "spreads" between the bid and offer prices of a particular security-type of less than ten basis points (0.10%) will define an efficient secondary market.

**Liquidity** - Operating and Enterprise Funds require the greatest short-term liquidity of any of the fund-types. Short-term financial institution deposits, investment pools and money market mutual funds will provide daily liquidity and may be utilized as a competitive yield alternative to fixed maturity investments.

**Diversification** - Investment maturities should be staggered throughout the budget cycle to provide cash flow based on the anticipated operating needs of the City. Diversifying the appropriate maturity structure up to the two-year maximum will reduce interest rate risk.

**Yield** - Attaining a competitive market yield for comparable security-types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling three-month Treasury-Bill portfolio will be the minimum yield objective.

#### B. **Special Revenue Funds**

**Suitability** - Any investment eligible in the Investment Policy is suitable for Special Revenue Funds.

**Safety of Principal** - All investments will be of high quality with no perceived default risk. Market fluctuations will occur. However, by managing Special Revenue Funds to balance the short-term and long-term anticipated cash flow requirements of the specific revenue/expense plan, the market risk of the Fund's portfolio will be minimized. No stated final investment maturity shall exceed the shorter of the anticipated cash flow requirement or five years.

**Marketability** - Balancing short-term and long-term cash flow needs requires the short-term portion of the Special Revenue Funds portfolio to have investments with active and efficient secondary markets. Historical market "spreads" between the bid and offer prices of a particular security-type of less than ten basis points (0.10%) will define an efficient secondary market. Investments with less active and efficient secondary markets are acceptable for the long-term portion of the portfolio.

**Liquidity** - A portion of the Special Revenue Funds are reasonably predictable. However, unanticipated needs or emergencies may arise. Selecting investment maturities that provide greater cash flow than the anticipated needs will reduce the liquidity risk of unanticipated expenditures.

**Diversification** - Investment maturities should blend the short-term and long-term cash flow needs to provide adequate liquidity and yield enhancement and stability. A “barbell” maturity ladder may be appropriate.

**Yield** - Attaining a competitive market yield for comparable security-types and portfolio structures is the desired objective. The yield of an equally weighted, rolling six-month Treasury-Bill portfolio will be the minimum yield objective.

#### C. **Capital Improvement Funds**

**Suitability** - Any investment eligible in the Investment Policy is suitable for Capital Improvement Funds.

**Safety of Principal** - All investments will be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Capital Improvement Funds to not exceed the anticipated expenditure schedule the market risk of the overall portfolio will be minimized. No stated final investment maturity shall exceed the shorter of the anticipated expenditure schedule or five years.

**Marketability** - Investments with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement. Historical market “spreads” between the bid and offer prices of a particular security-type of less than ten basis points (0.10%) will define an efficient secondary market.

**Liquidity** - Most capital improvements programs have reasonably predictable draw down schedules. Therefore, investment maturities should generally follow the anticipated cash flow requirements. Short-term financial institution deposits, investment pools and money market mutual funds will provide readily available funds generally equal to at least one month’s anticipated cash flow needs, or a competitive yield alternative for short-term fixed maturity investments. A singular repurchase agreement may be utilized if disbursements are allowed in the amount necessary to satisfy any expenditure request. This investment structure is commonly referred to as a flexible repurchase agreement.

**Diversification** - Market conditions and arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for bond proceeds. Generally, if investment rates exceed the applicable cost of borrowing, the City is best served by locking in most investments. If the cost of borrowing cannot be exceeded, then concurrent market conditions will determine the attractiveness of diversifying maturities or investing in shorter and larger amounts. At no time shall the anticipated expenditure schedule be exceeded in an attempt to bolster yield.

**Yield** - Achieving a positive spread to the cost of borrowing is the desired objective, within the limits of the Investment Policy’s risk constraints. The yield of an equally weighted, rolling six-month Treasury-Bill portfolio will be the minimum yield objective for non-borrowed funds.

#### D. **Debt Service Funds**

**Suitability** - Any investment eligible in the Investment Policy is suitable for the Debt Service Fund.

**Safety of Principal** - All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Debt Service Funds to not exceed the debt service payment schedule the market risk of the overall portfolio will be minimized.

**Marketability** - Investments with active and efficient secondary markets are not necessary as the event of an unanticipated cash flow requirement is not probable.

**Liquidity** - Debt Service Funds have predictable payment schedules. Therefore, investment maturities should not exceed the anticipated cash flow requirements. Short-term financial institution deposits, investments pools and money market mutual funds may provide a competitive yield alternative for short-

term fixed maturity investments. A singular repurchase agreement may be utilized if disbursements are allowed in the amount necessary to satisfy any debt service payment. This investment structure is commonly referred to as a flexible repurchase agreement.

**Diversification** - Market conditions influence the attractiveness of fully extending maturity to the next "unfunded" payment date. Generally, if investment rates are anticipated to decrease over time, the City is best served by locking in most investments. If the interest rates are potentially rising, then investing in shorter and larger amounts may provide advantage. At no time shall the debt service schedule be exceeded in an attempt to bolster yield.

**Yield** - Attaining a competitive market yield for comparable security-types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling three-month Treasury-Bill portfolio shall be the minimum yield objective.

#### E. **Debt Service Reserve Funds**

**Suitability** - Any investment eligible in the Investment Policy is suitable for Debt Service Reserve Funds. Bond resolution and loan documentation constraints and insurance company restrictions may create specific considerations in addition to the Investment Policy.

**Safety of Principal** - All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Debt Service Reserve Fund maturities to not exceed the call provisions of the borrowing will reduce the investment's market risk if the City's debt is redeemed and the Reserve Fund liquidated. No stated final investment maturity shall exceed the shorter of the final maturity of the borrowing or five years. Annual mark-to-market requirements or specific maturity and average life limitations within the borrowing's documentation will influence the attractiveness of market risk and influence maturity extension.

**Marketability** - Investments with less active and efficient secondary markets are acceptable for Debt Service Reserve Funds.

**Liquidity** – Debt Service Reserve Funds have no anticipated expenditures. The Funds are deposited to provide annual debt service payment protection to the City's debt holders. The funds are "returned" to the City at the final debt service payment. Market conditions and arbitrage regulation compliance determine the advantage of security diversification and liquidity. Generally, if investment rates exceed the cost of borrowing, the City is best served by locking in investment maturities and reducing liquidity. If the borrowing cost cannot be exceeded, then concurrent market conditions will determine the attractiveness of locking in maturities or investing shorter and anticipating future increased yields.

**Diversification** - Market conditions and the arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for Debt Service Reserve Funds. At no time shall the final debt service payment date of the bond issue be exceeded in an attempt to bolster yield.

**Yield** - Achieving a positive spread to the applicable borrowing cost is the desired objective. Debt Service Reserve Fund portfolio management shall operate within the limits of the Investment Policy's risk constraints.

## Appendix B

### Primary Depository Bank, Public Funds Investment Pools and Authorized Broker/Dealers

#### Primary Depository Bank

Wells Fargo Bank

#### Public Funds Investment Pools

TexPool

TexSTAR

#### Authorized Broker/Dealers

FHN Financial

- Secondary Dealer
- Active market maker in Suitable & Authorized Investments
- Houston Office

Multi-Bank Securities

- Secondary Dealer
- Active market maker in Suitable & Authorized Investments
- Chicago Office

SAMCO Capital

- Secondary Dealer
- Active market maker in Suitable & Authorized Investments
- Dallas Office

Oppenheimer

- Secondary Dealer
- Active market maker in Suitable & Authorized Investments
- Minneapolis Office

Wells Fargo Securities

- Primary Dealer
- Active market maker in Suitable & Authorized Investments
- Dallas Office

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 16**

**MEETING DATE: 09/28/2021**

**SUBJECT: Consider Resolution 2021-2962 Authorizing an Agreement with McAdams for Professional Services Related to Updates to the Comprehensive Plan; Parks, Recreation and Open Space Master Plan, Trail System Master Plan, Thoroughfare Master Plan and FM 407 Corridor and Amenity Plan Study**

**PREPARED BY: Paul Stevens, City Manager**

**BACKGROUND:**

On February 27 of this year, a Council work session was held to discuss the upcoming budget and other city related issues. At this work session, I presented the need to update our Comprehensive Plan along with other plans. Several factors were pointed out that are critical areas of focus for the future of Highland Village. The City is approaching build-out and there are only 78 acres of undeveloped land in Highland Village. It is important to determine the future development patterns of these tracts to make sure the City maximizes the economic benefit from their development and further enhances the quality of life of the residents.

Additionally, retail shopping is changing due to on-line shopping. The traditional brick and mortar shops must change and be made more attractive to consumers. Not changing can have a detrimental effect on our sales tax base. The Comprehensive Plan update will look at these aspects and present suggestions for the appropriate development of vacant tracts within the City as well as redevelopment opportunities in other parts of the City.

The Parks, Recreation and Open Space Master Plan along with the Trail System Master Plan are both in need of updates. It is critical to have updated plans for seeking grant funding for future capital projects.

A large component of the plan updates is the FM 407 Corridor and Amenity Plan. As presented at the Council work session, this would expand the trail system to include FM 407 and would consider multi-modal use (pedestrian, bicycles, golf carts) and connectivity between residential and commercial areas. The idea behind the plan is to create more visibility and activation of existing commercial centers (create a sense of place), which would attract people to various retail areas. Enhanced streetscapes and public spaces with experiential elements would be included.

**IDENTIFIED NEEDS:**

The current Comprehensive Plan was adopted in 1995 with amendments done in 1996 and 1997. The Parks, Recreation and Open Space Master Plan was adopted in 2008 and the Comprehensive Trail System Master Plan in 2011. Many factors have changed since that time necessitating updates.

## **OPTIONS AND RESULTS:**

The City initiated Request for Proposals (RFP) on April 4, 2021. Interested parties had until May 14 to submit their proposals. Six proposals from different firms were submitted. A committee comprised of Ken Heerman, Laurie Mullens, Sunny Lindsey, Scott Kriston, Phil Lozano and myself narrowed the list to three firms. Those three firms made presentations to the committee on June 28. The committee unanimously agreed to enter into contract negotiations with McAdams. McAdams is a full-service land planning, landscape architecture, civil engineering and geomatics firm headquartered in Durham, North Carolina with an office in Lewisville. The City of Highland Village has had a positive working relationship with McAdams on other projects, most recently, the Sunset Point Park design study.

Since the selection of McAdams, we have diligently worked to negotiate a contract that fulfills the needs of the City for the plan updates. The agreed fee for all tasks set forth in the proposal is \$465,017.

## **PROGRESS TO DATE:**

February 27, 2021 – Presentation made to Council on need for plan updates  
April 4, 2021 – City initiates Request for Proposals for plan updates  
May 14, 2021 – Six proposals submitted  
June 28, 2021 – Top three firms make presentations to committee

## **BUDGETARY IMPACT/ORDINANCE CHANGE:**

The proposal amount is \$465,017.

## **RECOMMENDATION:**

To approve Resolution 2021-2962.

STATE OF TEXAS

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AGREEMENT FOR PROFESSIONAL SERVICES

COUNTY OF DALLAS

This **Agreement for Professional Services** (“**Agreement**”) is made by and between the **City of Highland Village, Texas** (“**City**”), a Texas home rule municipality, and **The John R. McAdams Company, Incorporated**, a North Carolina professional corporation (“**Professional**”) (each a “**Party**” and collectively the “**Parties**”), acting by and through their authorized representatives.

**RECITALS:**

**WHEREAS**, City desires to engage the services of Professional as an independent contractor, and not as an employee, to provide the professional services described in Exhibit “A” (the “**Scope of Services**”) in connection with preparation of an update to the City’s Comprehensive Plan, Parks, Recreations and Open Space Master Plan, Trail System Master Plan, and Thoroughfare Master Plan and development of an FM 407 Trail Corridor and Amenity Plan (collectively, the “**Project**”); and

**WHEREAS**, Professional desires to render services for City on the terms and conditions set forth in this Agreement;

**NOW THEREFORE**, in exchange for the mutual covenants set forth herein, and other valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the Parties agree as follows:

**Article I  
Term**

1.1 This Agreement shall commence on the date it is signed by authorized representatives of all Parties, whether on the same document or in identical counterparts, (“**Effective Date**”) and continue until completion of the services, unless sooner terminated as provided herein.

1.2 Either Party may terminate this Agreement by giving thirty (30) days prior written notice to the other Party. In the event of such termination, Professional shall deliver to City all finished and unfinished documents, data, studies, surveys, drawings, maps, models, reports, photographs or other items prepared by Professional in connection with this Agreement. Professional shall be entitled to compensation for any services completed to the reasonable satisfaction of City in accordance with this Agreement prior to such termination.

**Article II  
Scope of Service**

2.1 Professional shall perform the services in connection with the Project as set forth in the Scope of Services.



2.2 Professional shall perform the services with: (i) the professional skill and care ordinarily provided by competent architects or engineers, as the case may be, practicing in the same or similar locality and under the same or similar circumstances and professional license; and (ii) as expeditiously as is prudent considering the ordinary professional skill and care of a competent architect or engineer, as the case may be. If Professional is not a licensed engineer or registered architect, Professional shall perform the services: (i) with the skill and care ordinarily provided by similar professionals practicing in the same or similar locality and under the same circumstances and applicable licenses or certifications; and (ii) as expeditiously as is prudent considering the ordinary skill and care of similar competent professionals.

