



A G E N D A

**REGULAR MEETING OF THE
HIGHLAND VILLAGE CITY COUNCIL
TUESDAY, SEPTEMBER 25, 2018, at 6:00 P.M.
HIGHLAND VILLAGE CITY COUNCIL CHAMBERS
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS**

**Convene Meeting in Open Session
Training Room – 6:00 P.M.**

EARLY WORK SESSION

- 1. Discuss Appointment of Board and Commission Members; Review and Discuss the Attendance Record and Performance of City 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**
- 2. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of September 25, 2018**

(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**

- 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)**
 - (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**

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

- 4. Call to Order**
- 5. Prayer to be led by Councilmember Mike Lombardo**

6. **Pledge of Allegiance to the U.S. and Texas flags to be led by Councilmember Mike Lombardo:** *“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”*
7. **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.)*
8. **City Manager/Staff Reports**
 - **HVTV Update**
9. **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**
 - **Presentation of a Proclamation for Fire Prevention Week**

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.

10. **Consider Approval of Minutes of the Regular City Council Meeting held on September 11, 2018**
11. **Consider Resolution 2018-2771 authorizing the City Manager to enter into an Interlocal Agreement with Texas Political Subdivisions for Purposes of Providing City Workers’ Compensation Insurance**
12. **Consider Resolution 2018-2772 awarding and authorizing a Contract with Canary Construction, Inc. for Construction of the Winding Creek Drive, Oak Forest Drive, and Canyon Creek Drive Water Lines and KCS Railroad Sanitary Sewer Line Crossing at Winding Creek Drive**

ACTION AGENDA

13. **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**

14. Conduct a Public Hearing and Consider Ordinance 2018-1253 approving a Conditional Use Permit to allow for a Video Arcade in a Retail Zoning District located at Lot 1, Block F, Highland Plaza Shopping Center, commonly known as 1842 Justin Road (1st of two reads)
15. Conduct a Public Hearing and Consider Ordinance 2018-1254 amending the City of Highland Village Comprehensive Zoning Ordinance, Section 28.4.C to reduce the Required Minimum Acreage for a Planned Development District from Three (3) Acres to Two (2) Acres (1st of two reads)

**** THIS ITEM HAS BEEN RESCHEDULED FOR THE OCTOBER 23, 2018 CITY COUNCIL MEETING ****

16. Consider Ordinance 2018-1255 amending the Highland Village Code of Ordinances Chapter 12 "Offenses and Nuisances," Article 12.05 "Nuisances," Section 12.05.004 "Weeds, Grass and Other Vegetation" as it relates to the Height and Encroachment of Trees and Other Vegetation over Streets and Sidewalks (1st of two reads)
17. Consider Ordinance 2018-1251 adopting the Fiscal Year 2018-2019 Annual Budget (2nd and final read)
18. Consider Resolution 2018-2773 ratifying the Property Tax Revenue Increase Reflected in the Fiscal Year 2018-2019 Budget
19. Consider Ordinance 2018-1252 levying the Ad Valorem Taxes for the Year 2018 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, 2018 (2nd and final read)
20. Consider Resolution 2018-2774 authorizing the Purchase of a Fire Engine from Siddons-Martin Emergency Group and an Ambulance from Professional Ambulance through the City's Cooperative Purchasing Agreement with the Houston Galveston Area Council of Governments (HGAC), and authorizing the City Manager to Execute a Ten-Year Maintenance Service Agreement with Siddons-Martin Emergency Group
21. 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
22. Consider Resolution 2018-2775 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

LATE WORK SESSION

(Items may be discussed during Early Work Session, Time Permitting)

23. Discuss Cancelling the November 27, 2018 and December 25, 2018 City Council Meetings
24. 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 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.)

25. 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 21ST DAY OF SEPTEMBER, 2018 NOT LATER THAN 4:00 P.M.

A handwritten signature in cursive script that reads "Angela Miller".

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 _____, 2018 at _____ am / pm by _____.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

| | | | |
|---------------------|--|----------------------|-----------------|
| AGENDA# | 1 | MEETING DATE: | 09/25/18 |
| SUBJECT: | Discuss Appointment of Board and Commission Members; Review and Discuss the Attendance Record and Performance of City 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 | | |

BACKGROUND:

City ordinance states that Council shall make annual appointments to the City's boards and commissions no later than the second regularly scheduled Council meeting in September. 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.

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.

In addition, a call for volunteers was advertised in the June, July and August utility bill inserts, the Summer edition of the Villager Newsletter, the City's Facebook Page, HVTN News, and on the City's website. Citizens interested in volunteering their time by serving on a board, commission or committee have submitted an application to the City Secretary's Office for consideration by Council. For reference, a listing of all new applicants and currently serving board/commission members is provided in the agenda packet and indicates their preferred board choice(s).

IDENTIFIED NEEDS:

There are sixteen (16) positions with terms that expire on September 30, 2018. There is also a vacancy on the Planning and Zoning Commission (Alternate Place 2) that expires in 2019 and could be filled at this time, if Council chooses to do so.

The following is a list of all positions and current members of each board and commission. The highlighted positions have terms that expire this year.

| BOARD OF ETHICS | | | |
|--|----------------------------|---------------------|----------------------------------|
| <i>Board Member Name</i> | <i>Board Choice</i> | <i>Place</i> | <i>Original Appt Date</i> |
| Steven Deel | Same Board | N/A | 10-2016 |
| Kevin McMahan | --- | N/A | 09-2017 |
| Brian Tackett | Same Board | N/A | 03-2017 |
| James Burmeister | --- | N/A | 09-2017 |
| Benjamin Somero | --- | N/A | 09-2017 |
| HV COMMUNITY DEVELOPMENT CORPORATION (4B) | | | |
| Dale Butler | --- | Citizen Rep | 09-2017 |
| Mike Lombardo | --- | Council Rep | 06-2018 |
| Steven Smith | No Longer Wishes to Serve | Citizen Rep | 10-2016 |
| Austin Adams | Different Board | Citizen Rep | 10-2016 |
| Barbara Fleming | --- | Council Rep | 09-2017 |
| Fred Busche | --- | Council Rep | 06-2014 |
| Charlotte Wilcox | Same Board | Council Rep | 09-2014 |
| PARKS AND RECREATION ADVISORY BOARD | | | |
| William Irwin | Same Board | Place 1 | 10-2016 |
| Christine Sherry | Same Board | Place 2 | 10-2016 |
| Dave Rush | Same Board | Place 3 | 09-2014 |
| Gary Patz | --- | Place 4 | 09-2015 |
| Tamara Lisby | --- | Place 5 | 10-2015 |
| Kenneth Koonsman | --- | Alternate Place 1 | 09-2017 |
| Janet Gershenfeld | Same Board | Alternate Place 2 | 02-2018 |
| PLANNING AND ZONING COMMISSION | | | |
| Richard Turner | --- | Place 1 | 09-2015 |
| Stan Lemko | Same Board | Place 2 | 09-2014 |
| Robert Holden | No Longer Wishes to Serve | Place 3 | 10-2016 |
| Deedee Ricketts | --- | Place 4 | 09-2011 |
| Vacancy (Term Exp Sept 2019) | --- | Place 5 | |
| James Romo | --- | Alternate Place 1 | 09-2017 |
| Tom Heslep | Same Board | Alternate Place 2 | 10-2016 |
| ZONING BOARD OF ADJUSTMENT | | | |
| Christian Hart | --- | Place 1 | 09-2015 |
| Denver Kemery | --- | Place 2 | 09-2017 |
| Thomas Peck | --- | Place 3 | 09-2015 |
| Richard Metivier | Same Board | Place 4 | 09-2012 |
| Darrah Boxberger-Torres | Same Board | Place 5 | 09-2014 |
| Guy Skinner | --- | Alternate Place 1 | 09-2017 |
| Richard Holderby | Same Board | Alternate Place 2 | 10-2016 |
| David Smith | Same Board | Alternate Place 3 | 10-2016 |

When considering appointments, Council may consider appointing current alternate members of a board 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 on September 30, 2018. 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.

RECOMMENDATION:

Council to discuss making appointments to the Board of Ethics, Highland Village Community Development Corporation (4B), Parks and Recreation Advisory Board, Planning and Zoning Commission, and Zoning Board of Adjustment.

If needed, Council may also discuss the attendance records and performance of the current members of the various City boards and commissions whose terms do not expire on September 30, 2018 and consider whether to remove one or more members and declare such seats vacated in accordance with Code of Ordinances Section 2.04.037.

BOARD AND COMMISSION MEMBER PREFERENCES

| Member Name | Current Service | Interest in Appointment | Ethics Board | HVCDC | Parks Board | P & Z | ZBA |
|--|------------------------|-------------------------|--------------|-------|-------------|-------|-----|
| ETHICS BOARD | | | | | | | |
| Steven Deel | Ethics Board | Same Board | 1 | - | - | - | - |
| Brian Tackett | Ethics Board | Same Board | 1 | - | - | - | - |
| HVCDC (4B) | | | | | | | |
| Austin Adams | Citizen Representative | Different Board | - | - | - | 1 | - |
| Steven Smith | Citizen Representative | No | - | - | - | - | - |
| Charlotte Wilcox | Council Representative | Same Board | - | 1 | - | - | - |
| PARKS & RECREATION ADVISORY BOARD | | | | | | | |
| Bill Irwin | Place 1 | Same Board | - | - | 1 | - | - |
| Christine Sherry | Place 2 | Same Board | 4 | 2 | 1 | 3 | 5 |
| Dave Rush | Place 3 | Same Board | 5 | 3 | 1 | 2 | 4 |
| Janet Gershenfeld | Alternate Place 2 | Same Board | - | - | 1 | - | - |

BOARD AND COMMISSION MEMBER PREFERENCES

| Member Name | Current Service | Interest in Appointment | Ethics Board | HVCDC | Parks Board | P & Z | ZBA |
|---|-------------------|-------------------------|--------------|-------|-------------|-------|-----|
| PLANNING & ZONING COMMISSION | | | | | | | |
| Stan Lemko | Place 2 | Same Board | - | - | - | 1 | - |
| Robert Holden | Place 3 | No | - | - | - | - | - |
| Thomas Heslep | Alternate Place 2 | Same Board | - | - | - | 1 | - |
| ZONING BOARD of ADJUSTMENT | | | | | | | |
| Richard Metevier | Place 4 | Same Board | - | - | 2 | 3 | 1 |
| Darrah Boxberger-Torres | Place 5 | Same Board | 2 | 5 | 3 | 4 | 1 |
| Richard Holderby | Alternate Place 2 | Same Board | 5 | 3 | 4 | 2 | 1 |
| David Smith | Alternate Place 3 | Same Board | - | - | - | - | - |

BOARD AND COMMISSION APPLICANT PREFERENCES

| Applicant Name | Ethics Board | HVCDC | Parks Board | P & Z | ZBA |
|-------------------------|---------------|-------|-------------|-------|-----|
| Vanessa Boyd | 2 | 3 | 1 | - | - |
| Annette Brunken | 5 | 3 | 4 | 2 | 1 |
| Kevan Fenderson | 3 | 2 | 1 | - | - |
| Manika Kataria | 3 | 2 | 1 | - | - |
| Joseph Land | 1 | 3 | 5 | 4 | 2 |
| John McGee | No Preference | | | | |
| Elisabeth Mechem | 1 | 2 | - | - | - |
| Charles Payne (Kerry) | 5 | 3 | 4 | 1 | 2 |
| Angelina Robinson | - | 3 | - | 1 | 2 |
| Kelley Scott | - | 3 | 2 | 1 | - |
| Robert Shade | 5 | 2 | 1 | 4 | 3 |
| Norman Shultz | 1 | 2 | - | - | - |
| Stanley Wilkins (Ricky) | No Preference | | | | |

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 9

MEETING DATE: 09/25/18

SUBJECT: Mayor and Council Reports on Items of Community Interest

PREPARED BY: Angela Miller, City Secretary

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.

- Presentation of a Proclamation for Fire Prevention Week



Proclamation

Whereas, the City of Highland Village is committed to ensuring the safety and security of all those living in and visiting Highland Village; and

Whereas, a home fire escape plan provides the skill set and know-how to quickly and safely escape a home fire situation; and

Whereas, practicing a home fire escape plan twice a year ensures that everyone in the household knows what to do in a real life fire situation; and

Whereas, the City of Highland Village's fire responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

Whereas, the 2018 Fire Prevention Week theme, "Look. Listen. Learn. Be aware-Fire Can Happen Anywhere." identifies basic but essential ways people can reduce their risk to fire and be prepared in the event of one; and

Now therefore, I, Charlotte J. Wilcox, Mayor of the City of Highland Village, do hereby proclaim October 7th through October 13th, 2018 as:

"National 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 of Highland Village to be affixed on this 25th day of September 2018.

Charlotte J. Wilcox, Mayor

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

| | |
|---------------------|--|
| AGENDA# 10 | MEETING DATE: 09/25/18 |
| SUBJECT: | Consider Approval of Minutes of the Regular City Council Meeting held on September 11, 2018 |
| 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 September 11, 2018 City Council meeting.

**MEETING MINUTES OF THE REGULAR MEETING OF THE
HIGHLAND VILLAGE CITY COUNCIL
HELD AT THE HIGHLAND VILLAGE MUNICIPAL COMPLEX
LOCATED AT 1000 HIGHLAND VILLAGE ROAD
TUESDAY, SEPTEMBER 11, 2018**

Mayor Charlotte J. Wilcox called the meeting to order at 6:00 p.m.

Roll Call

| | | |
|----------------|---------------------|--|
| Present: | Charlotte J. Wilcox | Mayor |
| | Jon Kixmiller | Councilmember |
| | Michael Lombardo | Councilmember |
| | Barbara Fleming | Deputy Mayor Pro Tem |
| | Fred Busche | Mayor Pro Tem |
| | Robert A. Fiester | Councilmember |
| | Daniel Jaworski | Councilmember |
| Staff Members: | Michael Leavitt | City Manager |
| | Kevin Laughlin | City Attorney |
| | Ken Heerman | Assistant City Manager |
| | Angela Miller | City Secretary |
| | Brad Goudie | Fire Chief |
| | Travis Nokes | Deputy Fire Chief |
| | Scott Kriston | Public Works Director |
| | Phil Lozano | Parks and Recreation Director |
| | Jana Onstead | Human Resources Director |
| | Laurie Mullens | Director of Marketing & Communications |
| | Andrew Boyd | Media Specialist |
| | Karen Bradley | Administrative Assistant |

EARLY WORK SESSION

1. Receive an Update on Proposed Amendments to the City's Code Enforcement Regulations

Public Works Director Scott Kriston reported in December 2017, the City transitioned to a more proactive approach to code enforcement, and that there are 2 licensed code enforcement officers now on staff. He stated since July, there have been 149 cases, with 99 of those cases now in compliance, and 50 cases still open. To date, no citations have been issued.

Staff has reviewed the City's current ordinances with the City's Prosecutor and City Attorney. Mr. Kriston reported there are 3 items recommended for revision:

- Weeds, Grass and Other Vegetation – specifically relating to limb overhang obstruction on public roads and sidewalks
- Off-Street Parking Provisions – on private property, including side yards
- Home Occupation – the current ordinance provides a definition for home occupation, but no regulations are included

Regarding weeds, grass and other vegetation, Mr. Kriston reported staff is mostly wanting to clean up the language in the current ordinance and to address trees and other vegetation that overhangs on streets and sidewalks. Regarding on-street parking, City Attorney Kevin Laughlin reported the current ordinance lacks clarity and is difficult to

enforce. He stated on-street parking is usually enforced by the Police Department versus parking in yards or unsurfaced areas, which is usually enforced by Code Enforcement. Mr. Kriston stated staff is seeking clarification from Council on moving forward with the ordinance update, such as whether parking is only allowed on concrete or asphalt areas, or areas are grandfathered that do not currently have paved parking areas. Mayor Pro Tem Busche voiced concern with the off-street parking in areas of the City that do not have curbs, paved sidewalks or driveways.

Councilmember Fiester asked for clarification regarding enforcement of off-street parking on private property. City Manager Michael Leavitt stated staff is seeking clarification on vehicle storage or areas that may not have a concrete driveway; not temporary parking issues. Mr. Laughlin reported an ordinance can address legal non-conforming properties, which would have to meet the new standards at such time they are being rebuilt. Mr. Kriston reported most of the code enforcement complaints received relate to off-street parking. Councilmember Lombardo suggested multi-family also be included with the updates.

Regarding home occupation (home based businesses), Mr. Kriston reported the City does not currently have any regulations to allow enforcement. He presented regulations used by the City of Decatur, which staff received from the City's Prosecutor. Mr. Leavitt reported our definitions are good but regulations needs to be updated in order to provide clarity and to be enforceable. Mr. Laughlin stated revisions would address issues such as signage, number of vehicles allowed, noise, and outside activities of a business.

Consensus of Council is for the Planning and Zoning Commission to review and then bring their recommendations to Council regarding the on-street parking and home occupation updates; City staff will provide an updated ordinance relating to limb overhang obstruction on public roads and sidewalks at the Council meeting scheduled for September 28, 2018.

2. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of September 11, 2018

Relating to Agenda Item #15, Assistant City Manager Ken Heerman reported Highland Village, along with 171 other cities served by Atmos Energy Corporation, is a member of the Atmos Cities Steering Committee (ACSC). The ACSC is a coalition of similarly-situated cities served by Atmos Mid-Tex that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area. The ACSC is recommending cities approve the negotiated increase. Mr. Heerman stated the proposed increase reflects an approximate \$1.06 increase on residential customer bills, and an approximate \$3.20 increase on commercial bills.

Early Work Session ended at 6:37 p.m.

3. Meet and Greet with Board and Commission Applicants

Mayor Wilcox welcomed the applicants and thanked them for their interest in servicing Highland Village; members of Council and City staff were introduced. Council and staff visited with the applicants.

CLOSED SESSION

Council did not meet in Closed Session.

4. **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**

OPEN SESSION

5. Call 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 | Councilmember |
| | Barbara Fleming | Deputy Mayor Pro Tem |
| | Fred Busche | Mayor Pro Tem |
| | Robert A. Fiester | Councilmember |
| | Daniel Jaworski | Councilmember |
| Staff Members: | Michael Leavitt | City Manager |
| | Kevin Laughlin | City Attorney |
| | Ken Heerman | Assistant City Manager |
| | Angela Miller | City Secretary |
| | Scott Kriston | Public Works Director |
| | Phil Lozano | Parks and Recreation Director |
| | Jana Onstead | Human Resources Director |
| | Sunny Lindsey | Information Services Director |
| | Laurie Mullens | Director of Marketing & Communications |
| | Andrew Boyd | Media Specialist |

6. Prayer to be led by Councilmember Jon Kixmiller

Councilmember Jon Kixmiller gave the invocation.

7. Pledge of Allegiance to the U.S. and Texas flags to be led by Councilmember Jon Kixmiller: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*

Councilmember Kixmiller led the Pledge of Allegiance to the U.S and Texas flags.

8. Visitor Comments

No one wished to speak.

9. City Manager/Staff Reports

- **HVTV Update**

The update included the Shopping Saturday segment featuring Buckle located in The Shops at Highland Village and informed residents of the September 22 Concert in the Park with King George performing.