2.3 Prior to commencement of services, City shall provide Professional with the information set forth in the Scope of Services, if any.

2.4 Professional represents to City that Professional possesses any and all licenses which may be required by the State of Texas or any other governmental entity having jurisdiction as may be necessary for the performance of Professional's services pursuant to this Agreement.

2.5 City will furnish to Professional such information with respect to the Project as Professional may reasonably request in order to render Professional's services effectively. Professional will hold in strict confidence all information with respect to the Project which is furnished to Professional by City in confidence, and which is not otherwise publicly available and/or not required, as a matter of law or proper business practice, to be disclosed to a third party in connection with the services for the Project.

2.6 Upon execution of this Agreement, City has the right to use Professional's instruments of service, including but not limited to, reports, maps, cost estimates, recommendations, or other deliverables for the Project, provided City substantially performs its obligations, including prompt payment of all sums when due under this Agreement. City's employees, agents, contractors, and subcontractors may reproduce applicable portions of the instruments of service for use in performing services or construction related to the Project. Upon payment of all amounts due Professional hereunder, all deliverables, materials and reports prepared by Professional in connection with this Agreement shall become City's property, including all intellectual property rights associated with the use, copying, and publication of such deliverables, materials and reports. Subject to the foregoing, Professional shall, upon completion of the services, or earlier termination, provide City with the deliverables, drawings, reports, maps, and materials prepared by Professional as set forth in the Scope of Services.

2.7 Professional agrees to notify City and seek City's approval prior to Professional's retention by any other individuals or entities, which either directly or indirectly may create a conflict of interest in Professional's services under this Agreement. City may deny any such approval for Professional's retention set forth above, in the event

City, in City's sole and absolute discretion, should conclude that such retention would have an adverse effect on Professional's services under this Agreement.

2.8 The Parties acknowledge and agree that any and all opinions provided by Professional in connection with the Scope of Services represent the professional judgment of Professional, in accordance with the professional standard of care applicable by law to the services performed hereunder.

### **Article III Schedule of Work**

Professional agrees to complete the required services in accordance with the Project Schedule outlined in the Scope of Services.

### **Article IV Compensation and Method of Payment**

4.1 Professional will be compensated in accordance with the payment schedule and amounts set forth in the Scope of Services, not to exceed a total of **Four Hundred Sixty-Five Thousand Seventeen and No/100 Dollars (\$465,017.00)**. Unless otherwise provided herein, payment to Professional shall be monthly based on Professional's monthly progress report and detailed monthly itemized statement for services that shows the names of Professional's employees, agents, contractors performing the services, the time worked, the actual services performed, the rates charged for such service, reimbursable expenses, the total amount of fee earned to date and the amount due and payable as of the current statement, in a form reasonably acceptable to City. Monthly statements shall include authorized non-salary expenses with supporting itemized invoices and documentation. City shall pay such monthly statements not later than thirty (30) days after receipt and City verification of the services and expenses unless otherwise provided herein. Notwithstanding the forgoing, City shall not be required to pay more than 90% of the total fee to be paid to Professional until all deliverables set forth in the Scope of Services have been completed and delivered to City.

4.2 Unless otherwise provided in the Scope of Services, Professional shall be responsible for all expenses related to the services provided pursuant to this Agreement including, but not limited to, travel, copying, printing, and facsimile charges, telephone, internet and email charges.

4.3 The hourly rates set forth in the Scope of Services shall remain in effect during the term of this Agreement. Any changes to established hourly rates shall require the prior written consent of the City.

4.4 City shall be required to pay interest in the amount of 12% per annum or the maximum rate allowed by law, whichever is less, on amounts set forth in invoices that are not in dispute and remain unpaid for more than thirty (30) days after City's receipt of the invoice for such services.

**Article V**  
**Devotion of Time; Personnel; and Equipment**

5.1 Professional shall devote such time as reasonably necessary for the satisfactory performance of the services under this Agreement. Should City require additional services not included under this Agreement, Professional shall make reasonable effort to provide such additional services within the time schedule without decreasing the effectiveness of the performance of services required under this Agreement and shall be compensated for such additional services on a time and materials basis, in accordance with Professional's standard hourly rate schedule, or as otherwise agreed between the Parties.

5.2 To the extent reasonably necessary for Professional to perform the services under this Agreement, Professional shall be authorized to engage the services of any agents, assistants, persons, or corporations (collectively "**Third Party Consultants**") that Professional may deem proper to aid or assist in the performance of the services under this Agreement. Professional shall provide written notice to and approval from City prior to engaging services not referenced in the Scope of Services. The cost for Third Party Consultants shall be included as part of the total compensation to be paid Professional hereunder and shall not otherwise be reimbursed by City unless provided differently herein. Professional shall be solely responsible for paying all Third Party Consultants pursuant to the terms of the agreements between Professional and Third Party Consultants.

5.3 All agreements between Professional and Third Party Consultants to perform services in accordance with Section 5.2 shall be made expressly subject to this Agreement and shall require such Third Party Consultants to agree to:

(a) Keep in full force and effect while performing work in association with the Project the types and amounts of insurance required by Section 6.9 and to otherwise comply with the provisions of Section 6.9; and

(b) Indemnify, defend, and hold City, its officers, agents and employees harmless to the same extent and in the same manner as required by Professional in Section 6.10, below.

5.4 Professional shall furnish and pay for the facilities, equipment and personnel necessary to perform the services required under this Agreement unless otherwise provided herein.

5.5 Professional shall submit monthly progress reports and attend progress meetings as may be required by City from time to time based upon Project demands. Each progress report shall detail the work accomplished and special problems or delays experienced on the Project during the previous report period, and the planned work activities and special problems or delays anticipated for the next report period.

## **Article VI Miscellaneous**

6.1 Entire Agreement. This Agreement constitutes the sole and only agreement between the Parties and supersedes any prior understandings written or oral agreements between the Parties with respect to this subject matter.

6.2 Assignment. Professional may not assign this Agreement without the prior written consent of City. In the event of an assignment by Professional to which City has consented, the assignee shall agree in writing with City to personally assume, perform, and be bound by all the covenants, and obligations contained in this Agreement.

6.3 Successors and Assigns. Subject to the provisions regarding assignment, this Agreement shall be binding on and inure to the benefit of the Parties to it and their respective heirs, executors, administrators, legal representatives, successors and assigns.

6.4 Governing Law. The laws of the State of Texas shall govern this Agreement without regard to any conflict of law rules; and venue for any action concerning this Agreement shall be in the State District Court of Denton County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court.

6.5 Amendments. This Agreement may be amended by the mutual written agreement of the Parties.

6.6 Severability. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

6.7 Independent Contractor. It is understood and agreed by and between the Parties that Professional, in satisfying the conditions of this Agreement, is acting independently, and that City assumes no responsibility or liabilities to any third party in connection with these actions. All services to be performed by Professional pursuant to this Agreement shall be in the capacity of an independent contractor, and not as an agent or employee of City. Professional shall supervise the performance of its services and shall be entitled to control the manner and means by which its services are to be performed, subject to the terms of this Agreement.

6.8 Notice. Any notice required or permitted to be delivered hereunder may be sent by first class mail, overnight courier or by confirmed telefax or facsimile to the address specified below, or to such other Party or address as either Party may designate in writing, and shall be deemed received three (3) days after delivery set forth herein:

If intended for City:  
  
Attn: Paul Stevens, City Manager  
City of Highland Village, Texas  
1000 Highland Village Road  
Highland Village, Texas 75077

With a copy to:  
  
Kevin B. Laughlin  
Nichols, Jackson, Dillard, Hager & Smith, LLP  
500 N. Akard Street, Suite 1800  
Dallas, Texas 75201

If intended for Professional:  
  
The John R. McAdams Company,  
Incorporated  
Attn: \_\_\_\_\_  
111 Hillside Drive  
Lewisville, Texas 75057

With copy to:  
  
The John R. McAdams Company, Incorporated  
Attn: \_\_\_\_\_  
2905 Meridian Parkway  
Durham, North Carolina 27713

6.9 Insurance.

(a) Professional shall during the term hereof maintain in full force and effect the following insurance:

(1) a commercial general liability policy of insurance for bodily injury, death and property damage insuring against all claims, demands or actions relating to Professional's performance of services pursuant to this Agreement with a minimum combined single limit of not less than \$2,000,000.00 per occurrence for injury to persons (including death), and for property damage and \$2,000,000.00 aggregate including products and completed operations coverage of \$1,000,000.00, which policy shall be primary to any policy or policies carried by or available to the City;

(2) policy of automobile liability insurance covering any vehicles owned and/or operated by Professional, its officers, agents, and employees, and used in the performance of this Agreement with policy limits of not less than \$1,000,000.00 combined single limit and aggregate for bodily injury and property damage;

(3) statutory Worker's Compensation Insurance at the statutory limits and Employers Liability covering all of Professional's employees involved in the provision of services under this Agreement with policy limit of not less than \$500,000.00; and

(4) Professional Liability covering negligent acts, errors and omissions in the performance of professional services with policy limit of not less than \$2,000,000.00 per claim and \$2,000,000.00 in the aggregate covering negligent acts, errors and omissions by Professional, its contractors, sub-contractors, consultants and employees in the performance of services pursuant to this Agreement.

- (b) All policies of insurance shall be endorsed and contain the following provisions:
- (1) name City, its officers, and employees as additional insureds as to all applicable coverage with the exception of Workers Compensation Insurance and Professional Liability;
  - (2) provide for at least thirty (30) days prior written notice to City for cancellation of the insurance;
  - (3) provide for a waiver of subrogation against City for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance, except for Professional Liability Insurance. Professional shall provide written notice to City of any material change of or to the insurance required herein.
- (c) All insurance companies providing the required insurance shall be authorized to transact business in Texas and rated at least “A” by AM Best or other equivalent rating service. All policies must be written on a primary basis, non-contributory with any other insurance coverage and/or self-insurance maintained by the City.
- (d) A certificate of insurance and copies of the policy endorsements evidencing the required insurance shall be submitted prior to commencement of services. On every date of renewal of the required insurance policies, the Professional shall cause a certificate of insurance and policy endorsements to be issued evidencing the required insurance herein and delivered to the City. In addition, Professional shall, within ten (10) business days after written request, provide the City with certificates of insurance and policy endorsements for the insurance required herein.

6.10 Indemnification. CITY SHALL NOT BE LIABLE FOR ANY LOSS, DAMAGE, OR INJURY OF ANY KIND OR CHARACTER TO ANY PERSON OR PROPERTY ARISING FROM THE SERVICES OF PROFESSIONAL PURSUANT TO THIS AGREEMENT. PROFESSIONAL HEREBY WAIVES ALL CLAIMS AGAINST CITY, ITS OFFICERS, AGENTS AND EMPLOYEES (COLLECTIVELY REFERRED TO IN THIS SECTION AS “CITY”) FOR DAMAGE TO ANY PROPERTY OR INJURY TO, OR DEATH OF, ANY PERSON ARISING AT ANY TIME AND FROM ANY CAUSE OTHER THAN THE NEGLIGENCE OR WILLFUL MISCONDUCT OF CITY OR BREACH OF CITY’S OBLIGATIONS HEREUNDER. PROFESSIONAL AGREES TO INDEMNIFY AND SAVE HARMLESS CITY FROM AND AGAINST LIABILITIES, DAMAGES, CLAIMS, SUITS, COSTS (INCLUDING COURT COSTS, REASONABLE ATTORNEYS’ FEES AND COSTS OF INVESTIGATION) AND ACTIONS OF ANY KIND BY REASON OF INJURY TO OR DEATH OF ANY PERSON OR DAMAGE TO OR LOSS OF PROPERTY TO THE EXTENT CAUSED BY PROFESSIONAL’S NEGLIGENT PERFORMANCE OF SERVICES UNDER THIS AGREEMENT OR BY

REASON OF ANY NEGLIGENT ACT OR OMISSION ON THE PART OF PROFESSIONAL, ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS (EXCEPT WHEN SUCH LIABILITY, CLAIMS, SUITS, COSTS, INJURIES, DEATHS OR DAMAGES ARISE FROM OR ARE ATTRIBUTED TO NEGLIGENCE OF CITY, IN WHOLE OR IN PART, IN WHICH CASE PROFESSIONAL SHALL INDEMNIFY CITY ONLY TO THE EXTENT OR PROPORTION OF NEGLIGENCE ATTRIBUTED TO PROFESSIONAL AS DETERMINED BY A COURT OR OTHER FORUM OF COMPETENT JURISDICTION). PROFESSIONAL'S OBLIGATIONS UNDER THIS SECTION SHALL NOT BE LIMITED TO THE LIMITS OF COVERAGE OF INSURANCE MAINTAINED OR REQUIRED TO BE MAINTAINED BY PROFESSIONAL UNDER THIS AGREEMENT. THIS PROVISION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

6.11 Counterparts. This Agreement may be executed by the Parties hereto in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument. Each counterpart may consist of any number of copies hereof each signed by less than all, but together signed by all Parties.