- 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**

Deputy Mayor Pro Tem Barbara Fleming invited everyone to attend the Denim, Diamonds and Dice Gala on Saturday, September 15 benefiting Special Abilities of North Texas. She also reminded everyone to attend the annual Steak & Stetson event. This year the event will be held on September 22, includes a steak dinner, live entertainment, silent and live auctions, and dancing. Proceeds from the event will support the Special Olympics.

Mayor Pro Tem Fred Busche invited everyone to attend the kickoff of the symphony series of concerts of the Lewisville Lake Symphony. The event will be held at 7:30 p.m. on Friday, September 14th at the MCL Grand Theater in Lewisville.

- **Presentation of a Proclamation for Live United Month**

Mayor Wilcox presented United Way of Denton Board Members Josh Ashford and Jo Ann Ballantine with a proclamation celebrating September as Live United Month in Highland Village.

- **Presentation of a Proclamation for National IT Professionals Day**

Mayor Wilcox presented Information Services Director Sunny Lindsay, Network Manager Keith Pennock, and Senior Developer Van Tinch with a proclamation celebrating September 18, 2018 as National IT Professionals Day.

- **Recognition of the Actors that Participated in the FY 2018-2019 Budget Video (to be presented with Agenda Item #18)**

This item was presented with Agenda Item #18.

CONSENT AGENDA

- 11. Consider Approval of Minutes of the Regular City Council Meeting held on August 28, 2018**
- 12. Consider Resolution 2018-2767 Adopting the City of Highland Village Investment Policy for FY 2018-2019**
- 13. Consider Resolution 2018-2768 Designating Authorized Representatives to Negotiate and Execute Contracts and Necessary Documents to Establish City Investment Accounts**
- 14. Consider Resolution 2018-2769 Authorizing Renewal of the Employee Health Insurance Plan Agreements with Cigna**

15. Consider Resolution 2018-2770 Approving a Negotiated Settlement Agreement between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corporation, Mid-Tex Division regarding the 2018 Rate Review Mechanism Filings
16. Receive Budget Reports for Period Ending July 31, 2018

Motion by Councilmember Lombardo, seconded by Deputy Mayor Pro Tem Fleming, to approve Consent Agenda Items #11 through #16. Motion carried 7-0.

ACTION AGENDA

17. 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

NO ACTION TAKEN

Council did not meet in Closed Session.

18. Conduct a Public Hearing on the Proposed Budget and Tax Rate for Fiscal Year 2018-2019

PUBLIC HEARING CONDUCTED

Assistant City Manager Ken Heerman reported the budget has been presented at prior Council meetings and that a public hearing was held on August 28, 2018. He announced the Marketing and Communications Department had produced a video featuring highlights of the FY 2018-2019 budget, which was then shown.

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

Highland Village Marketing and Communications Director Laurie Mullens reported the video provided information on the FY 2018-2019 Budget, as told by student actors. Ms. Mullens introduced the student actors and the role they played in the featured video:

- Mayor – Nicole Groggin
- Police Officer – Caroline McCrate (not in attendance)
- Firefighter – Mylo Ibarra
- Utilities Tech and Applicator Tech – Jakob Samuels
- Artists – Zachary Samuels and Isabella Samuels
- Sales Person at Nestle Tollhouse Cookies – Grayson McCrate (not in attendance)
- Voice Over Services – Lukas Samuels

In addition, Ms. Mullens thanked Timi Groggin who has also volunteered her time and talents to our many video productions over the past 6 years, and City staff that helped with the video – Marketing Administrative Specialist Crystal Babcock, Media Specialist Andrew Boyd, and Marketing Intern Nick Fapiano.

19. Consider Ordinance 2018-1251 Adopting the Fiscal Year 2018-2019 Annual Budget (1st of two reads)

APPROVED 1ST READ (7 – 0)

Mr. Heerman stated Truth in Taxation does require specific action in adoption of the budget and that a vote to adopt the budget must be a record vote. Additionally, adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of council to ratify the property tax increase reflected in the budget. As this budget does indeed raise more revenue, this is to be presented as a separate companion agenda item with the second read of Ordinance 2018-1251.

Motion by Councilmember Jaworski, seconded by Deputy Mayor Pro Tem Fleming, to approve the first read of Ordinance 2018-1251 adopting the Fiscal Year 2018-2019 Annual Budget. City Secretary Angela Miller took a roll call vote on the motion:

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

Motion carried 7-0.

20. Consider Ordinance 2018-1252 Levying the Ad Valorem Taxes for the Year 2018 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, 2018 (1st of two reads)

APPROVED 1ST READ (7 – 0)

Mr. Heerman reported the Texas Tax Code §26.05 requires a tax rate be adopted by official action following passage of a budget. The tax rate must be adopted in two separate components – Maintenance and Operations (M&O), and Interest and Sinking (I&S). The total tax rate of \$.56302/\$100 is slightly decreased from last year. Proposed Ordinance No. 2018-1252 provides for the adoption of a total tax rate of \$.56302 per \$100 valuation (composed of a Maintenance and Operation (M&O) rate of \$0.479787 per \$100 valuation and a debt service rate of \$0.083233 per \$100 valuation) to fund the FY 2018-2019 budget. Because the proposed tax rate will exceed the effective tax rate of \$0.54959 per \$100 valuation, state law requires the governing body must vote by a record vote.

For clarification, Mr. Heerman reported the proposed tax rate is a decrease from \$0.56802 to \$0.56302.

Motion by Councilmember Jaworski, seconded by Mayor Pro Tem Busche, that the property tax rate be increased by the adoption of a tax rate of \$.56302, which is effectively a 2.4 percent increase in the tax rate and, therefore, further moved that Ordinance No. 2018-1252 be approved on first reading. City Secretary Angela Miller took a roll call vote on the motion:

***Councilmember Lombardo – Aye
Deputy Mayor Pro Tem Fleming – Aye
Councilmember Kixmiller – Aye
Mayor Wilcox – Aye
Mayor Pro Tem Busche – Aye
Councilmember Fiester – Aye***

Councilmember Jaworski – Aye

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 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.)**

No items were discussed.

22. **Adjournment**

Mayor Wilcox adjourned the meeting at 8:05 p.m.

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 11

MEETING DATE: 09/25/18

SUBJECT: Consider Resolution 2018-2771 authorizing the City Manager to Enter into an Interlocal Agreement with Texas Political Subdivisions for purposes of providing City Workers' Compensation Insurance

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

The City has utilized Texas Political Subdivisions (TPS) - a government risk pool, for its workers' compensation insurance for a number of years. This pool operates through insurance brokers – the City utilizes Higginbotham and Associates as our broker.

IDENTIFIED NEED/S:

N/A

OPTIONS & RESULTS:

The renewal premium for FY 2019 from TPS is \$99,579, which is a \$1,800 increase from last year's amount of \$97,779. Addition of two new positions accounted for \$1,185 of the increase, with the remainder resulting from increased payroll costs. A very proactive effort by City staff to maintain a safe work environment has resulted in not only minimal lost work-time, but lower insurance premiums as well. The City receives a substantial discount due to the excellent safety record we have maintained. An experience factor is established based on our claim experience – compared to the average of other entities in the risk pool. This factor is .62 for the premium renewal, in essence, a 38% discount.

PROGRESS TO DATE: (if appropriate)

N/A

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

The premium renewal amount is within the budgeted amount for FY 2019.

RECOMMENDATION:

Council to approve Resolution 2018-2771.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2018-2771

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH TEXAS POLITICAL SUBDIVISIONS FOR PURPOSES OF PROVIDING CITY WORKERS' COMPENSATION INSURANCE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, workers' compensation insurance is a component of the City's employee benefit package; and

WHEREAS, the City has contracted with the Texas Political Subdivisions Intergovernmental Risk Pool for a number of years for the provision of workers' compensation insurance and has historically received a high level of service as well as substantial savings in insurance premiums over other potential carriers; and

WHEREAS, City Administration recommends a continuation of the interlocal agreement providing liability insurance to the City for Fiscal Year 2018-2019; and

WHEREAS, the City Council of the City of Highland Village finds it to be in the public interest to concur in the above recommendation;

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

Section 1. The City Manager is hereby authorized to execute the necessary contract documents establishing an interlocal agreement with Texas Political Subdivisions to provide workers compensation insurance for the City and take such additional action as may be reasonable and necessary to comply with the intent of this Resolution.

Section 2. This Resolution shall be effective immediately upon its approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON THIS 25th DAY OF SEPTEMBER, 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl 9/18/18:102802)

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 12

MEETING DATE: 09/25/18

SUBJECT: Consider Resolution 2018-2772 awarding and authorizing a Contract with Canary Construction, Inc. for the Winding Creek Drive, Oak Forest Drive, and Canyon Creek Drive Water Lines and KCS Railroad Sanitary Sewer Line Crossing at Winding Creek Drive Project

PREPARED BY: Scott Kriston, Director of Public Works

BACKGROUND:

Previous council action dated August 9, 2016 approved the engineering design for the Winding Creek Drive, Oak Forest Drive, and Canyon Creek Drive Water Lines and KCS Railroad Sanitary Sewer Line Crossing at Winding Creek Drive Project ("the Project"). Staff and consultants prepared the plans and specifications, bid the Project, and are prepared to move into the construction phase. The Project consists of replacing the existing 6" water lines along Winding Creek Drive, Oak Forest Drive, and Canyon Creek Drive with 8" water lines and replacing the existing 8" sanitary sewer line crossing the KCS Railroad at Winding Creek Drive with a 10" sanitary sewer line.

IDENTIFIED NEED/S:

Replace the existing 6" asbestos cement (AC) water lines located along Winding Creek Drive, Oak Forest Drive, and Canyon Creek Drive with 8" Polyvinyl Chloride (PVC) pipe and replace the existing 8" ductile iron pipe (DIP) located across the KCS Railroad with 10" PVC pipe. The existing AC water lines and the existing DIP sanitary sewer line are old and susceptible to cracking to the point of failure. PVC pipe is inert and is not susceptible to corrosion and is a TCEQ approved replacement product.

OPTIONS & RESULTS:

Construction of these replacement water lines and this replacement sanitary sewer line will ensure a more reliable and dependable water system and a more reliable and dependable wastewater system and will comply with TCEQ requirements.

PROGRESS TO DATE: (if appropriate)

Six contractors' bids for construction of the replacement water lines and the replacement sanitary sewer line were received and evaluated. One of the submittals was non-responsive and was rejected. Following are the amounts of responsive bids received for the Project. Canary Construction, Inc. submitted the lowest responsive bid in the amount of \$649,819.00. Canary Construction has the experience and the resources to perform this work.

| | | | | |
|---------------------|-----------------|------------------------|----------------------|-------------------|
| Canary Construction | KIK Underground | Dickerson Construction | Four Star Excavating | GRod Construction |
| \$649,819.00 | \$683,160.75 | \$838,995.00 | \$1,010,929.00 | \$1,245,417.50 |

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

There is sufficient provision for the amount of \$649,819 from available bond proceeds from the Utility Fund.

RECOMMENDATION:

To approve Resolution No. 2018-2772.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2018-2772

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AWARDED AND AUTHORIZING A CONTRACT WITH CANARY CONSTRUCTION, INC. FOR CONSTRUCTION OF THE WINDING CREEK DRIVE, OAK FOREST DRIVE, AND CANYON CREEK DRIVE WATER LINES AND KCS RAILROAD SANITARY SEWER LINE CROSSING AT WINDING CREEK DRIVE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, City administration, having solicited, received, and reviewed the bids for the Winding Creek Drive, Oak Forest Drive, and Canyon Creek Drive Water Lines and KCS Railroad Sanitary Sewer Line Crossing at Winding Creek Drive Project (the "Project") for the replacement of the existing water lines and the existing sanitary sewer line, has determined that Canary Construction, Inc. has submitted the lowest responsive bid in an amount of \$649,819.00 and recommends award of a contract for the Project to said bidder; 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 approve the above described contract 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 execute a contract with Canary Construction, Inc. in the amount of \$649,819.00 for the Project and, subject to applicable state laws, city policies, and, in the event change order(s) result in an increase in the contract amount, the availability of funds for such purpose, to negotiate and sign such change order(s) to said contract as the City Manager determines to be in the best interest of the City.

SECTION 2. This Resolution shall become effective immediately upon passage.

PASSED AND APPROVED THIS 25th DAY OF SEPTEMBER, 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:9/18/18:102798)

CITY OF HIGHLAND VILLAGE
CITY COUNCIL

AGENDA# 14

MEETING DATE: 09/25/18

SUBJECT: Conduct Public Hearing and Review and Consider Ordinance No. 2018-1253 granting a Conditional Use Permit (C.U.P.) for a Video Arcade Business for an approximately 4,012 square foot area of Lot 1, Block F, Highland Plaza Shopping Center, commonly known as 1842 Justin Road, located within an R-Retail District (1st of two reads)

PREPARED BY: Autumn Aman, Community Development Coordinator

BACKGROUND:

An application was received for a Conditional Use Permit (C.U.P.) for a Video Arcade business to be located in an approximately 4,012 square foot lease space in the Highland Plaza Shopping Center. The property is located within a R-Retail District.

The applicant is proposing to utilize the space for a retro video arcade, table top board games along with a full service bar and food service.

IDENTIFIED NEED/S:

The use of this building for a video arcade on property within a R-Retail District requires the approval of a Conditional Use Permit. The request for a full service bar and food service is allowed by right in a R-Retail District.

Public Hearings are required for Conditional Use Permits.

OPTIONS & RESULTS:

Options are to recommend the application be (1) approved as submitted, (2) approved with modifications, or (3) deny the request. City Council may also postpone any action in order to receive any additional information which it requests be presented.

PROGRESS TO DATE: (if appropriate)

City staff has reviewed the application and all staff comments have been addressed by the applicant. The applicant will be present to address any questions or comments City Council may have. All public hearing notification requirements have been satisfied. As of the date of this briefing, September 19, 2018, staff has received no calls or written comments in response to the public hearing notices.

At the September 18, 2018 Planning and Zoning Commission meeting, the Commission recommended sending the ordinance forward for approval as presented with a vote of (5-0).

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

This will have no impact on budget. A draft ordinance has been prepared by the City Attorney and is included with this briefing.

RECOMMENDATION:

City staff has no objections to the application. Review the applicant's request; receive the recommendation by Planning and Zoning prior to the approval of the first read of Ordinance 2018-1253.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2018-1253

AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, GRANTING A CONDITIONAL USE PERMIT (C.U.P.) FOR A VIDEO ARCADE FOR A 4,012 SQUARE FOOT AREA OF A BUILDING LOCATED ON LOT 1, BLOCK F, HIGHLAND PLAZA SHOPPING CENTER, HIGHLAND VILLAGE, TEXAS, SAID PROPERTY BEING MORE COMMONLY KNOWN AS 1842 JUSTIN ROAD, HIGHLAND VILLAGE, TEXAS; APPROVING A SITE PLAN; PROVIDING FOR TERMINATION ON ABANDONMENT OR DISCONTINUANCE OF THE CONDITIONAL USE; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Highland Village, Texas, in compliance with the laws of the State of Texas and the Ordinances of the City of Highland Village, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, and upon a finding that the proposed conditional use is consistent with the standards for approval set forth in Sections 12.3 of the Comprehensive Zoning Ordinance of the City of Highland Village, Texas, the City Council has concluded that the Comprehensive Zoning Ordinance and Zoning District Map of the City of Highland Village, Texas, as previously amended, should be further amended as follows:

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

SECTION 1. The Comprehensive Zoning Ordinance of the City of Highland Village, Texas, as amended ("Zoning Ordinance"), shall be further amended by granting a Conditional Use Permit (C.U.P.) for a Video Arcade for a 4,012 square foot portion of a building located on Lot 1, Block F, Highland Plaza Shopping Center, City of Highland Village, Denton County, Texas, and more commonly known as 1842 Justin Road, Highland Village, Texas ("the Property"), the location of the Property being depicted in Exhibit "A," attached hereto and incorporated herein by reference.

SECTION 2. If the use of the Property for the purpose of operating a Video Arcade (a) does not commence before the first anniversary of the effective date of this Ordinance or (b) is discontinued or abandoned for a period of six (6) consecutive months, such use shall not resume and this Ordinance and the Conditional Use Permit granted herein shall be deemed to have terminated. For purposes of this Section 2, whether or not the required use has been discontinued or abandoned shall be determined in the same manner as the abandonment or discontinuance of a non-conforming use as set forth in Section 7 of the Zoning Ordinance, as amended.

SECTION 3. All ordinances of the City of Highland Village related to the use and development of the Property heretofore adopted and in effect upon the effective date of this Ordinance are and shall remain in full force and effect except to the extent amended by this Ordinance or to the

extent there is an irreconcilable conflict between the provisions of said other ordinance and the provisions of this Ordinance, in which case the provisions of this Ordinance shall be controlling.

SECTION 4. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance or the Comprehensive Zoning Ordinance, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in Comprehensive Zoning Ordinance as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

SECTION 7. This ordinance shall take effect immediately from and after its passage on Second Reading and publication of the caption in accordance with the provisions of the Charter of the City of Highland Village, and it is accordingly so ordained.

FIRST READ ON THE 25TH DAY OF SEPTEMBER, 2018, BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE _____ DAY OF _____, 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

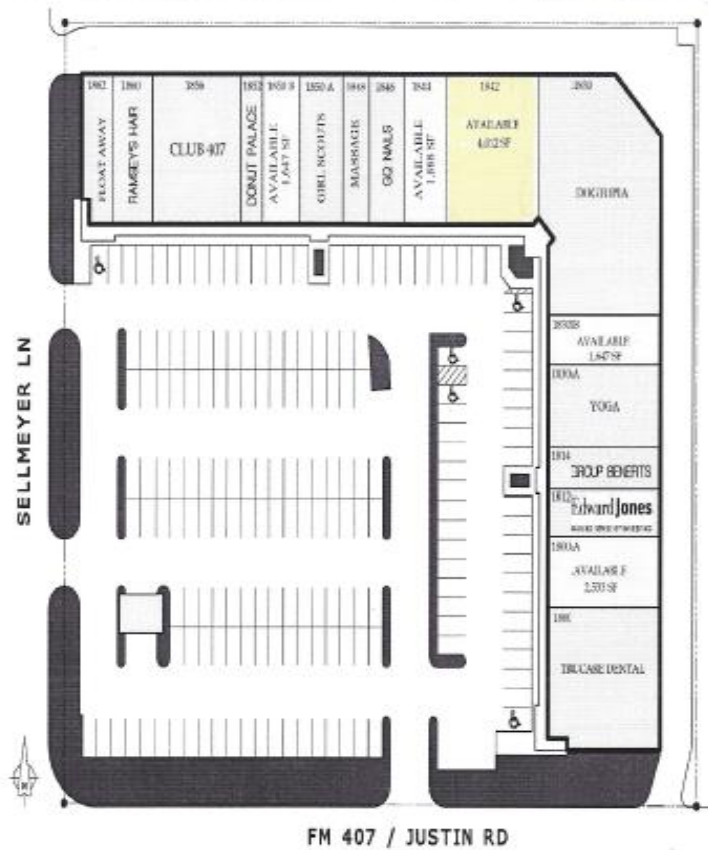
APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:9/8/18:102515)

EXHIBIT "A" **PROPERTY LOCATION AND SITE PLAN**

HIGHLAND PLAZA SHOPPING CENTER
 1800 – 1850 FM 407 | HIGHLAND VILLAGE, TX | 75077

FOR LEASE



The illustration is not intended to be used as a basis for any other action, including, but not limited to, the use of the property for any other purpose. The illustration is not intended to be used as a basis for any other action, including, but not limited to, the use of the property for any other purpose.