6.12 Exhibits. The exhibits attached hereto are incorporated herein and made a part hereof for all purposes.

6.13 Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the Parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

6.14 Boycott Israel; Boycott Energy Companies; and Prohibition of Discrimination against Firearm Entities and Firearm Trade Associations.

(a) Professional verifies that it does not Boycott Israel and agrees that during the term of the Agreement will not Boycott Israel as that term is defined in Texas Government Code Section 808.001, as amended.

(b) Professional verifies that it does not Boycott Energy Companies and agrees that during the term of this Agreement will not Boycott Energy Companies as that term is defined in Texas Government Code Section 809.001, as amended.

(c) Professional verifies that it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association as those terms are defined in Texas Government Code Section 2274.001, as amended; and (ii) will not discriminate during the term of this Agreement against a firearm entity or firearm trade association.

(d) This section does not apply if Professional is a sole proprietor, a non-profit entity, or a governmental entity; and only applies if: (i) Professional has

ten (10) or more fulltime employees and (ii) this Agreement has a value of \$100,000.00 or more to be paid under the terms of this Agreement.

**SIGNED AND AGREED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**City of Highland Village, Texas**

By: \_\_\_\_\_  
Paul Stevens, City Manager

Attest:

\_\_\_\_\_  
Angela Miller, City Secretary

Approved as to Form and Legality:

\_\_\_\_\_  
Kevin B. Laughlin, City Attorney

**SIGNED AND AGREED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**The John R. McAdams Company,  
Incorporated**

By: \_\_\_\_\_

Name: \_\_\_\_\_



**EXHIBIT "A"**  
**Scope of Services**



September 2, 2021

Mr. Paul Stevens  
City Manager  
City of Highland Village  
1000 Highland Village Road  
Highland Village, TX 75077

**RE: Comprehensive Plan Update  
Parks, Recreation and Open Space Master Plan Update  
Trail System Master Plan Update  
FM 407 Trail Corridor + Amenity Plan Update  
Thoroughfare Master Plan Update**

Dear Mr. Stevens:

We look forward to the opportunity to work with you and to provide planning and design services for the above referenced project.

**OBJECTIVES:**

McAdams is excited to partner with the City of Highland Village to develop a Comprehensive Plan Update, Parks, Recreation and Open Space Master Plan Update, Trail System Master Plan Update, FM 407 Trail Corridor and Amenity Plan and Thoroughfare Master Plan Update to serve the city through the year 2030. The below outlines the scope of services needed maintain a first-class city and ensure Highland Village continues to serve its residents, visitors, and businesses.

**PROPOSED SERVICES + FEES**

We propose the following services (Alphanumeric task numbers are for internal coding purposes):

**General Assumptions:**

- > This proposal is for a Comprehensive Plan Update, Parks, Recreation and Open Space Master Plan Update, Trail System Master Plan Update, FM 407 Trail Corridor and Amenity Plan and Thoroughfare Master Plan Update services only. Other services offered by McAdams may be completed under a separate scope / fee.
- > McAdams will work closely with City of Highland Village staff to complete the updates and plans. McAdams will be provided information necessary to complete the plan.
- > Any additional consultants or services beyond those specifically indicated within the proposal will be additional.
- > Previously completed GIS information, site survey, geotechnical reports, investigations and studies will be provided to McAdams by the City for use in developing any concept plans or site-specific master plans.



- > GIS or other georeferenced data (AutoCAD) will be provided to the project team that reflects the full scope of the RFP and as reflected in this proposal from McAdams.
- > Architectural improvements, construction and permit documents are not included in this agreement.
- > Access to applicable City facilities will be made available. City staff will assist in gaining access to various private properties that may be included in the RFP or adjoining properties to area of design along FM 407. Staff will act as a liaison to TXDOT as needed.

## COMMON TASKS

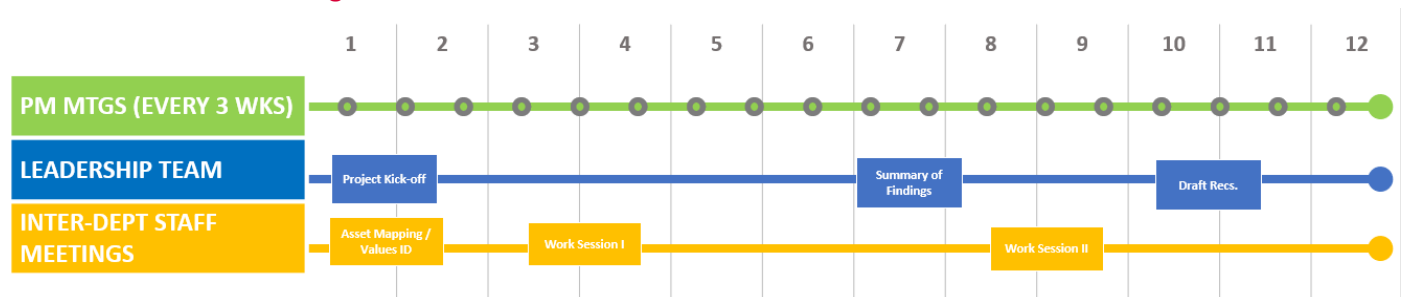
### Project Management + Coordination

**Project Management** - A Comprehensive Plan Update, Parks, Recreation and Open Space Master Plan Update, Trail System Master Plan Update, FM 407 Trail Corridor and Amenity Plan and Thoroughfare Master Plan Update require significant proactive communication and coordination between team members, City staff, elected officials and other stakeholders. This task includes the following:

- > All correspondence (phone, email or other platform).
- > Management of project schedule.
- > Management of project budget and invoicing.
- > Every third weekly project management meetings with the city manager or his appointee (18 meetings total at one hour each) and intended to coordinate on project tasks, document decisions, schedule, budget and other project management discussions;
- > Execution of the McAdams QA / QC process; and
- > Any additional tasks associated with maintaining the project schedule, budget, or quality.

This scope and fee assume a twelve (12) month project duration and approximately three to five hours of project management time per week. If the project timeline is extended for any reason, or if project management tasks exceed these assumptions, additional project management fees may apply.

### Collaborative Staff Meetings



**Kick-Off Meeting** - We will begin the planning process by conducting a kick-off meeting with the City of Highland Village Leadership Team to review the project goals and objectives, establish lines of communication, finalize the project schedule, outline the public engagement process, and begin gathering data. With each of the five areas of planning and design; Comprehensive Plan Update, Parks, Recreation and Open Space Master Plan Update, Trail System Master Plan Update, FM 407 Trail Corridor and Amenity Plan and Thoroughfare Master Plan Update; the

planning process will also be discussed during this meeting to provide additional efficiencies, collaboration, and coordination.

**Asset Mapping / Values Identification:** This task will serve as the basis for establishing the set of community values that will be integrated throughout the planning process. Asset mapping is an information gathering technique that addresses community strengths, opportunities, and challenges from an asset-based perspective. Assets are defined broadly as anything that provides tangible or intangible value to the community. Examples include traditional concepts of assets, such as vehicles and buildings. For the purposes of this exercise, the definition also includes non-traditional concepts of assets, such as relationships, community support, quality staff members, and more. The objective of this scope is to define what success looks like for the planning process.

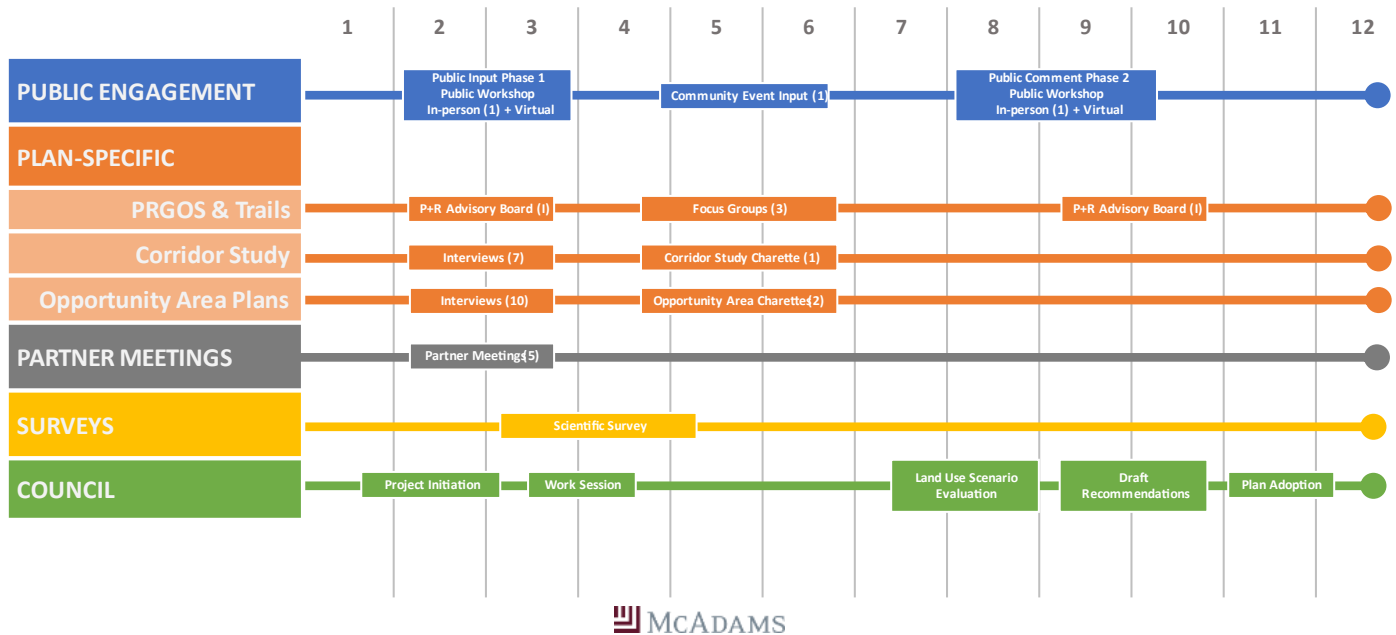
**Inter-Departmental Staff Meeting(s)** The project team will facilitate up to three (3) work sessions, three (3) hours each, with departmental staff such as City Manager, Communications, Community Services, Economic Development, Finance, GIS, Parks & Recreation, and Public Works. The intent of these meetings will be to understand larger, aspiration goals of the City such as smart growth, land use, connectivity, equity, economic development, sustainability, and other initiatives. Such initiatives will be integrated into the planning process with the vision of implementing such initiatives through land development, throughfare, park, recreation, trail and facility recommendations. We envision the three meetings will include the following:

- Initial project input meeting / asset mapping – The project team will facilitate an initial project input meeting with select department representatives to solicit input on staff needs, wants, concerns and goals. an asset mapping exercise will be used to guide the conversation.
- Summary of Findings - The project team will facilitate a workshop (morning session and afternoon session) with The City of Highland Village Staff to present the findings of the plan's inventory and analysis. These meetings will allow staff an opportunity to provide feedback and input on plan recommendations.
- Draft Recommendations - The project team will facilitate a workshop (morning session and afternoon session) with the City of Highland Village to present the plan's draft recommendations and solicit input before finalizing and sharing with the public or Council.

### **Community Engagement**

The project team proposes the following public meetings and other methods of community engagement to understand resident's perspective on needs, quality and level of services provided by local parks, facilities and trails. Target attendees and the meeting format will be determined in collaboration with the City. The following graphic summarizes the plan meetings:

## COMMUNITY ENGAGEMENT MEETINGS



**2 Public Meetings:** The project team will facilitate two public input meetings combining virtual and in-person platforms. The first will take place at the onset of the project to solicit general feedback on community values, user preferences and desired experiences, resident needs and wants, and perceived quality of service. The second meeting will be used to present the draft findings and solicit public comment on the level of support for the proposed recommendations and priorities. This task includes preparation of a meeting “playbook,” preparation of all supporting materials, and attendance by up to three McAdams staff.

**1 Community Event** The project team will attend one community event lasting up to four hours to solicit input from a broad resident representation. The community events will be selected in collaboration with the City at the onset of the project.

**Plan Specific Engagement:** Engagement also be tailored to specifics of each plan to include:

> **PRGOS + Trails Plan**

- **2 Focus Groups** - The project team will facilitate up to two focus groups to discuss more focused, topic specific plan elements. Each focus group will take place virtually, lasting up to two (2) hours.