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CITY OF HIGHLAND VILLAGE
CITY COUNCIL

AGENDA# 15

MEETING DATE: 09/25/18

SUBJECT: Conduct Public Hearing and Consider Ordinance No. 2018-1254 amending City of Highland Village Comprehensive Zoning Ordinance Section 28.4.C relating to the Minimum Acreage for creation of a Planned Development District (1st of two reads)

PREPARED BY: Autumn Aman, Community Development Coordinator

BACKGROUND:

Due to a procedural matter, this item been rescheduled for the October 23, 2018 City Council Meeting.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 16

MEETING DATE: 09/25/18

SUBJECT: Consider Ordinance No. 2018-1255 Amending the Code of Ordinances of the City of Highland Village Chapter 12 “Offenses and Nuisances,” Article 12.05 “Nuisances,” Section 12.05.004 “Weeds, Grass, and Other Vegetation” by amending paragraph 2(C) relating to the Height and Encroachment of Trees and Other Vegetation over Streets and Sidewalks

PREPARED BY: Scott Kriston, Director of Public Works

BACKGROUND:

Staff discovered that the City’s current Nuisance Code regarding the height of tree limbs hanging over public right-of-ways (r.o.w.) conflicts with the City’s Fire Code.

Section 12.05.004 (2)(C) allows tree limbs to overhang a public road not less than 12-feet and over a sidewalk not less than 7-feet.

Section 8.04.001 adopts the 2015 Fire Code. Section 503.2.1 of the Fire Code states there shall be an unobstructed vertical clearance of not less than 13-feet 6-inches.

The Department of Transportation’s (DOT) maximum vehicle height is 14-feet with a special permit required for vehicles that measure 13-feet 6-inches in height or greater.

The Manual of Uniform Traffic Control Devices (MUTCD) requires all overhead traffic signs to have a minimum vertical clearance of 17-feet.

Staff discussed this issue with Council in the September 11th’s early work session and recommended moving forward with amending the Nuisance Ordinance regarding overhanging tree limbs over the public r.o.w., sidewalks and trails to a minimum of 14-feet overhang over a road and 8-feet overhang over a sidewalk or trail.

IDENTIFIED NEED/S:

Staff recommends amending Code of Ordinances §12.05.004 relating to the encroachment of trees and other vegetation into and over public streets and sidewalks in order to be consistent with other City ordinances and to reduce obstructions and impediments to vehicles and pedestrians traveling on the City’s streets, sidewalks, and trails.

OPTIONS & RESULTS:

City Nuisance Code will conflict with the City’s adopted Fire Code.

PROGRESS TO DATE: (if appropriate)

The City Attorney has drafted Ordinance 2018-1255 for Council review and approval.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

NA

RECOMMENDATION:

To approve first read of Ordinance 2018-1255.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2018-1255

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE, CHAPTER 12 "OFFENSES AND NUISANCES," ARTICLE 12.05 "NUISANCES," SECTION 12.05.004 "WEEDS, GRASS, AND OTHER VEGETATION" BY AMENDING PARAGRAPH 2(C) RELATING TO THE HEIGHT AND ENCROACHMENT OF TREES AND OTHER VEGETATION OVER STREETS AND SIDEWALKS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED \$2000.00 PER OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council finds it to be in the public interest to amend Code of Ordinances §12.05.004 relating to the encroachment of trees and other vegetation into and over public streets and sidewalks in order to be consistent with other City ordinances and to reduce obstructions and impediments to vehicles and pedestrians traveling on the City's streets, sidewalks, and trails;

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

SECTION 1. The City of Highland Village Code of Ordinances Chapter 12 "Offenses and Nuisances," Article 12.05 "Nuisances," Section 12.05.004 "Weeds, Grass, and Other Vegetation" by amending Paragraph 2(C) to read as follows:

(2) Prohibited Conditions; Exceptions:

* * *

(C) It shall be unlawful for any owner or occupant of any property within the city to permit limbs, brush and other vegetation existing above or adjacent to a public street or alley to:

- (i) hang lower than fourteen (14) feet above the alley or public street pavement;
- (ii) hang lower than eight (8) feet above the sidewalk and other rights-of-way; or
- (iii) grow into or over the area occupied by a sidewalk, street, or alley, such that the limbs, brush, or other vegetation obstruct the passage of pedestrians or any type of vehicle.

It shall not be a defense to a violation of paragraph (C)(iii) that the width of the sidewalk or street was sufficient to allow a pedestrian or vehicle to change direction in travel to avoid striking the limb, brush, or other vegetation that has grown into or over the area occupied by the sidewalk, street, or alley.

SECTION 2. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

SECTION 3. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 4. This ordinance shall take effect upon its passage on Second Reading and publication of the caption in accordance with the provisions of the Charter of the City of Highland Village, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 25TH DAY OF SEPTEMBER 2018.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE ____ DAY OF _____ 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:9/17/18:102706)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 17

MEETING DATE: 09/25/18

**SUBJECT: Consider Ordinance 2018-1251 Adopting the FY 2018-2019
Annual Budget (2nd and final read)**

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

City staff initiated the FY 2019 Budget process in May of this year with departments reviewing programs and related costs in their respective areas. The budget was developed with Council in a series of workshops: the Capital Improvement Program was presented, followed by the General Fund Budget, Special Revenue Funds, and the Utility Fund. The proposed budget has been available on the City Web Site for review by residents. The final document presented is a joint product of staff and Council to reflect priorities established by Council in the initial stages of this budget process. Public hearings were conducted on August 28, 2018 and September 11, 2018.

IDENTIFIED NEED/S:

The FY 2018/19 Budget is presented for Council approval. The presented budget mirrors the expressed consensus of Council from the budget work sessions.

Truth in Taxation - specifically Local Government Code Section 102.007, requires specific action in adoption of the budget. A vote to adopt the budget must be a record vote, and the adopted budget must contain a cover page that includes a number of specifically worded statements regarding revenue, delineation of the record vote to adopt the budget, tax rates, and debt obligation amounts. All the pertinent information is likewise included in the City Manager Recommended Budget posted on-line, save the record vote of council – which will be updated subsequent to the actual council vote.

Additionally, adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of council to ratify the property tax increase reflected in the budget. As this budget does indeed raise more revenue, this is to be presented as a separate companion agenda item with the second reading of the budget ordinance.

OPTIONS & RESULTS:

The complete budget is available for viewing on the City website, and is on file in the City Secretary's Office:

<https://tx-highlandvillage2.civicplus.com/DocumentCenter/View/6028/FY-2019-CM-Recommended-Budget>

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

A budget ordinance follows. Fund expenditure totals are enumerated in the ordinance along with parameters regarding amendments to the approved budget.

RECOMMENDATION:

To approve Ordinance 2018-1251 adopting the FY 2018-2019 Budget on second and final reading.

CITY OF HIGHLAND VILLAGE

ORDINANCE NO. 2018-1251

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019, AND CATEGORY APPROPRIATIONS FOR EACH FUND AND DEPARTMENT, PROJECT AND ACCOUNT; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR INTER-FUND TRANSFERS; PROVIDING FOR INVESTMENT OF CERTAIN FUNDS; PROVIDING FOR FISCAL AND BUDGETARY POLICY GUIDELINES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, as required by Article VI of the City Charter, the City Manager has prepared and submitted to the City Council a Budget Estimate of expenditures and revenues of all city departments, activities and offices for the fiscal year beginning October 1, 2018, and ending September 30, 2019 ("the FY 2018-2019 Budget"), and

WHEREAS, the proposed FY 2018-2019 Budget has been filed with the City Secretary of the City of Highland Village as required by law; and

WHEREAS, notices of public hearings upon the proposed FY 2018-19 Budget have been duly and legally posted or published as required by law; and,

WHEREAS, said public hearings were held on August 28, 2018, and September 11, 2018, and whereon full and final consideration was given the proposed FY 2018-2019 Budget; and

WHEREAS, the City Council of the City of Highland Village, Texas, has determined that the proposed FY 2018-19 Budget will be sufficient to provide the needed services to Highland Village residents;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS; THAT

Section 1. For the purpose of providing the funds necessary and proposed to be expended in the Budget of the City of Highland Village for the fiscal year beginning October 1, 2018 and ending September 30, 2019, the FY 2018-2019 Budget heretofore prepared by the City Manager and submitted to the City Council for its consideration and approval, said Budget for the different funds of the City of Highland Village are hereby fixed as follows:

| | |
|--|--------------|
| General Fund | \$18,820,082 |
| Debt Service Fund | \$2,733,998 |
| Corps Leased Parks Fund | \$389,126 |
| HV Drainage Utility Fund | \$582,637 |
| Capital Projects Fund | \$5,375,281 |
| Public Safety Special Revenue Fund | \$3,600 |
| Park Development Fee Fund | \$24,000 |
| PEG Fee Fund | \$19,400 |
| Municipal Court Technology Fee Fund | \$5,700 |
| Municipal Court Building Security Fund | \$0 |

| | |
|-------------------------------|--------------|
| Utility Fund | \$11,666,369 |
| HV Community Development Fund | \$484,100 |
| Total Funds | \$40,104,293 |

The above said budget is hereby approved for a total of \$40,104,293, and the available resources and revenues of the City of Highland Village for said fiscal year be and the same are hereby appropriated and set aside for the maintenance and operation of the various departments of the Government of the City of Highland Village, together with the various activities and improvements as set forth in said FY 2018-2019 Budget, and expenditures under these appropriations shall not exceed the enumerated line items unless and until the line item(s) shall be amended by a Council-approved budget amendment, and further the expenditures shall be in accordance with the uses and purposes of the respective departments, as such are more specifically identified by the line items, and activities as provided for in said FY 2018-2019 Budget. Amendments to the FY 2018-2019 Budget, including appropriations and expenditures which deviate from this FY 2018-2019 Budget shall be approved by the City Council by presentation of the item on a form in substantial conformity to that attached hereto as Exhibit A. Notwithstanding the foregoing, the City Manager is hereby authorized to make expenditures under this FY 2018-2019 Budget, without budget amendment, which exceed specific line items within expenditure categories, these categories being Personnel, Services/Supplies, and Capital. In no event shall expenditures for any department, expended under the City Manager's authority, exceed the departmental appropriation for said department.