- **Parks + Recreation Advisory Board** – The project team will facilitate up to two meetings with the Parks and Recreation Advisory Board to solicit input at the beginning of the project and feedback on the draft recommendations.
- > **Corridor Plan**
  - **Up to 7 Corridor Study Interviews** – The corridor project manager and City Manager or appointed staff liaison will conduct up to seven (7) in-person or virtual interviews with existing property owners of the key properties adjacent to FM 407 as identified by staff or site analysis in order to obtain specific insight related to the property and to discuss design encroachments, shared development opportunities, constraints, or special considerations. All future discussions regarding adjacent properties will be within the purview of the City of Highland Village
  - **1 Corridor Study Charette** – The project team will facilitate an in-person design charette for the FM 407 corridor. This meeting will introduce the opportunity areas along FM 407 and if required along FM2499 and present the site conditions and findings from the inventory stage for each area. The purpose of the meeting is to obtain input from the community on common goals and values and to identify possible opportunities and concerns. The project team will inventory the common topics/issues that are discussed to be included in the future corridor concept plan options.
- > **Opportunity Area Plan**
  - **Up to 10 Opportunity Area Interviews** – The project team will conduct ten (10) in-person or virtual interviews with existing property owners of the vacant/underutilized properties within the opportunity areas in order to obtain specific insight related to the property, such as previous development proposals, constraints, or special considerations.
  - **2 Opportunity Area Charettes** – The project team will facilitate two (2) in-person design charettes to engage the community. Each meeting will introduce the opportunity areas and present the site conditions and findings from the inventory stage for each area. The purpose of the meeting is to obtain input from the community on common goals and values and to identify possible opportunities and concerns. The project team will inventory the common topics/issues that are discussed to be included in the future tasks.

**Five (5) Partner Coordination Meetings:** The project team will facilitate 1-hour, virtual coordination meetings with allied jurisdictions to discuss adjacent state right-of-ways, federal Corps of Engineers easements and property, Denton County transportation and trail master plans and city limit abutments and connectivity to the City of Lewisville and Town of Flower Mound to guide well-connected and coordinated network plans.

- 2 x Texas Department of Transportation
- 1 x United States Army Corps of Engineers
- 1 x Denton County Commissioners and County Judge
- 1 x City of Lewisville, and Town of Flower Mound

**Council Presentations:** This scope provides for the following Council meetings and Work Sessions:

- > Project initiation & Asset Mapping: The project team will facilitate a work session with Council to introduce the project and facilitate an asset mapping exercise to understand community values.
- > Land use scenarios evaluation: Project team will present the land use scenarios of each opportunity area in a council work session to closely evaluate each scenario with city leaders, as well as present the public input and market study results. The purpose of the work session is to discuss the opportunities and challenges for each scenario, identify any additional scenarios that are needed and to receive feedback and direction so that the project team can prepare the preferred scenario of each opportunity area.
- > Summary of findings presentation: The project team will present the summary of findings to City Council in a work session and solicit comments and suggestions on potential project goals.
- > Presentation of draft recommendations: The project team will present the draft recommendations to City Council for comment.
- > Plan adoption: The project team representative will attend one City Council meeting to request plan adoption.

### **GIS Mapping & Analysis / Opportunities + Constraints**

General - An accurate, comprehensive digital base map for the study will be essential to analyze critical information, issues and opportunities; develop and analyze level of service; evaluate distribution of parks; review trail alignments and connections; review vacant/underutilized tracts; and present clear information to interested stakeholders. This task will gather additional data related to park and trail planning, corridor planning, and site information of opportunity areas, including coordination of information and data from various local and state agencies. Other additional data gathered specifically to address planning will include:

- > Relevant GIS shapefiles from previous planning efforts including georeferenced data reflecting all proposed trails and bicycle facility needs (provided by the City);
- > Additional GIS data such as parcel lines, rights-of-way, topography, streams, flood plain, utilities, easements and other information (provided by the City);
- > Existing bicycle and pedestrian facilities, including regional trail facilities connecting to Highland Village (provided by the City).
- > Existing parks and recreation facilities (locations / addresses / PIN numbers to be provided by the City).
- > Land use and zoning (provided by the City);
- > Cultural, historic and archeological resource inventories (provided by the City);
- > Property ownership / tax assessor data (provided by the City);
- > Local and regional trail connections (provided by the City);
- > Street, on-road bicycle and pedestrian facilities connections;
- > Points and places of interest;
- > Civic buildings and public agencies (provided by the City)
- > Proposed developments and regional growth areas
- > Aerial photography
- > Major neighborhoods (provided by the City)
- > Primary transportation routes (provided by the City)
- > Jurisdictional boundaries (provided by the City)
- > Planned/active projects (provided by the City)
- > City operational budget (provided by the City)

### Planning Context + Review of Relevant Documents

**General:** This task will include a comprehensive review of adopted plans and studies such as the City's Existing Comprehensive plan - 1993, Thoroughfare Plan, Subdivision Ordinance, Zoning Ordinance, Water Supply Study – 2013, Parks, Recreation and Open Space Master Plan, Comprehensive Trail System Master Plan, Copperas Branch Park Master Plan, Public Art Master Plan and the pending Pilot Knoll Feasibility Study, or any other relevant planning documents plans, or similar studies. This task will also include a review of relevant local, neighboring community, county and regional plans, as well as studies and policies related to parks, open space, greenways and trails. The team will review the recommendations provided in the above documents, identify those that have been completed and confirm those that remain priorities for the City. Those that remain a priority will be incorporated into the plan recommendations.

### Review of Demographics + Trends

**General:** The consulting team will utilize the City's projections and supplement with census tract demographic data provided by the City, obtained from Environmental Systems Research Institute, inc. (Esri), the largest research and development organization dedicated to geographical information systems (GIS) and specializing in population projections and market trends. For comparison purposes data will also be obtained from the US Census Bureau.

The City's demographic analysis will be based on US 2020 Census information, current projections, and 5- and 10-year projections. The following demographic characteristics will be included:

- > Population density
- > Age Distribution
- > Households
- > Gender
- > Ethnicity
- > Household Income
- > Commuter characteristics
- > Multimodal forms of transportation

**Note:** For general economic development and market conditions, see Catalyst scope below.

## PLAN ELEMENTS

### Parks, Recreation, Open Space Master Plan

**Demographic & Trends Analysis:** this analysis will provide an understanding of the demographic environment for the following reasons:

- > To understand the market areas served by the park and recreation system and distinguish customer groups;
- > To determine changes occurring in the City and region, and assist in making proactive decisions to accommodate those shifts; and



From the demographic base data, sports, recreation, and outdoor trends are applied to the local populace to assist in determining the potential participation base within the community. For the sports and recreation trends, the Consulting Team utilizes the current issue of the Sports & Fitness Industry Association's (SFIA) Study of Sports, Fitness and Leisure Participation, and ESRI local market potential. Additional recreation trends will be outlined using data sources such as participation trends from the Outdoor Foundation on outdoor recreation trends and current NRPA, the Trust for Public Land, and other industry publications.

**Existing Park Inventory + Analysis:** The project team will conduct a full day tour of existing parks and facilities owned and operated by the City to gain a general sense of the existing character and condition of the park system. We invite City staff to attend the tours to provide insight on perceived strengths and weaknesses of each park / facility. The goal to observe general park conditions as a basis for planning and to inform general recommendations. This task will include documentation of overall park conditions, safety, visual appearance, maintenance and equipment condition. The assessment will summarize our findings and include high level recommendations for general improvements and renovations for use in future CIP's.

This task will also use data provided by the City and the GIS mapping described above to inventory the location and size of existing parks, open spaces, facilities, trails and nature areas. The map will demonstrate where there are gaps in service as it relates to public parks, facilities and trail connections, and will be used as the basis for recommendations aimed at providing equitable distribution of parks and recreation offerings across the City; identifying possible locations for land acquisition and closing gaps in connectivity.

**Benchmarking:** The team will benchmark data from other comparable systems throughout the region that are of similar size, demographics and structure, which will be gathered and input into a table for comparison to the department's existing level of service (LOS). Data may be gathered by contacting benchmarking agencies through phone interviews, in-person meetings, and / or mailed surveys. A benchmarking report will be generated to demonstrate to demonstrate how the City compares to benchmarked agencies with regard to metrics such as park acreage, FTE's, greenway miles, capitol and operational budget, and cost recovery.

**Level of Service:** During this phase, the team will utilize data gathered from reviews of current conditions, inventory, analysis, and public input to establish the existing Level of Service (LOS) within the parks and services provided. LOS may include (but are not limited to) metrics such as acres of parkland (open space) per 1,000 population, number of facilities per 1,000 population, operating budget per resident or acreage of parkland, miles of trails per 1,000 population, full time equivalent (FTE's) staff per acres of parkland, etc.

Based on the community and staff input, national standards and best practices, user preferences as identified within the survey data and public input collected, and benchmarking data, a set of goals for future LOS will be determined. The goals will help establish the long-range vision for future improvements to facilities, program participation, revenue recovery, and other metrics used to measure department performance.

**See below tasks under “Subconsultants” for additional site analysis and recommendations and program, operational, maintenance and financial assessments.**

**Needs Assessment:** During this phase, the project team will use results of the community engagement process, staff meetings and scientific survey to understand the needs and wants of the community. Specifically, this analysis will seek to understand needs related to programming, equity and inclusion, connectivity, physical fitness and healthy lifestyles, social connectedness, nature play, public art, site safety and security, and wayfinding. The project team will provide a summary of the prioritized needs and wants of the community as they relate to park amenities, programs and aspirational goals.

**Recommendations:** Based on all data collected and analyzed with comparison to the level of service goals established within the level of service task, the team will begin to formulate specific recommendations for each area of focus for the City’s Parks and Recreation Department (land, facilities, operations, programs, financing). Recommendations will be aligned with community values, needs and demands and Town-wide initiatives.

**Action Plan:** Based on the Master Plan recommendations, the Team will prepare an Action Plan that outlines priority projects for a 10-year planning horizon. The plan will identify recommendations as short, mid, or long-term projects and assign a responsible party to hold accountable and celebrate success. The team will identify administrative, policy, program, infrastructure and other implementation action steps to achieve the overall goals of the Master Plan.

### Trail Master Plan

**Opportunities + Constraints Map:** Based on information collected in the GIS Tasks outlined above, the McAdams Team will update the base map to include graphics and annotations in order to clearly highlight issues and opportunities related to the corridors. Key issues and opportunities to note will include:

- > Existing and proposed trail networks / conditions;
- > Existing and proposed bicycle networks / conditions;
- > Existing and proposed roadway networks / conditions, including road and lane widths, presence of curb/gutter or shoulder, AADT, speed limit, etc. for selected roadways/corridors;
- > Existing and proposed at-grade and separated crossing locations / conditions;
- > Identify desired origins and destinations which may include residential neighborhoods, schools, parks, sites of historical or cultural interest, employment centers, health providers, churches, retail areas, etc.;
- > Identify gaps in on-street bicycle facilities, sidewalks, trails and access to transit stops; and
- > Highlight issues and opportunities related to the proposed trail corridors facilities. Based on a desktop review of the proposed corridors, we will identify key issues and opportunities including:
  - Existing and potential connections and trailheads;
  - Potential improvements to adjacent infrastructure;
  - Significant land uses and points of interest;
  - Environmental conditions;
  - Cultural, historic and archaeological resources;
  - Land division and ownership conditions; and

- Alignment challenges / opportunities including:
  - Stream crossings;
  - Challenging grades;
  - At-grade road crossings;
  - Crossing beneath bridges;
  - Observed wetlands;
  - Natural areas to be avoided / included;
- > The resulting opportunities and constraints map will be used as the basis for recommended alignment revisions that will be incorporated into the Trails System Master Plan.

**Trail Network Development:** Based on the opportunities and constraints map developed in the validation task above, the team will consolidate all proposed trail corridors into one City-wide network plan. The plan will incorporate any updates to trail routing based on opportunities and constraints identified above, to minimize environmental impact, reduce cost and improve user safety and experience. This network will seek to connect desired locations (schools, parks, business districts, employment centers etc.) with trails, sidewalks, bike lanes, and bicycle boulevards to provide a complete active transportation system. The network will be designed to suit a wide range of users and serve all Highland Village residents. Trail network analysis will reflect the input from citizens, City staff, elected officials, stakeholders and adjacent jurisdictions. Network recommendations will complement Highland Village planning efforts including land use, zoning, transportation, and utility expansion plans.

**On-Street Bicycle Network Development:** Based on the opportunities and constraints map, the team will conduct a corridor analysis to determine placement of on-street bicycle alignments. Alignment recommendations will be based on best practices for an on-street bicycle network (including bike lanes and bicycle boulevards) given topography, floodplain impacts, road crossings, tributary stream crossings, major stream crossings, wetlands, crossings beneath existing road / rail bridges, adjacent land uses and overall user experience. Analysis will be developed with permitting, construction, maintenance and user experience in mind.

**Prioritize Corridors:** Once the network plan is developed, the project team will work with the City staff to refine and establish the current evaluation criteria for ranking priority corridors based on community, staff and elected officials input. Ranking criteria will be developed prior to evaluating any alternatives and will be used to rank trail and on-street bicycle corridors in later phases of the project. Creating consensus around priorities early in the process results in more objective evaluation of alternatives. In addition, community connector corridors will be identified during this phase of the project to provide regional connectivity from City of Highland Village.