Section 2. The Budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019, approved herein, is on file in the City Secretary Office.

Section 3. The expenditures during the fiscal year beginning October 1, 2018, and ending September 30, 2019, shall be made in accordance with the FY 2018-2019 Budget approved by this ordinance unless otherwise authorized by duly enacted ordinance of the City of Highland Village.

Section 4. The City Manager be and is hereby authorized in accordance with the provisions of Section 6.17 of the City Charter to approve expenditures up to the amount set forth in the financial policies adopted by the City Council, with any expenditure over such amount requiring the approval of the City Council.

Section 5. The City Manager be and is hereby authorized to make interfund transfers in accordance with budgeted appropriations during the fiscal year.

Section 6. The City Manager and/or the designated Investment Officer is authorized to invest idle funds, whether operating funds or bond funds in accordance with the City's Investment Policy as prescribed by the Public Funds Investment Act.

Section 7. The administration and execution of said budget for fiscal year beginning October 1, 2018 and ending September 30, 2019 shall be subject to certain fiscal and budgetary policies as adopted by the City Council.

UPON CALLING FOR A VOTE FOR APPROVAL OF THIS ORDINANCE ON FIRST READING, THE MEMBERS OF THE CITY COUNCIL VOTED AS FOLLOWS:

| | Aye | Nay |
|---|-----|-----|
| Charlotte Wilcox, Mayor - Place 1 | X | |
| Jon Kixmiller, Councilmember - Place 2 | X | |
| Mike Lombardo, Councilmember – Place 3 | X | |
| Barbara Fleming, Councilmember – Place 4 | X | |
| Fred Busche, Councilmember – Place 5 | X | |
| Robert Fiester, Councilmember – Place 6 | X | |
| Daniel Jaworski – Councilmember – Place 7 | X | |

WITH 7 VOTING “AYE” AND 0 VOTING “NAY,” THIS ORDINANCE NO. 2018-1251 WAS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THE 11TH DAY OF SEPTEMBER, 2018.

UPON CALLING FOR A VOTE FOR APPROVAL OF THIS ORDINANCE ON SECOND AND FINAL READING, THE MEMBERS OF THE CITY COUNCIL VOTED AS FOLLOWS:

| | Aye | Nay |
|---|-----|-----|
| Charlotte Wilcox, Mayor - Place 1 | | |
| Jon Kixmiller, Councilmember - Place 2 | | |
| Mike Lombardo, Councilmember – Place 3 | | |
| Barbara Fleming, Councilmember – Place 4 | | |
| Fred Busche, Councilmember – Place 5 | | |
| Robert Fiester, Councilmember – Place 6 | | |
| Daniel Jaworski – Councilmember – Place 7 | | |

WITH ___ VOTING “AYE” AND ___ VOTING “NAY,” THIS ORDINANCE NO. 2018-1251 WAS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 25TH DAY OF SEPTEMBER, 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:9/4/18:102357)

EXHBIT A

Budget Amendment Request Worksheet Expenditure Line Item for Proposed Change:

| <u>Department</u> | <u>Category</u> | <u>Current Budget</u> (Annual) | <u>Proposed Budget</u> (Annual) | <u>Increase /</u> <u>Decrease</u> |
|---------------------|-----------------|-----------------------------------|------------------------------------|--------------------------------------|
| <u>Expenditures</u> | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| <u>Total</u> | | | | - |

Reason for Request

FUND BALANCE

☐

GENERAL FUND BALANCE

Details:

Net Change \$ -

☐

UTILITY FUND WORKING CAPITAL BALANCE

Details:

Net Change \$

☒

**COUNCIL APPROVAL
REQUIRED**

Inter-Departmental, offset by equal decrease
or offset by increase in revenue item.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 18

MEETING DATE: 09/25/18

SUBJECT: Consider Resolution No. 2018-2773 Ratifying the Property Tax Revenue Increase Reflected in the 2018-19 Fiscal Year Budget

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

City Staff initiated the FY 2019 Budget process in May of this year with departments reviewing programs and related costs in their respective areas. The budget was developed with Council in a series of workshops: the Capital Improvement Program was presented, followed by the General Fund Budget, Special Revenue funds, and the Utility Fund. The proposed budget has been available in the Office of the City Secretary on the City's Web Site for review by residents for the required period of time. The final document presented is a joint product of Staff and Council to reflect priorities established by Council in the initial stages of this budget process. Two public hearings as required by law and the City Charter were conducted at the August 28th and September 11th meetings.

IDENTIFIED NEED/S:

In accordance with Local Government Code §102.007(c), adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of Council to "ratify the property tax increase reflected in the budget". Essentially, this action acknowledges that Council is aware this budget will cost more than last year's budget. As this budget does indeed raise more revenue, this is required action.

OPTIONS & RESULTS:

While the property **tax rate reflects a decrease** from last year, overall tax dollars are increased – this year collecting \$12,697,794 compared to \$12,133,948 last year. The increase is reflective of a 5.6 percent increase in valuation, inclusive of new valuation of \$22,425,063 added to the tax base. Of the \$563,852 increased levy, \$361,290 is to be applied to increased debt service resulting from the 2018 bond issue approved by voters.

PROGRESS TO DATE: (if appropriate)

N/A

RECOMMENDATION:

To approve Resolution No. 2018-2773, "ratifying the property tax increase reflected in the budget" as required by Local Government Code §102.007(c).

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2018-2773

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, RATIFYING THE PROPERTY TAX INCREASE REFLECTED IN THE 2018-2019 FISCAL YEAR BUDGET; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Texas Local Government Code §102.007(c) requires that adoption of a budget that raises more property tax revenue than was generated the previous year requires a vote of the City Council to ratify the property tax increase reflected in the budget in addition to and separate from the votes to approve the ordinance adopting the annual budget and the ordinance adopting the tax rate for the current tax year; and

WHEREAS, the City Council has approved Ordinance No. 2018-1251 adopting the 2018-2019 fiscal year budget which will require the City to raise more revenue from property taxes than in the 2017-2018 fiscal year budget by an amount of \$563,852, which is a 4.6% increase from the 2017-2018 fiscal year budget, of which \$154,277 is tax revenue to be raised from new property added to the tax roll this year; and

WHEREAS, the City Council of the City of Highland Village, Texas, desires to ratify the property tax increase reflected in Ordinance No. 2018-1251 approving the 2018-2019 Fiscal Year Budget.

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

SECTION 1. The property tax increase reflected in the 2018-2019 Fiscal Year Budget and approved pursuant to Ordinance No. 2018-1251 is hereby ratified.

SECTION 2. This Resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED THIS THE 25TH DAY OF SEPTEMBER, 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:9/18/18:102803)

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 19

MEETING DATE: 09/25/18

SUBJECT: Consider Ordinance 2018-1252 Levying the Ad Valorem Taxes for the Year 2018 at a Rate of \$.56302 Per \$100 Assessed Valuation on all Property Within the Corporate Limits of the City of Highland Village as of January 1, 2018 (2nd and final read)

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

Texas Tax Code §26.05 requires a tax rate be adopted by official action following passage of a budget. The tax rate must be adopted in two separate components – Maintenance and Operations (M&O), and Interest and Sinking (I&S). The total tax rate of \$.56302/\$100 is slightly decreased from last year. However, as specified in Local Government Code Section 140.010, because the proposed rate exceeds the effective tax rate, state law requires two public hearings be held regarding the proposed tax rate, as well as placement of associated notices in the city's official newspaper, posting to the City Website, also broadcast on HVTV. State law also requires a public hearing be held prior to adoption of the city's annual budget.

IDENTIFIED NEED/S:

Ordinance No. 2018-1251 provides for the adoption of the City's official budget for Fiscal Year 2018-19. Pursuant to the direction of the City Council, the City Manager has prepared the FY 2018-19 budget based on anticipated revenues to the City from various sources, including the assessment of taxes on real and business personal property located within the City. In order to provide for sufficient revenues to pay the City's operation and maintenance obligations as well as the City's outstanding debt obligations, the FY 2018-19 budget requires the City receive property tax revenues that would be generated through the adoption of the proposed tax rate. Staff has prepared for consideration Ordinance No. 2018-1252 providing for the adoption of a total tax rate of \$.56302 per \$100 valuation (composed of a Maintenance and Operation (M&O) rate of \$0.479787 per \$100 valuation and a debt service rate of \$0.083233 per \$100 valuation) to fund the FY 2018-2019 budget.

Two calculations are performed to determine the action required by Council and specific language to include in the ordinance:

Maintenance and Operations (M&O) Effective Rate: The rate calculated by dividing the preceding year M&O levy by the current year assessed valuation.

Because the proposed tax rate, when applied to the total taxable value, will impose an amount of taxes to fund maintenance and operation expenditures that exceeds the amount of taxes imposed for this purpose last year, state law requires:

- Certain language in larger font be included in the ordinance adopting the tax rate for the next fiscal year (see Section 2 of Ordinance No. 2018-1252).

- If the proposed M&O rate also exceeds the M&O Effective Rate, additional language is required. However, the proposed M&O rate for this year is less than the effective M&O rate and thus will not require this additional language.