**Typical Cross Sections/ Graphic Illustrations:** The project team will prepare typical cross sections or graphic illustrations of the trails illustrating the relationship between the components at various locations. The City of Highland Village design requirements, along with building standards, functionality and aesthetics will be the primary focus in generating graphic illustrations. The following publications will serve as the foundation of these recommendations:

- > NACTO's Urban Bikeway Design Guide and Urban Street Guide;

- > AASHTO Guide for the Development of Bicycle Facilities and Guide for the Planning, Design and Operation of Pedestrian Facilities;
- > Manual on Uniform Traffic Control Devices;
- > Americans with Disabilities Act;
- > TXDOT Bicycle Accommodation Design Guidance
- > TXDOT Roadway Design Manual
- > Texas Accessibility Standards

Typical Intersection Recommendations - The Team will develop a series of alternatives with standard roadway intersections and roadway crossing details to illustrate how users will access trails and on-street bicycle facilities and safely use and cross intersecting roadways. Typical details will include conceptual signage that conforms to City branding guidelines, landscaping, trail design, and relationships to sidewalks, paths, and street intersections. Also, identification of key open spaces along corridors and suggested program elements will be identified.

**Trails Plan** – the following chapters will be developed to formulate the trails master plan:

- > Introduction
  - Project Overview
  - Vision, Goals, and Objectives
  - Study Area Profile
  - Trail Benefits
- > Existing Conditions
  - Existing Facilities & Conditions
  - Previous Planning Efforts
  - Policy Review
  - Gap Analysis / Opportunities & Constraints
- > Community Engagement
  - Steering Committee
  - Interjurisdictional Coordination
  - Public Survey
  - Public Meetings
- > Network Recommendations
  - Design Guidance (Facility Types & Typical Cross Sections)
  - Comprehensive Trails and On-Street Bicycle Network
  - Prioritization Methodology
  - Priority Corridors
- > Policy, Branding and Wayfinding Recommendations
  - Policies
  - Branding & Wayfinding
- > Implementation
  - Action Plan
  - Funding Resources

## FM 407 Trail Corridor and Amenity Concept Plan

**Field Review/Initial Site Assessment:** The City will notify private property owners adjacent to the project that representatives from the City will be walking across their property. This requires a 30-day notice. City staff will undertake this task. All site walks must take place after this effort.

- > Provide GIS data needed as a base map for site walks as described under deliverables. In coordination with larger inventory process this task will include gathering and coordination of information and data from various local and state agencies including:
  - Aerial photographs
  - GIS data (with parcel lines, rights-of-way, topography, streams, flood plain, utilities, easements, and other applicable information)
  - Relevant GIS layers from previous planning efforts
  - Natural resource inventories
  - Contaminated Properties
  - Land Use and Zoning
  - Cultural, Historic and Archeological Resource inventories
  - Property ownership / tax map data
  - Local and regional trail connections
  - Street, on-road bicycle and pedestrian facilities connections
  - Points and places of interest
- > Study and walk the project corridor to determine the best fit for the trail based on site conditions. Highland Village staff is encouraged to accompany consultant staff on site walks.
- > Complete photographic inventory of project corridor.
- > Coordinate with TXDOT, Denton County Transportation, HV Planning to understand current and future projects in the area that may influence project planning.

**Preliminary Alignment & Design:** Provide a preliminary alignment for the multi-modal main trail that best fits the site conditions. This alignment may include one (1) or more alternate trail alignments for each segment.

- > Show suggested access trail locations.
- > Show potential locations for basic amenities such as bridges/boardwalks, shade structures, potable water, benches, parking and others.
- > Explore optional amenities and facilities such as pocket parks, food truck gardens, pavilions, pathways to major retailers, special event area and food vendor kiosks.
- > Detail pavement marking recommendations for driveway and intersections crossings
- > Meet with County to discuss alignment and presentation in preparation for corridor design charrette (See engagement task).
- > Make any necessary revisions prior to and after design charette.

**Final Conceptual Alignment and Design:** Design Consultant to provide final deliverables as follows:

- > Include all base data previously listed (if applicable).
- > Map(s) reflecting the proposed centerline along the corridor in PDF, CAD, and/or ShapeFile format.
- > Include all proposed final alignment, alternates, access trails, potential parking areas, and amenities.
  - > Individual land parcels needed for acquisition to construct the multi [modal trail identified for the approved alignment.
  - > Provide a spreadsheet with parcel numbers, owners, acreage (including partial parcel acres) and cost based on current tax evaluation.

- > Provide a project cost estimate including but not limited to conceptual locations and lengths of paved trails, major and minor bridges, amenities, boardwalks (if applicable), and conceptual grading.

### Opportunity Area Plans

**Inventory and Suitability Analysis :** At the project outset, the project team will analyze relevant property information for each tract within the five opportunity areas such as ownership, plat recordings, known easements, adjacency considerations, topography, current zoning, tree coverage, access, infrastructure availability, impact of future projects (city, county, or state), and other pertinent data. In addition to the vacant tracts, other tracts of land that are currently underutilized and conducive for redevelopment may be included in the area plans. Said tracts shall be identified by City staff and project team. Upon gathering and analyzing the data, the project team will prepare site inventory exhibits for each opportunity area.

**Assessment – (SWOT analysis):** Based on the suitability analysis and site conditions, as well as the input received during the interviews and the charettes, the project team will prepare a Strengths, Weaknesses, Opportunities, and Threats (SWOT) Analysis of the opportunity areas. Said analysis will include a ranked list of the different categories for each opportunity area. This input will be considered by the project team during the concept scenario development.

**Concept Scenarios:** Project team will prepare up to two (2) concept scenarios of each opportunity area to illustrate possible development types. Said sketches will take into consideration the input received from the inventory stage, market analysis, and community visioning. Scenarios will include proposed land uses, building placement, access points, detention, parking areas, amenity areas, possible trail and street connections, and open space.

**Preferred Concept:** Upon the recommendations from scenario evaluations and input received from the City work session, the project team will prepare one (1) preferred scenario for each of the opportunity areas as well as a description of the vision for each area, a preferred land use summary/data table, and image boards to illustrate the intent and character of the possible developments. Additional plans may be prepared to illustrate the proposed circulation/street types, utilities, and open space areas as needed.

**Preliminary Cost Estimates:** Based on the preferred scenario of each opportunity area, project team will prepare preliminary opinions of probable cost for public improvements associated with the proposed developments. Said Cost Estimate will include proposed streets, public water, sewer, and storm lines based on concept layout provided by Client.

**Implementation Strategies:** Project team will review the applicable codes of the City to identify regulations or standards that may need to be revised to support the type of development proposed in each opportunity area. A summary of those standards with proposed modifications will be provided to the City. New regulations or standards may be proposed as part of this effort.

Additionally, the project team will provide recommended implementation strategies for each opportunity area and discuss these recommendations with City staff. Examples of possible implementation strategies is city-initiated rezoning, the creation of overlay districts, offering of development incentives, and more. These recommendations will be included in the final comprehensive plan document.

## SUB-CONSULTANTS

### ETC INSTITUTE

#### Comprehensive Plan Update

A final comprehensive plan document will result in the update to the 1993 Comprehensive Plan of the City of Highland Village will be prepared for delivery to the City and adoption by City Council. The plan will summarize the planning process and recommendations, and typically includes the following chapters:

- > Executive summary
- > Plan Vision and Guiding Values
- > Parks, Recreation, Open Space and Trails Master Plan
- > Corridor Study
- > Throughfare Plan
- > Opportunity Area Plan

The plan will be developed with best practices in graphic communication and include tables, charts, maps and other graphics to ensure key points are clearly presented.

The project team will deliver electronic copies of all files and graphics developed for the plan in both native file formats and pdf. One hard copy of the final plan will be delivered for the City's use.

#### Statistically Valid Public Input Survey:

The team shall conduct the survey in a method that provides statistically valid data to identify current needs and future trends, levels of satisfaction, and priorities for local investment. This will be accomplished by administering a statistically valid random sample survey to a minimum of 400 households within City of Highland Village for use in short and long-range planning.

The team has the capabilities of administering the survey by mail, internet, or phone. However, we recommend using a combination of mail, internet, and phone. Given the negative impact Caller ID has on phone survey response rates in recent years and the need to ensure diverse populations are well represented, we offer the combination mail / internet / phone to maximize the overall level of response. This approach enables the team to control the distribution of the survey instrument so that respondents closely match the census demographics for the City. It is anticipated that the survey will be up to 6 pages in length and take approximately 13-16 minutes to administer over the phone. This length will allow for 25-28 questions to be asked, many with multiple components. Overall results for the survey will have a 95% level of confidence with a margin of error of + / - 4.9% overall.

The survey will be developed so that it can be seamlessly integrated into other master planning tasks. Questions will address a full range of strategically important issues developed in close collaboration with City staff early in the process.

The team will conduct up to eight cross-tabular comparisons of survey results by key demographic factors, such as gender, age of respondent, length of residency, income, users / non-users of recreation services, location of household, etc.

## **PROS CONSULTING**

### **Kick-off Meeting / Coordination**

A virtual kick-off meeting should be attended by the key City of Highland Village staff and Consulting Team members to confirm project goals, objectives, and expectations that will help guide actions and decisions of the Consulting Team.

### **Recreation Program Assessment**

Recreation programs and special events are the backbone of park and recreation agencies. This assessment will review how well the agency aligns itself with community needs. The goal of this process is to provide recreation program enhancements that result in successful and innovative recreation program offerings. The Consulting Team will provide insight into recreation program trends from agencies all around the country. The process includes analysis of:

- > Age segment distribution
- > Lifecycle analysis
- > Core program analysis and development
- > Similar provider analysis/duplication of service
- > Market position and marketing analysis
- > Review of program development process
- > Backstage support, or service systems and agency support needed to deliver excellent service

Ultimately, the outcome of the process will be the creation of a dynamic recreation program plan that results in increased registration, drives customer retention and loyalty, improves customer satisfaction, and increases revenues. Additionally, it will help focus staff efforts in core program areas and create excellence in those programs deemed most important by program participants.

### **Operational and Maintenance Review**

The Consulting Team will review, refine, if necessary, maintenance protocols for parks, open spaces and greenways to ensure appropriateness, efficiency, and sustainability. The plan will identify recommendations for routine and preventative maintenance programs, work management, asset lifecycle management, customer feedback program, performance measurements, staffing levels and equipment managements.

The Consulting Team can also perform an analysis of the current practices of the City to evaluate its operational situation. This analysis will identify future City organization and staffing needs, improved operational efficiencies, policy development, process improvements, system and technology improvements, and marketing/communication opportunities. This review will include comparison of current policies with national standards of best practice agencies. The Consulting Team will recommend policies and adjustments to current policies where enhancements may be needed or gaps are identified.



### Financial Assessment

The Consulting Team will perform analysis to identify the financial situation of the Department over the last five (5) years. The financial analysis will look at the budget, pricing policy, user fees, current and other revenue generating opportunities, grant opportunities, and the revenue forecast. This analysis will identify the financial situation of the Department with three primary goals:

- > Understand the financial dynamics to further advance the understanding of operations gained through the work described above
- > Review funding and accounting practices with an objective of accurate financial fund tracking and the ability of the Department to have more useful financial information for strategic decision-making
- > Seek opportunities to improve the financial sustainability of the Department including evaluating expenditures and increasing current and new sources of revenue

This review will include comparison of current policies with national standards of best practice agencies. The Consulting Team will recommend policies and adjustments to current policies where enhancements may be needed or gaps are identified.

**Funding & Revenue Strategies:** Funding strategies and alternatives will be developed based in part to our review and analysis of the facilities as well as the national experience brought by the Consulting Team. The Consulting Team has identified numerous funding options that can be applied to the Master Plan based on the community values. The funding strategies to be evaluated for recommendations will include at a minimum:

- > Fees and charges options and recommendations
- > Endowments/Non-profits opportunities for supporting operational and capital costs
- > Sponsorships to support programs, events, and facilities
- > Partnerships with public/public partners, public/not-for-profit partners and public/private partnerships
- > Dedicated funding sources to support land acquisition and capital improvements
- > Development agreements to support park acquisition, open space and park and facility development
- > Earned Income options to support operational costs
- > Land or facility leases to support operational and capital costs
- > Identify grant opportunities and resources to construct parks and facilities identified in the Master Plan including suggested timelines

### Implementation Plan Development

Upon consensus of all technical work, the remaining action plan will be completed with supporting strategies, actions, responsibilities, priorities/timelines and teams. This will be reviewed with senior City staff in a half-day workshop.

### Report Development and City Briefing

The Consulting Team will present the Master Plan to the City Council in the form of a briefing.

## CATALYST

### **Market Conditions + Economic Development**

Catalyst will review and provide synthesis of relevant economic data including jobs, historical public and private investments, economic targets, and other relevant data accessible.

As part of this process, Catalyst will conduct a market assessment for Highland Village that benchmarks key economic factors in context of local and regional economies, establishes potential for economic targets based upon existing occupational and employment clusters, owner and non-owner-occupied housing by age and affordability ranges, and retail demand using population, workforce, visitor, and student generated demand.

Ultimately, this will create a blueprint or economic development strategy to activate the vision and grow Highland Village in a sustainable and fiscally responsible manner. The strategy shall support comprehensive planning polices and regulations from an economic lens that manages growth, recommends infrastructure to serve future development needs, increases and retains local talent, enhances neighborhood quality, reinforces downtown as a place, and increases the overall quality of life for Highland Village residents, workforce, visitors, and students. This process will link land-use and economic development strategies to integrate the responsible redevelopment and reinvestment of targeted areas with a priority of value capture and other economic priorities based upon the nexus of community input, major landowner goals, and City priorities.