Effective Rate: The rate that would provide the same amount of funds raised from property taxes as the preceding year if applied to the same properties taxed in both years

Because the proposed tax rate will exceed the effective tax rate of \$0.54959 per \$100 valuation, state law requires:

- At least 60 percent of the governing body must vote in favor of the ordinance by a record vote.
- The motion approving an ordinance adopting a tax rate that is greater than the effective tax rate include specific language (see **Recommendation** section below).

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

The ordinance adopting the tax rate follows this briefing.

RECOMMENDATION:

Staff recommends approval of Ordinance No. 2018-1252 on the second final reading. State law requires the motion to approve Ordinance No. 2018-1252 on second reading be made in the following form:

“I move that the property tax rate be increased by the adoption of a tax rate of \$.56302, which is effectively a 2.4 percent increase in the tax rate and, therefore, I further move that Ordinance No. 2018-1252 be approved on second reading.”

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2018-1252

AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2018 AT A RATE OF \$0.56302 PER \$100 ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF HIGHLAND VILLAGE AS OF JANUARY 1, 2018; TO PROVIDE REVENUE FOR THE PAYMENT OF CURRENT EXPENSES; PROVIDING AN INTEREST AND SINKING FUND FOR ALL OUTSTANDING DEBT OF THE CITY OF HIGHLAND VILLAGE; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; APPROVING THE 2018 TAX ROLL CERTIFIED BY THE CHIEF APPRAISER OF THE DENTON CENTRAL APPRAISAL DISTRICT AND PROVIDING AN EFFECTIVE DATE

WHEREAS, assessments and renditions of all taxable property in the City of Highland Village have been made for the year 2018 by the Denton Central Appraisal District; and

WHEREAS, the City Council has approved Ordinance No. 2018-1251 adopting the City's annual budget for fiscal year 2018-2019; and

WHEREAS, the City Council of the City of Highland Village, Texas, has determined that a total tax rate of \$0.56302 per \$100 assessed valuation should be adopted in order to provide funds necessary for the operations and maintenance obligations of the City and to fund required debt payments; and

WHEREAS, the City Council of the City of Highland Village, Texas, upon full consideration of the matter, is of the opinion the tax rate hereinafter set forth is proper and should be approved and adopted.

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

Section 1. There should be and is hereby levied for the year 2018 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Highland Village, Texas, and not exempt by the Constitution of the State and valid State laws, a tax of \$0.56302 on each \$100 assessed value of taxable property, which tax shall be apportioned and distributed as follows:

- (a) For the purpose of defraying the current operational and maintenance expenses of the municipal government of the City, a tax of \$0.479787 on each one hundred dollars (\$100.00) assessed value of all taxable property within the City of Highland Village.
- (b) For the purpose of creating a sinking fund to pay the interest and principal maturities of all outstanding debt of the City of Highland Village, not otherwise provided for, a tax of \$0.083233 on each one hundred dollars (\$100.00) of assessed value of taxable property within the City of Highland Village and shall be applied to the payment of interest and maturities of all such outstanding debt, including paying agent fees.

Section 2. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

Section 3. All ad valorem taxes shall become due and payable on October 1, 2018, and all ad valorem taxes for the year shall become delinquent if not paid prior to February 1, 2019. There shall be no discount for payment of taxes prior to February 1, 2019. A delinquent tax shall incur all penalty and interest authorized by law, to wit:

- (a) A penalty of six percent on the amount of the tax for the first calendar month it is delinquent, plus one percent for each additional month or portion of a month the tax remains unpaid prior to July 1 of the year in which it becomes delinquent.
- (b) Provided, however, a tax delinquent on July 1, 2019, incurs a total penalty of twelve percent of the amount of delinquent tax without regard to the number of months the tax has been delinquent. A delinquent tax shall also accrue interest at the rate of one percent for each month or portion of a month the tax remains unpaid. Taxes for the year 2015 and taxes for all future years that become delinquent on or after February 1 but not later than May 1, that remain delinquent on July 1 of the year in which they become delinquent, incur an additional penalty in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 6.30 and 33.07, as amended. Taxes assessed against tangible personal property for the year 2014 and for all future years that become delinquent on or after February 1 of a year incur an additional penalty on the later of the date the personal property taxes become subject to the delinquent tax attorney's contract, or 60 days after the date the taxes become delinquent, such penalty to be in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 33.11. Taxes for the year 2015 and taxes for all future years that remain delinquent on or after June 1 under Texas Property Tax Code Sections 26.07(f), 26.15(e), 31.03, 31.031, 31.032 or 31.04 incur an additional penalty in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 6.30 and Section 33.08, as amended.

Section 4. The City shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this Ordinance.

Section 5. The assessments and renditions for the year 2018 on all taxable property and the Tax Roll certified by the Chief Appraiser of the Denton Central Appraisal District as presented to the City Council are hereby approved.

Section 6. The fact that it is necessary that this Ordinance be enacted in order to authorize the collection of ad valorem taxes for the fiscal year 2018-2019 requires that this Ordinance shall take effect immediately from and after its passage on second reading, as the law in such cases provides.

UPON CALLING FOR A VOTE FOR APPROVAL OF THIS ORDINANCE ON FIRST READING, THE MEMBERS OF THE CITY COUNCIL VOTED AS FOLLOWS:

| | Aye | Nay |
|---|-----|-----|
| Charlotte Wilcox, Mayor - Place 1 | X | |
| Jon Kixmiller, Councilmember - Place 2 | X | |
| Mike Lombardo, Councilmember – Place 3 | X | |
| Barbara Fleming, Councilmember – Place 4 | X | |
| Fred Busche, Councilmember – Place 5 | X | |
| Robert Fiester, Councilmember – Place 6 | X | |
| Daniel Jaworski – Councilmember – Place 7 | X | |

WITH 7 VOTING “AYE” AND 0 VOTING “NAY,” THIS ORDINANCE NO. 2018-1252 WAS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THE 11th DAY OF SEPTEMBER, 2018.

UPON CALLING FOR A VOTE FOR APPROVAL OF THIS ORDINANCE ON SECOND AND FINAL READING, THE MEMBERS OF THE CITY COUNCIL VOTED AS FOLLOWS:

| | Aye | Nay |
|---|-----|-----|
| Charlotte Wilcox, Mayor - Place 1 | | |
| Jon Kixmiller, Councilmember-Place 2 | | |
| Mike Lombardo, Councilmember – Place 3 | | |
| Barbara Fleming, Councilmember – Place 4 | | |
| Fred Busche, Councilmember – Place 5 | | |
| Robert Fiester, Councilmember – Place 6 | | |
| Daniel Jaworski – Councilmember – Place 7 | | |

WITH VOTING “AYE” AND VOTING “NAY,” THIS ORDINANCE NO. 2018-xxxx WAS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 25TH DAY OF SEPTEMBER, 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:9/4/18:102358)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 20

MEETING DATE: 09/25/18

SUBJECT: Consider Resolution 2018-2774 authorizing the Purchase of a Fire Engine from Siddons-Martin Emergency Group and an Ambulance from Professional Ambulance through the City's Cooperative Purchasing Agreement with the Houston Galveston Area Council of Governments (HGAC), and authorize the City Manager to Execute a Ten-Year Maintenance Agreement with Siddons-Martin Emergency Group

PREPARED BY: Jason Collier, Assistant Fire Chief

BACKGROUND:

During the annual budget process, the Fire Department works with Fleet Maintenance to evaluate the current vehicle inventory and any needs or replacements for the upcoming budget year. Evaluation criteria are based on vehicle repair history, age, mileage, hours of service and department needs. In general, engine replacements are accomplished on a 15-year cycle and ambulance replacement are accomplished on a 7-year cycle.

IDENTIFIED NEED/S:

The following were identified by the Fire Department as needing replacement.

- Engine - 2005 Pierce Dash
- Ambulance – Ford F450 2013 Horton

The vehicles are to be purchased from separate vendors through the City's Cooperative Purchasing Agreement with the Houston Galveston Area Council of Governments "HGAC". HGAC fees are included in the total price.

Description

Cost

Engine

Vendor – Siddons-Martin Emergency Group
2019 Pierce Velocity PUC Fire Engine w/HGAC fees
Prepaid Discounts
Trade-In 2005 Pierce Dash
Total Purchase Cost

\$852,366
-29,803
-68,000
\$754,563

Peripheral equipment estimated at **\$14,000** will also be required for the engine, but will be obtained from other sources. In addition, it was determined during the specification process for the new engine that Fleet Maintenance does not have the specialized equipment needed for much of the maintenance, thus requiring it to be sent to an outside service provider. Siddons-

Martin has the certified personnel and equipment needed to perform the annual services. Thus, a ten (10) year maintenance service agreement totaling **\$54,855** is proposed to accommodate all of the anticipated service requirements during this period. This effectively locks in the price for a ten year period.

Engine Cost Summary

| | |
|--------------------------|------------------|
| Purchase Cost | \$754,563 |
| Peripheral Equipment | 14,000 |
| Maintenance | <u>54,855</u> |
| Total Engine Cost | \$823,418 |

Ambulance

| | |
|--|------------------|
| Vendor – Professional Ambulance | |
| 2019 Ford F550 Type I Horton Ambulance w/HGAC fees | \$ 274,353 |
| Prepaid Discounts | <u>- 8,600</u> |
| Total Purchase Cost | \$265,753 |

PROGRESS TO DATE: (if appropriate)

In the process of taking bids as required by state law, we have found that working with the Cooperative Purchasing Agreement with the Houston Galveston Area Council of Governments (“HGAC”) vehicles and equipment meeting or exceeding all specifications and provide the best price. Further, as HGAC is a state contract, it satisfies competitive bidding requirements. HGAC fees are included in the total price.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Approved in the FY 2018-2019 vehicle replacement budget.