### **Fiscal Impact Analysis**

A high-level fiscal analysis will be performed for the preferred scenario of each opportunity area to evaluate the fiscal implications of the future vision, projected build-out population, and increase in workforce to establish recommendations in the final land use scenario.

### **Meeting Participation**

Catalyst anticipates participating in the following meetings:

- > Kick off meeting
- > Council work session to present the land use scenarios
- > 1 public meetings
- > Opportunity Area charettes (one day)
- > Up to 4 Interviews
- > Up to 10 project management meetings

### **DeShazo**

#### **Research and Background Information:**

- > 1.1 Attend one kick-off meeting with City of Highland Village staff and one public meeting.

- > 1.2 Review the existing 2003 Thoroughfare Plan Update and the original 1991 Thoroughfare Plan.
  - Research the base assumptions from which the 2003 and 1991 Plans were developed (i.e., land use, population, employment, roadway capacity) and identify any changes in the existing roadway network which may differ from the 2003 Plan.

### Thoroughfare Plan Update

NOTE: The following items describe DeShazo's best understanding of the complete tasks to be required by the approving agency(-ies) for a Thoroughfare Plan Update. However, though not anticipated as of the preparation of this Proposal, additional analyses or information may be requested by that agency(-ies). Such additional items may be considered "Additional Services".

- > 2.1 Obtain from the City of Highland Village, TXDOT, NCTCOG and surrounding cities, traffic count data necessary to establish trends and perform analysis for updating the Thoroughfare Plan.
- > 2.2 Research and document all relative city ordinances and policies that relate to transportation, mobility and the movement of goods and services.
- > 2.3 Perform traffic demand modeling, based upon the City's Comprehensive Plan to determine thoroughfare needs within the study area for the following scenarios:
  - Existing conditions
  - Horizon Year (as determined by reviewing agency)
  - Horizon Year (with projected land uses from concurrent Comprehensive Plan Update)
- > 2.4 Identify locations of thoroughfare continuity and configuration conflicts between this project's recommended thoroughfare plan and those plans proposed by adjacent City, County, and State jurisdictions. Determine improvement measures and/or strategies necessary to mitigate the continuity and configuration conflicts as necessary.
- > 2.5 Develop recommendations for specific locations and areas of concern identified by the City of Highland Village staff.
- > 2.6 Produce a new 2022 Thoroughfare Plan Update Report and Map for the City of Highland Village.

### Coordination of Agency Comments

- > 3.1 Coordinate with the reviewing agency(ies) on proposed study assumptions and revise, if needed.
- > 3.2 Review comments and requested changes from the reviewing agency(ies) to the Thoroughfare Plan Update. Discuss comments with the reviewer to clarify any ambiguities and/or questions.
- > 3.3 Prepare and provide responses to review comments. Provide a copy of responses to Client and submit to the agency reviewer(s), if so directed by Client.



**REIMBURSABLES**

Reimbursable expenses will be billed in accordance with the attached Rate Schedule.

**Summary of Trips:**

	Trips		
Project Milestone	No. Staff	Rate	Total
Greenway Tours	1	\$ 800.00	\$ 800.00
Park Tours + Asset Mapping	1	\$ 800.00	\$ 800.00
Public Meeting I	2	\$ 800.00	\$1,600.00
Public Meeting II	1	\$ 800.00	\$ 800.00
Council Work Session I	2	\$ 800.00	\$1,600.00
Council Work Session II	0	\$ 800.00	\$ -
TOTAL	7		\$5,600.00

**FEE SUMMARY**



<u>TASK</u>	<u>FEE</u>
<b>COMMON TASKS</b>	
Project management	\$ 61,250
Collaborative Staff Meetings	\$ 16,100
Community Engagement	\$ 38,250
GIS Mapping / Analysis	\$ 10,080
Planning Context + Review of Relevant Document	\$ 10,350
Review of Demographics + Trends	\$ 5,160
<b>SUBTOTAL</b>	<b>\$ 141,190</b>
<b>PLAN ELEMENTS</b>	
P+R Comp Plan	\$ 33,375
Trails Master Plan	\$ 32,500
FM 407 Trail Corridor & Amenity Concept Plan	\$ 37,420
Opportunity Area Plans	\$ 67,270
<b>SUBTOTAL</b>	<b>\$ 170,565</b>
<b>COMPREHENSIVE PLAN DEVELOPMENT</b>	
Comprehensive Plan Update	\$ 19,520
<b>SUBTOTAL</b>	<b>\$ 19,520</b>
<b>SUBCONSULTANTS</b>	
PROS Consulting	\$ 23,856
DeShazo (Transportation Planning)	\$ 35,385
Catalyst (Market Analysis)	\$ 58,401
ETC (Statistically Valid Survey)	\$ 10,500
<b>Subtotal</b>	<b>\$ 128,142</b>
<b>TOTAL BASIC SERVICES</b>	<b>\$ 459,417</b>
<b>Reimbursables</b>	
Travel	\$ 5,600
<b>Subtotal</b>	<b>\$ 5,600</b>
<b>Grand Total</b>	<b>\$ 465,017.00</b>

**EXTRA SERVICES**

## J. Additional Services

When requested by the Owner and confirmed by the Owner and/or Firm in writing, the Firm shall perform services in addition to those described above in this Agreement and the Owner shall compensate the Firm by hourly charges in accordance with the attached Rate Schedule.

## PROJECT SCHEDULE

The Firm's services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the project.

The time limits and schedule set forth above have been agreed to by the Client and Firm, but the time limits and schedule shall be extended for (1) reasonable cause, or for (2) any delays associated with the Firm's work on the project that are not the sole responsibility of the Firm.

## CLIENT'S RESPONSIBILITIES

Client shall be responsible for the following:

- > Notification to proceed
- > Timely approval of draft reports presented for Client approval
- > If needed, timely providing of information from other professional services
- > Payment of all application and permit fees
- > Payment of invoices
- > Notification to project manager of any problems
- > Provide all data as outlined herein, including, but not limited to, relevant GIS data, and current and projected population data and trends

## EXCLUSIONS

The following services are not included in this Agreement:

- > Court appearances for litigation, or preparation for same
- > Revised directives from Client after the site investigation has begun
- > Design, engineering or surveying services not specifically described herein
- > Environmental investigations that are wetland / stream delineations, wetlands surveying, wetlands permitting
- > Detailed traffic studies or engineering

## GENERAL CONDITIONS

- > This proposal is valid for 30 days from the above date
- > Owner and / or Client are responsible for all application and permit fees



**CONCLUSION**

We appreciate this opportunity to propose our services. We are eager to pursue this project further and thank you for your consideration.

Sincerely,  
**MCADAMS**

A handwritten signature in black ink, appearing to read 'Ron Stewart', with a long horizontal line extending to the right.

Ron Stewart, RLA  
Senior Landscape Architect

RS/bc

Enclosures

**ACCEPTANCE**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Professional Services Agreement  
Exhibit "A" - Scope of Services Page 23 of 23**



**HOURLY RATE SCHEDULE > 2021**

1. Specifications for contract by hourly charge, the following rates apply

<b>ROLE</b>	<b>RATE</b>	<b>ROLE</b>	<b>RATE</b>
Principal-in-Charge	\$175 / hour	Designer II	\$110 / hour
Senior Project Manager	\$175 / hour	Designer I	\$100 / hour
Project Manager	\$140 / hour	Senior CAD Technician	\$105 / hour
Senior Project Engineer	\$140 / hour	CAD Technician	\$85 / hour
Project Engineer	\$130 / hour	Senior Environmental Professional	\$160 / hour
Intern	\$75 / hour	Environmental Specialist II	\$110 / hour
Senior Landscape Architect	\$140 / hour	Environmental Specialist I	\$90 / hour
Landscape Architect	\$130 / hour	Survey Director	\$175 / hour
Landscape Designer	\$110 / hour	Survey Project Manager	\$140 / hour
Senior Planner	\$175 / hour	Project Surveyor	\$150 / hour
Planner	\$120 / hour	Survey Technician	\$95 / hour
GIS Manager	\$170 / hour	Survey Crew (2 Man)	\$135 / hour
GIS Technician	\$100 / hour	Senior Project Coordinator	\$90 / hour
Graphics / Media Design	\$75 / hour	Construction Services Manager	\$135 / hour
Technical / Grant Writer	\$85 / hour	Construction Services Professional	\$110 / hour
Technical Manager	\$140 / hour	Construction Observation	\$95 / hour

*Hourly services are recorded and rounded to the nearest 1/4 hour.*

2. The following charges apply on all contracts, for copies of plans and specifications sent out of the Engineer's office (to Owner, City regulatory agencies, bidders, contractor, other consultants, etc.):

<b>ITEM</b>	<b>FEE</b>	<b>ITEM</b>	<b>FEE</b>
Oversize + Color Rep.	\$3.00 / each	Oversize Mylar Sepia	\$20.00 / each
Paper Reproductions	\$2.00 / each	Mylar Sepia	\$15.00 / each
Specifications	\$0.10 / each	Paper Sepia	\$5.00 / each

3. The following rates are charged in addition to the above fees:

<b>ITEM</b>	<b>FEE</b>
Fees Paid for Permits and Applications	Cost Plus 10%
Outside Photocopying, Travel, Overnight Delivery, Postage for Mass Mailings	Cost Plus 5%
Subcontractor Invoices	Cost Plus 12.5%

4. Fees are subject to adjustment at the beginning of each calendar year.

5. Projects are billed on a monthly basis and invoices are due upon receipt. Invoices which have been not been paid within 30 days are past due and subject to finance charges of 1.5% per month.



**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2021-2962**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE JOHN R. McADAMS COMPANY, INCORPORATED TO PROVIDE PROFESSIONAL SERVICES RELATING TO THE PREPARATION OF UPDATES TO THE CITY'S COMPREHENSIVE PLAN, PARKS, RECREATIONS AND OPEN SPACE MASTER PLAN, TRAIL SYSTEM MASTER PLAN, FM 407 TRAIL CORRIDOR AND AMENITY PLAN, AND THOROUGHFARE MASTER PLAN; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 213 of the Texas Local Government Code authorizes a city to adopt a comprehensive plan for the long-range development of the city, which plan may include provisions relating to land use, transportation, and public facilities, can consist of a set of coordinated plans, and can be used to coordinate and guide the establishment of development regulations; and

**WHEREAS**, Section 10.01 of the City Charter provides that the City shall have a comprehensive master plan for the physical development of the City containing recommendations for the growth, development and beautification of the City and its extraterritorial jurisdiction; and

**WHEREAS**, with the exception of the Parks, Recreation, and Open Space Master Plan and the Comprehensive Trail System Master Plan, the City's current Comprehensive Plan has not been substantially reviewed and updated in well over 15 years; and

**WHEREAS**, the Parks, Recreation, and Open Space Master Plan and the Comprehensive Trail System Master Plan were last updated in 2008 and 2011, respectively; and

**WHEREAS**, the City has reached substantial build out with respect to undeveloped land within the City; and

**WHEREAS**, the City Council finds that the current Comprehensive Plan and its related elements need to be updated in order to plan for the eventual redevelopment of older areas of the City as well as for the provision of City services and amenities necessary to maintain a quality community and to attract and retain the City's commercial and retail tax base; and

**WHEREAS**, City Administration, having solicited and reviewed requests for proposals for the provisions of professional services relating to preparation of an update to the City's Comprehensive Plan, Parks, Recreations And Open Space Master Plan, Trail System Master Plan, FM 407 Trail Corridor And Amenity Plan, and Thoroughfare Master Plan (collectively, the "Comprehensive Plan Update") recommends negotiation and agreement with The John R. McAdams Company, Incorporated ("McAdams") to provide professional services relating to the preparation of the Comprehensive Plan Update; and

**WHEREAS**, the City Council of the City of Highland Village, Texas finds it to be in the public interest to accept the recommendation of the City administration and authorize the above-described agreement; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**SECTION 1.** The City Manager is hereby authorized to negotiate and execute an agreement with McAdams to provide professional services relating to preparation of the Comprehensive Plan Update for a fee not to exceed \$465,017.00.

**SECTION 2.** This Resolution shall be effective immediately upon approval.

**PASSED AND APPROVED** this the 28th day September 2021.

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**Charlotte J. Wilcox, Mayor**

**ATTEST:**

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**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**

(kbl:9/23/2021:124660)

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 17**

**MEETING DATE: 09/28/2021**

**SUBJECT: Consider Resolution 2021-2963 Approving and Authorizing  
Publication of Notice of Intention to Issue Certificates of  
Obligation**

**PREPARED BY: Ken Heerman, Assistant City Manager**

**BACKGROUND:**

Articulated in the FY 2022 Budget Process, the Capital Improvement Program identified a capital projects program to address both Parks and Streets projects totaling \$15.23 M with issuance of a Certificate of Obligation to coincide with expiring debt.

**IDENTIFIED NEED/S:**

Certificates of Obligation (COs) are generally utilized to finance items that maintain City Infrastructure. A CO is what Highland Village has typically chosen for utility and parks / streets maintenance issues, as it has less stringent issuance requirements and will have a favorable interest rate similar to the GO Bond. Accordingly, a CO in the amount of \$15.75 M is proposed to fund identified utility projects. This issuance is to be in conjunction with a \$15.263 M refunding bond for four issues that are currently callable. At current interest rates, there is projected debt service savings of \$1.2M. Combining the two issues will provide issuance cost efficiencies.

The "Intent to Issue" procedure states Council's intent to issue debt for a specific purpose.

- 1) \$8.85 M for street and drainage capital projects. Street / drainage issues are driven by an on-going five-year outlook for needed capital projects. Anticipated projects with this issuance includes:

<b><u>Reconstruction Projects</u></b>
Highland Shores Blvd (Briarhill to Twin Covers-eng)
Highland Village Rd (Brazos to KCS RR - eng)
Various (28 streets meeting criteria)
<b><u>Overlay Projects</u></b>
Sellmeyer Lane (Foggy Glen to Brazos)
Sellmeyer Lane (Brazos to Victoria)
Highland Shores Blvd (HV Rd to Briarhill)
<b><u>Traffic Control</u></b>
Traffic signal Imp. Brazos / HV Rd
Pedestrian crossing HS Blvd. at Community Center Dr.
<b><u>Drainage Projects</u></b>
Wal-Mart pond dredge
Quail Cove pond dredge
Turpin Dr / Sellmeyer Lane drainage Improve
Silverthorne Park creek bank stabilization
Highland Shores Blvd. underdrain

- 2) \$6.413 M for park improvements. Park improvements are addressed periodically to address infrastructure replacement / renovation to maintain park assets. Anticipated projects with this issuance includes:

<b><u>Highland Village Tennis Center Improvements</u></b>
LED lighting upgrades and Musco controls
<b><u>Pilot Knoll Improvements</u></b>
Campground / Shelters improvements
Replace gatehouse
Boat Ramp improvements
Expand camping options with rental cabins (16) - also providing ongoing revenue stream for Corps parks
<b><u>Unity Park Improvements</u></b>
Tennis court resurfacing
Lighted basketball courts
Field renovations
Replace portion of turf in Dog Park with synthetic grass
Replace baseball fencing
Add backstop netting
<b><u>Other Parks</u></b>
Sellmeyer tennis fencing / windscreen replace
Lions Club Park parking lot
Village Park fishing pier renovation
Brazos Park field renovation
Sellmeyer Park playground replace

The amount of \$15,750,000 specifies the maximum amount Council will consider. By the time of issuance in December, the COs would have the opportunity to be reduced, if desired. The Notice of Intent is to be published twice and initiates the public notification process. A proposed timeline of this issue follows:

9/28/2021	City Council considers and approves resolution authorizing the publication of Notices of Intent to issue Certificates of Obligation (Series 2021)
10/01/2021	1 <sup>st</sup> Publication of Notice of Intent to issue the Certificates of Obligation, Series 2021
10/08/2021	2 <sup>nd</sup> Publication of Notice of Intent to issue the Certificates of Obligation, Series 2021
11/09/2021	Council Approves Ordinance Authorizing the Issuance of the General Obligation Refunding Bonds, Series 2021
12/07/2021	Closing of GO Refunding Bonds, Series 2021 and delivery of funds to the Escrow Agent
12/14/2021	Council Approves Ordinance Authorizing the Issuance of the Certificates of Obligation, Series 2021
12/30/2021	Closing of CO Bond, Series 2021 and delivery of funds to the City

## **OPTIONS & RESULTS:**

Certificates of obligation (“COs”) do not require voter authorization and are approved by City Ordinance. After authorization of the “Notice of Intent to Issue COs, the notice must identify the projects to be financed and a not-to-exceed cost for the projects – it is to be published twice in the local paper of record. COs are subject to referendum by petition during the required publication period. A petition comprised of at least five (5) percent of the registered voters would be required to force an election to determine the authorization of the COs.

## **RECOMMENDATION:**

Council to approve Resolution 2021-2963.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2021-2963**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Highland Village, Texas (the "City"), has determined that certificates of obligation (the "Certificates") should be issued under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271 for the purpose of paying contractual obligations to be incurred for (i) constructing and improving streets, including drainage, landscaping, lighting, retaining walls, curbs, gutters, sidewalks, signage, traffic signalization and street noise abatement incidental thereto and the acquisition of land and rights-of-way therefor, (ii) constructing, equipping and improving municipal park and recreation facilities and the acquisition of land and rights-of-way therefor and (iii) professional services rendered in connection therewith; and

**WHEREAS**, prior to the issuance of such Certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the City Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the Certificates are to be issued and (iv) the manner in which the City Council proposes to pay the Certificates.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**SECTION 1.** The facts and recitations contained in the above preamble of this Resolution are hereby incorporated herein for all purposes.

**SECTION 2.** The City Secretary is hereby authorized and directed to cause notice to be published of the City Council's intention to issue certificates of obligation, in one or more series, in the principal amount not to exceed FIFTEEN MILLION SEVEN HUNDRED AND FIFTY THOUSAND DOLLARS (\$15,750,000) for the purpose of paying contractual obligations to be incurred for (i) constructing and improving streets, including drainage, landscaping, lighting, retaining walls, curbs, gutters, sidewalks, signage, traffic signalization and street noise abatement incidental thereto and the acquisition of land and rights-of-way therefor, (ii) constructing, equipping and improving municipal park and recreation facilities and the acquisition of land and rights-of-way therefor and (iii) professional services rendered in connection therewith; such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's water and sewer system. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

**SECTION 3.** The City Secretary shall cause the aforesaid notice to be (i) published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least forty-six (46) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation and (ii) posted

continuously on the City's website for at least forty-five (45) days before the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation.

**SECTION 4.** It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas, Government Code, Chapter 551, as amended.

**SECTION 5.** This Resolution shall take effect immediately upon passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS ON THE 28<sup>TH</sup> DAY OF SEPTEMBER 2021.**

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**Charlotte J. Wilcox, Mayor**

**ATTEST:**

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**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**

(kbl:9/23/2021:124971)

**RESOLUTION NO. 2021-2963  
EXHIBIT A  
FORM OF NOTICE**

**NOTICE OF INTENTION TO ISSUE  
CITY OF HIGHLAND VILLAGE, TEXAS  
CERTIFICATES OF OBLIGATION**

TAKE NOTICE that the City Council of the City of Highland Village, Texas, shall convene at 7:30 o'clock P.M. on December 14, 2021, at the City Council chambers located at 1000 Highland Village Road, in the City of Highland Village, Texas, and, during such meeting, the City Council will consider the passage of an ordinance authorizing the issuance of certificates of obligation, in one or more series, in an amount not to exceed FIFTEEN MILLION SEVEN HUNDRED AND FIFTY THOUSAND DOLLARS (\$15,750,000) for the purpose of paying contractual obligations to be incurred for (i) constructing and improving streets, including drainage, landscaping, lighting, retaining walls, curbs, gutters, sidewalks, signage, traffic signalization and street noise abatement incidental thereto and the acquisition of land and rights-of-way therefor, (ii) constructing, equipping and improving municipal park and recreation facilities and the acquisition of land and rights-of-way therefor and (iii) professional services rendered in connection therewith; such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's water and sewer system. In accordance with Texas Local Government Code Section 271.049, (i) the current principal amount of all of the City's outstanding public securities secured by and payable from ad valorem taxes is \$30,325,000; (ii) the current combined principal and interest required to pay all of the City's outstanding public securities secured by and payable from ad valorem taxes on time and in full is \$36,126,869 (includes self-supported debt); (iii) the estimated combined principal and interest required to pay the certificates of obligation to be authorized on time and in full is \$19,308,675; (iv) the maximum interest rate for the certificates may not exceed the maximum legal interest rate; and (v) the maximum maturity date of the certificates to be authorized is February 15, 2041. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas, Local Government Code, Subchapter C of Chapter 271.

Angela Miller,  
City Secretary  
City of Highland Village, Texas



**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

<b>AGENDA#</b> 18	<b>MEETING DATE:</b> 09/28/2021
<b>SUBJECT:</b>	<b>Consider Resolution 2021-2964 appointing City Representatives to the Denton County Transportation Authority (DCTA) Board of Directors</b>
<b>PREPARED BY:</b>	<b>Angela Miller, City Secretary</b>

**BACKGROUND:**

The City of Highland Village is a financial participating member “founding municipality” of the Denton County Transportation Authority (DCTA). As such, the City is authorized to appoint a representative to serve as a voting member on the DCTA Board of Directors. Per Article III, Section 2 of the DCTA Amended and Restated Bylaws, the City of Highland Village is allowed one representative and one alternate to serve on the Board of Directors, with each representative serving a term of two (2) years.

City Council previously appointed Mrs. Dianne Costa to serve as the City’s representative and Mayor Charlotte Wilcox to serve as the alternate representative for terms expiring on November 12, 2021.

**IDENTIFIED NEED/S:**

The terms of Mrs. Dianne Costa and Mayor Charlotte Wilcox both expire on November 12, 2021. The City of Highland Village desires to maintain representation on the DCTA Board of Directors and appoint representation for terms to expire in 2023.

**OPTIONS & RESULTS:**

Mrs. Dianne Costa has expressed interest in being reappointed by Council to serve as the City’s representative to the DCTA Board of Directors.

Previous City Manager Michael Leavitt served as the alternative representative until his retirement in 2020, at which time Mayor Wilcox was appointed to fill the unexpired term as the City’s alternate member. Council may wish to consider appointing current City Manager Paul Stevens to the alternate position.

City Council should consider appointments of the incumbent and/or appointment of new DCTA Board Member representation.

**BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

N/A

**RECOMMENDATION:**

To approve Resolution 2021-2964 appointing City representation to the DCTA Board of Directors.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2021-2964**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS APPOINTING CITY REPRESENTATION TO THE DENTON COUNTY TRANSPORTATION AUTHORITY BOARD OF DIRECTORS; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, pursuant to Texas Transportation Code §460.253, Dianne Costa and Charlotte Wilcox were appointed to serve as the City's director and alternate, respectively, to the Denton County Transportation Authority ("DCTA") board of directors with terms expiring on November 12, 2021; and

**WHEREAS**, the City Council desires and finds it in the public interest to appoint \_\_\_\_\_ and appoint \_\_\_\_\_ to the foregoing position, for the two-year term beginning November 13, 2021;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**SECTION 1.** In accordance with Texas Transportation Code §460.253 and applicable DCTA bylaws, the following shall be appointed as the City of Highland Village's Representative and Alternate to the Denton County Transportation Authority Board of Directors for the stated terms and until their successors have been duly appointed and qualified by the City Council:

City Representative \_\_\_\_\_ term expiring November 12, 2023

Alternate \_\_\_\_\_ term expiring November 12, 2023

**SECTION 2.** This Resolution shall take effect immediately upon passage.

**PASSED AND APPROVED THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER 2021.**

**APPROVED:**

\_\_\_\_\_  
**Charlotte J. Wilcox, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Kevin B. Laughlin, City Attorney**

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 19**

**MEETING DATE: 09/28/2021**

**SUBJECT: Review and Discuss the Attendance Record and Performance of City Board and Commission Members and Consider Removal of Board and Commission Members Prior to Completion of their Current Term pursuant to Code of Ordinances Section 2.037**

**PREPARED BY: Angela Miller, City Secretary**

**BACKGROUND:**

City ordinance states that Council shall make annual appointments to the City's boards and commissions. All appointments are for terms of two years, unless an individual is appointed to fill an unexpired term that exists due to a vacancy. A "term year" shall be from October 1 until the following September 30.

Per the Code of Ordinances Section 2.04.037, a vacancy exists: (i) if a member resigns, or (ii) if the Council deems a vacancy to exist if a member misses three consecutive regularly scheduled meetings without a valid excuse or misses more than 25% of the regular meetings during a term year.

Please note - according to state law, members of the Zoning Board of Adjustment may be removed prior to the end of their term only for cause found by the City Council and only after presentation of written charges and a public hearing. According to the City Attorney, failure to comply with minimum attendance requirements as established by ordinance can be a basis for removal for cause.

**IDENTIFIED NEEDS:**

If Council chooses, they may remove a City board or commission member and declare the seat vacant based on the attendance and performance of the current members of the various City boards and commissions whose terms do not expire in 2021, in accordance with Code of Ordinances Section 2.04.037.

**RECOMMENDATION:**

Discuss the attendance and performance of members of the various City boards and commissions during the last year whose terms do not expire in 2021 and consider whether to remove one or more members and declare such seat(s) vacated in accordance with Code of Ordinances Section 2.04.037.

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 20**

**MEETING DATE: 09/28/2021**

**SUBJECT: Consider Resolution 2021-2965 appointing Members to Various Positions on the Board of Ethics, Parks and Recreation Advisory Board, Planning and Zoning Commission, Zoning Board of Adjustment, and Highland Village Community Development Corporation**

**PREPARED BY: Angela Miller, City Secretary**

**BACKGROUND:**

City ordinance states that Council shall make annual appointments to the City's boards and commissions. All appointments are for terms of two years, unless an individual is appointed to fill an unexpired term that exists due to a vacancy. A "term year" shall be from October 1 until the following September 30.

A call for volunteers to serve on a City board or commission was advertised in the June, July and August utility bill inserts, City newsletters, Facebook Page, HVTV News, and on the City's website. In addition, currently serving board/commission members with terms expiring this year were contacted by City staff and given the opportunity to notify the City Secretary's Office if they were interested in being considered for reappointment to the same board, appointment to a different board, or if they no longer wished to serve on a board.

To date, the City Secretary's Office has received a total of twenty-two (22) volunteer applications from residents interested in serving on a board, commission or committee.

The information below was received from currently serving board/commission members:

- Eleven (11) members would like to be considered for reappointment to their respective board/commission
- Two (2) members would like to serve on a different board/commission
- Three (3) members did not wish to serve again
- One (1) member has reached his term limit

There is also one (1) vacancy on the Planning and Zoning Commission.

**IDENTIFIED NEED/S:**

**There are eighteen (18) positions with terms that will expire on September 30, 2021.**

Following is a listing of each City board and commission that includes all currently serving members and their respective places on the board. The highlighted positions have terms that will expire this year.

<b>BOARD OF ETHICS</b>			
<b>Board Member Name</b>	<b>Board Choice</b>	<b>Place</b>	<b>Original Appt Date</b>
Joseph Kaye, Jr.	---	N/A	10-2020
Kevin McMahan	Same Board	N/A	09-2017
Jordan Wootten	---	N/A	10-2020
James Burmeister	Different Board	N/A	09-2017
Benjamin Somero	Same Board	N/A	09-2017
<b>HV COMMUNITY DEVELOPMENT CORPORATION (4B)</b>			
Dale Butler	Does Not Wish to Serve Again	Citizen Rep	09-2017
Mike Lombardo	Same Board	Council Rep	06-2018
Jared Christianson	---	Citizen Rep	10-2020
Elisabeth Mechem	---	Citizen Rep	09-2018
Barbara Fleming	Same Board	Council Rep	09-2017
Tom Heslep	Same Board	Council Rep	05-2019
Dan Jaworski	---	Council Rep	10-2020
<b>PARKS AND RECREATION ADVISORY BOARD</b>			
William Irwin	---	Place 1	10-2016
Janet Gershenfeld	---	Place 2	02-2018
Mitch O'Brey	---	Place 3	10-2020
Gary Patz	Has Reached Term Limit	Place 4	09-2014
Kenneth Koonsman	Same Board	Place 5	09-2017
Kevan Fenderson	Same Board	Alternate Place 1	09-2018
Vanessa Boyd	---	Alternate Place 2	09-2018
<b>PLANNING AND ZONING COMMISSION</b>			
Vacant	---	Place 1	
Dale Butler	---	Place 2	12-2019
Guy Skinner	---	Place 3	10-2019
Denver Kemery	Same Board	Place 4	09-2018
Angelina Robinson	Does Not Wish to Serve Again	Place 5	09-2018
Jared Christianson	Same Board	Alternate Place 1	10-2020
Michael George	---	Alternate Place 2	10-2020
<b>ZONING BOARD OF ADJUSTMENT</b>			
Christian Hart	Does Not Wish to Serve Again	Place 1	09-2015
Jeremy Booker	Same Board	Place 2	10-2019
David Smith	Same Board	Place 3	10-2016
Jerry Jones	---	Place 4	10-2019
Carley Knowles	---	Place 5	10-2020
Susan Arthur	Different Board	Alternate Place 1	10-2019
Dustin Sides	---	Alternate Place 2	10-2020
Kelli Green	---	Alternate Place 3	10-2020

## **PROGRESS TO DATE: (if appropriate)**

City Council has been provided with copies of all volunteer applications and currently serving board member updates that have been submitted for consideration. Council hosted a “Meet and Greet” event on September 14, 2021 to allow an opportunity for new applicants and Council to meet face to face. Council will have an opportunity to discuss appointments during their Early Work Session and to take formal action during the regular City Council meeting on September 28, 2021.

## **RECOMMENDATION:**

Council to appoint members to various positions on City boards and commissions and approve Resolution 2021-2965.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2021-2965**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS APPOINTING MEMBERS TO VARIOUS POSITIONS ON THE BOARD OF ETHICS, HIGHLAND VILLAGE COMMUNITY DEVELOPMENT CORPORATION, PARKS AND RECREATION ADVISORY BOARD, PLANNING AND ZONING COMMISSION, AND ZONING BOARD OF ADJUSTMENT; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of Highland Village desires to appoint citizens to serve for terms beginning October 1, 2021, for positions on various board and commissions;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**SECTION 1.** The following people are hereby appointed to the indicated positions on the Board of Ethics with a term commencing on October 1, 2021, and ending as indicated below:

<b>Name</b>	<b>Place</b>	<b>Expiration</b>
_____	N/A	September 30, 2023
_____	N/A	September 30, 2023
_____	N/A	September 30, 2023

**SECTION 2.** The following people are hereby appointed to the indicated positions on the Highland Village Community Development Corporation with a term commencing on October 1, 2021 and ending as indicated below:

<b>Name</b>	<b>Place</b>	<b>Expiration</b>
_____	Citizen Member	September 30, 2023
_____	City Representative	September 30, 2023
_____	City Representative	September 30, 2023
_____	City Representative	September 30, 2023



**SECTION 3.** The following people are hereby appointed to the indicated positions on the Parks and Recreation Advisory Board with a term commencing on October 1, 2021, and ending as indicated below:

Name	Place	Expiration
_____	Place 4	September 30, 2023
_____	Place 5	September 30, 2023
_____	Alternate 1	September 30, 2023
_____	Alternate 2	September 30, 2022 (if needed)

**SECTION 4.** The following people are hereby appointed to the indicated positions on the Planning and Zoning Commission with a term commencing on October 1, 2021, and ending as indicated below:

Name	Place	Expiration
_____	Place 1	September 30, 2023
_____	Place 4	September 30, 2023
_____	Place 5	September 30, 2023
_____	Alternate 1	September 30, 2023
_____	Alternate 2	September 30, 2022 (if needed)

**SECTION 5.** The following people are hereby appointed to the indicated positions on the Zoning Board of Adjustment with a term commencing on October 1, 2021, and ending as indicated below:

Name	Place	Expiration
_____	Place 1	September 30, 2023
_____	Place 2	September 30, 2023
_____	Place 3	September 30, 2023
_____	Alternate 1	September 30, 2023
_____	Alternate 2	September 30, 2022 (if needed)
_____	Alternate 3	September 30, 2022 (if needed)

**SECTION 6.** This Resolution shall take effect immediately upon passage.

**PASSED AND APPROVED THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER 2021.**

**APPROVED:**

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**Charlotte J. Wilcox, Mayor**

**ATTEST:**

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**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**

(kbl:9/22/2021:124922)

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 21**

**MEETING DATE: 09/28/2021**

**SUBJECT: Consider Resolution 2021-2966 Authorizing the purchase of Police Body Worn and Vehicle Cameras, Tasers and Virtual Reality Training System from Axon Enterprise, Inc. through the City's Competitive Purchasing Agreement with The Local Government Purchasing Cooperative**

**PREPARED BY: Doug Reim, Police Chief**

**BACKGROUND:**

The Highland Village Police Department was an early adopter of police dash cam and body worn video technologies for police. Over the years, the Department has transitioned through five generations of dash cam systems, four generations of body worn camera systems and two generations of Tasers. In 2019, the Department's technology vendor was bought out by another company. This created delays in product delivery and a halt to further product development. Since that time, Department administration has been searching and evaluating options for the future.

**IDENTIFIED NEED/S:**

During the budget process, an evaluation was made of the Department's existing police technologies to determine those in need of updating and replacement. These included body worn and vehicle camera systems, and Tasers. Department administration also identified the need for new virtual reality training technologies to enhance police transparency and accountability.

**OPTIONS & RESULTS:**

Staff's research found the new technologies offered by Axon Enterprise, Inc. best meet the Department's needs for now and for the future. Axon products and services are available through the City's cooperative purchasing agreement with The Local Government Purchasing Cooperative "BuyBoard" at an annual cost of \$60,759.00 for the next five years for a total contracted cost of \$303,794.99. By law, because the City is not issuing debt for this purchase nor appropriating the full contract amount at this time, the purchase agreement must contain a provision that allows the City to terminate the agreement at the end of each fiscal year if the City Council fails to appropriate funds in later budget years to pay the annual installment. The City Attorney has reviewed the Axon master terms and conditions and determined they do contain such a non-appropriation clause.

**PROGRESS TO DATE: (if appropriate)**

The funding to pay for the initial annual installment of the above purchase was approved as part of the FY 2021-2022 budget.

**RECOMMENDATION:**

To approve Resolution 2021-2966.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2021-2966**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING THE PURCHASE OF POLICE BODY WORN AND VEHICLE CAMERAS, TASERS, AND VIRTUAL REALITY TRAINING SYSTEM FROM AXON ENTERPRISES, INC. THROUGH THE CITY'S COMPETITIVE PURCHASING AGREEMENT WITH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD); AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, City Administration has reviewed and evaluated the City's police technology equipment in need of upgrading and replacement and has identified the need to replace police body worn cameras, vehicle cameras, and Tasers; and

**WHEREAS**, City Administration further recommends acquiring a virtual reality training system for the Police Department to enhance police transparency and accountability; and

**WHEREAS**, City Administration has determined in accordance with state law that the purchase of the equipment and technologies that comply with City specifications can be acquired from Axon Enterprises, Inc., through the City's cooperative purchasing agreement with The Local Government Purchasing Cooperative ("BUYBOARD"); and

**WHEREAS**, the City Council of the City of Highland Village finds it to be in the public interest to authorize the above-described purchases.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**SECTION 1.** The City Manager is hereby authorized to purchase on or after October 1, 2021, police body worn cameras, vehicle cameras, Tasers, and a virtual reality training system from Axon Enterprises, Inc. through the City's cooperative purchasing agreement with BUYBOARD in the amount of \$303,794.99, with payment to be in five annual equal installments of \$60,795.00, with the initial installment be paid from funds available in the FY 2021-2022 budget, and the payment of all remaining installments being subject to the appropriation of funds being appropriated and available for such purpose in subsequent fiscal years.

**SECTION 2.** This Resolution shall take effect immediately upon passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON THIS 28<sup>TH</sup> DAY OF SEPTEMBER 2021.**

**APPROVED:**

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**Charlotte J. Wilcox, Mayor**

**ATTEST:**

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**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**

(kbl:9/23/2021:124972)

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 22**

**MEETING DATE: 09/28/2021**

**SUBJECT: Status Reports on Current Projects and Discussion on Future  
Agenda Items**

**PREPARED BY: Karen McCoy, Executive Assistant**

**COMMENTS**

This item is on the agenda to allow a Councilmember to inquire about a subject of which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

- Discuss cancelling the November 23, 2021 and December 28, 2021 City Council Meetings



## UPCOMING MEETINGS

<b><u>September 28, 2021</u></b>	<b><u>Regular City Council Meeting - 7:30 pm</u></b>
October 7, 2021	Zoning Board of Adjustment Meeting - 6:00 pm
<b><u>October 12, 2021</u></b>	<b><u>Regular City Council Meeting - 7:00 pm</u></b>
October 18, 2021	Parks & Recreation Advisory Board Meeting – 6:00 pm
October 19, 2021	Planning & Zoning Commission Meeting – 7:00 pm
<b><u>October 26, 2021</u></b>	<b><u>Regular City Council Meeting - 7:00 pm</u></b>
November 4, 2021	Zoning Board of Adjustment Meeting - 6:00 pm
<b><u>November 9, 2021</u></b>	<b><u>Regular City Council Meeting - 7:00 pm</u></b>
November 15, 2021	Parks & Recreation Advisory Board Meeting – 6:00 pm
November 16, 2021	Planning & Zoning Commission Meeting – 7:00 pm
<b><u>November 23, 2021</u></b>	<b><u>Regular City Council Meeting - 7:00 pm</u></b>
<b><u>November 25 &amp; 26, 2021</u></b>	<b><u>Closed for the Thanksgiving Holiday</u></b>
December 2, 2021	Zoning Board of Adjustment Meeting - 6:00 pm
<b><u>December 14, 2021</u></b>	<b><u>Regular City Council Meeting - 7:00 pm</u></b>
December 20, 2021	Parks & Recreation Advisory Board Meeting – 6:00 pm
December 21, 2021	Planning & Zoning Commission Meeting – 7:00 pm
<b><u>December 23 &amp; 24, 2021</u></b>	<b><u>Closed for the Christmas Holiday</u></b>
<b><u>December 28, 2021</u></b>	<b><u>Regular City Council Meeting - 7:00 pm</u></b>

Note – The Zoning Board of Adjustment, Parks & Recreation Advisory Board, and the Planning & Zoning Commission meetings are held monthly, IF NEEDED. Please visit [www.highlandvillage.org](http://www.highlandvillage.org) or the City Hall bulletin board for the latest meeting additions and updates.

By: Karen McCoy, Executive Assistant – City of Highland Village