RECOMMENDATION:

To approve Resolution 2018-2774 to authorize the City Manager to take the necessary action for purchase of a fire engine and an ambulance from Siddons-Martin Emergency Group and Professional Ambulance respectively, each through the HGAC contract, and execute a maintenance service agreement with Siddons-Martin Emergency Group.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2018-2774

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING THE PURCHASE OF A FIRE ENGINE FROM SIDDONS-MARTIN EMERGENCY GROUP AND AN AMBULANCE FROM PROFESSIONAL AMBULANCE, EACH THROUGH THE CITY'S COOPERATIVE PURCHASING AGREEMENT WITH THE HOUSTON GALVESTON AREA COUNCIL OF GOVERNMENTS ("HGAC"); AUTHORIZE THE CITY MANAGER TO EXECUTE A TEN-YEAR MAINTENANCE SERVICE AGREEMENT WITH SIDDONS-MARTIN; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to its review of the City's vehicles and equipment in accordance with the City's replacement policies, City Administration has identified the need to purchase a replacement Fire Engine and Ambulance; and

WHEREAS, City Administration, while in the process of soliciting bids in accordance with state law, determined that the purchase of the fire engine that complies with City specifications can be made for the lowest price from Siddons-Martin Emergency Group through the City's cooperative purchasing agreement with the Houston Galveston Area Council ("HGAC"); and

WHEREAS, City Administration, while in the process of soliciting bids in accordance with state law, determined that the purchase of an ambulance that complies with City specifications can be made for the lowest price from Professional Ambulance through the City's cooperative purchasing agreement with HGAC; and

WHEREAS, Siddons-Martin Emergency Group has agreed to accept the City's current engine (2005 Pierce Dash) as a trade-in and credit the purchase price of the new engine, and City Administration has determined that this provides the greatest value to the City for the replaced equipment; and

WHEREAS, City Administration has determined that a maintenance agreement with Siddons-Martin Emergency Group is beneficial to the City due to specialized service required of this equipment; and

WHEREAS, the City Council of the City of Highland Village finds it to be in the public interest to concur in the foregoing recommendations;

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 take such action on behalf of the City as necessary to purchase a 2019 Pierce Velocity PUC Fire Engine from Siddons-Martin Emergency Group in the amount of \$754,563 through the City's cooperative purchasing agreement with HGAC.

Section 2. The City Manager is hereby authorized to execute a ten-year maintenance agreement with Siddons-Martin Emergency Group in the amount of \$54,855 related to service and maintenance of the above-described fire engine.

Section 3. The City Manager is hereby authorized to take such action on behalf of the City as necessary to purchase a 2019 Ford F550 Type I Horton Ambulance from Professional Ambulance in the amount of \$265,753 through the City's cooperative purchasing agreement with HGAC.

Section 4. This Resolution shall be effective immediately upon its approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON THIS 25TH DAY OF SEPTEMBER 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:9/16/18:102705)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 21

MEETING DATE: 09/25/18

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 no later than the second regularly scheduled Council meeting in September. 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 records and performance of the current members of the various City boards and commissions whose terms do not expire on September 30, 2018 in accordance with Code of Ordinances Section 2.04.037.

RECOMMENDATION:

Discuss the attendance records and performance of the members of the various City boards and commissions during the last year whose terms do not expire on September 30, 2018 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# 22

MEETING DATE: 09/25/18

SUBJECT: Consider Resolution 2018-2775 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 no later than the second regularly scheduled Council meeting in September. 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.

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.

In addition, a call for volunteers was advertised in the June, July and August utility bill inserts, the Summer edition of the Villager Newsletter, the City's Facebook Page, HVTN News, and on the City's website. Citizens interested in volunteering their time by serving on a board, commission or committee have submitted an application to the City Secretary's Office for consideration by Council. For reference, a listing of all new applicants and currently serving board/commission members is provided in the agenda packet and indicates their preferred board choice(s).

IDENTIFIED NEED/S:

There are sixteen (16) positions with terms that expire on September 30, 2018. There is also a vacancy on the Planning and Zoning Commission (Alternate Place 2) that expires in 2019 and could be filled at this time, if Council chooses to do so.

The following is a list of all positions and current members of each board and commission. The highlighted positions have terms that expire this year.

| BOARD OF ETHICS | | | |
|--|----------------------------|---------------------|----------------------------------|
| <i>Board Member Name</i> | <i>Board Choice</i> | <i>Place</i> | <i>Original Appt Date</i> |
| Steven Deel | Same Board | N/A | 10-2016 |
| Kevin McMahan | --- | N/A | 09-2017 |
| Brian Tackett | Same Board | N/A | 03-2017 |
| James Burmeister | --- | N/A | 09-2017 |
| Benjamin Somero | --- | N/A | 09-2017 |
| HV COMMUNITY DEVELOPMENT CORPORATION (4B) | | | |
| Dale Butler | --- | Citizen Rep | 09-2017 |
| Mike Lombardo | --- | Council Rep | 06-2018 |
| Steven Smith | No Longer Wishes to Serve | Citizen Rep | 10-2016 |
| Austin Adams | Different Board | Citizen Rep | 10-2016 |
| Barbara Fleming | --- | Council Rep | 09-2017 |
| Fred Busche | --- | Council Rep | 06-2014 |
| Charlotte Wilcox | Same Board | Council Rep | 09-2014 |
| PARKS AND RECREATION ADVISORY BOARD | | | |
| William Irwin | Same Board | Place 1 | 10-2016 |
| Christine Sherry | Same Board | Place 2 | 10-2016 |
| Dave Rush | Same Board | Place 3 | 09-2014 |
| Gary Patz | --- | Place 4 | 09-2015 |
| Tamara Lisby | --- | Place 5 | 10-2015 |
| Kenneth Koonsman | --- | Alternate Place 1 | 09-2017 |
| Janet Gershenfeld | Same Board | Alternate Place 2 | 02-2018 |
| PLANNING AND ZONING COMMISSION | | | |
| Richard Turner | --- | Place 1 | 09-2015 |
| Stan Lemko | Same Board | Place 2 | 09-2014 |
| Robert Holden | No Longer Wishes to Serve | Place 3 | 10-2016 |
| Deedee Ricketts | --- | Place 4 | 09-2011 |
| Vacancy (Term Exp Sept 2019) | --- | Place 5 | |
| James Romo | --- | Alternate Place 1 | 09-2017 |
| Tom Heslep | Same Board | Alternate Place 2 | 10-2016 |
| ZONING BOARD OF ADJUSTMENT | | | |
| Christian Hart | --- | Place 1 | 09-2015 |
| Denver Kemery | --- | Place 2 | 09-2017 |
| Thomas Peck | --- | Place 3 | 09-2015 |
| Richard Metivier | Same Board | Place 4 | 09-2012 |
| Darrah Boxberger-Torres | Same Board | Place 5 | 09-2014 |
| Guy Skinner | --- | Alternate Place 1 | 09-2017 |
| Richard Holderby | Same Board | Alternate Place 2 | 10-2016 |
| David Smith | Same Board | Alternate Place 3 | 10-2016 |

OPTIONS & RESULTS:

Council to discuss making appointments to the Board of Ethics, Highland Village Community Development Corporation (4B), Parks and Recreation Advisory Board, Planning and Zoning Commission, and Zoning Board of Adjustment.

PROGRESS TO DATE: (if appropriate)

A call for volunteers was advertised in the June, July and August utility bill inserts, the Summer edition of the Villager Newsletter, the City's Facebook Page, HVTN News, and on the City's website. To date, the City Secretary's Office has received a total of twenty-seven (27) applications, which include currently serving members who wish to be considered for reappointment.

Currently serving board/commission members were also contacted and given the opportunity to notify City staff 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.

- Thirteen (13) members would like to be considered for reappointment to their respective Board or Commission.
- One (1) member would like to be considered for appointment to a different Board or Commission.
- Two (2) members did not wish to be reappointed.

In addition to the existing Board and Commission members, the City has thirteen (13) new applications on file for consideration by Council.

Council was provided with copies of all applications received by the City Secretary's Office for their review and consideration during the early work session at their August 28 meeting. Attendance records for the various boards and commissions have also been provided to Council. Council hosted a "Meet and Greet" event on September 11, 2018 to allow an opportunity for applicants and Council to visit.

RECOMMENDATION:

Council to appoint members to various positions on City Boards and Commissions and approve Resolution 2018-2775.

BOARD AND COMMISSION MEMBER PREFERENCES

| Member Name | Current Service | Interest in Appointment | Ethics Board | HVCDC | Parks Board | P & Z | ZBA |
|--|------------------------|-------------------------|--------------|-------|-------------|-------|-----|
| ETHICS BOARD | | | | | | | |
| Steven Deel | Ethics Board | Same Board | 1 | - | - | - | - |
| Brian Tackett | Ethics Board | Same Board | 1 | - | - | - | - |
| HVCDC (4B) | | | | | | | |
| Austin Adams | Citizen Representative | Different Board | - | - | - | 1 | - |
| Steven Smith | Citizen Representative | No | - | - | - | - | - |
| Charlotte Wilcox | Council Representative | Same Board | - | 1 | - | - | - |
| PARKS & RECREATION ADVISORY BOARD | | | | | | | |
| Bill Irwin | Place 1 | Same Board | - | - | 1 | - | - |
| Christine Sherry | Place 2 | Same Board | 4 | 2 | 1 | 3 | 5 |
| Dave Rush | Place 3 | Same Board | 5 | 3 | 1 | 2 | 4 |
| Janet Gershenfeld | Alternate Place 2 | Same Board | - | - | 1 | - | - |

BOARD AND COMMISSION MEMBER PREFERENCES

| Member Name | Current Service | Interest in Appointment | Ethics Board | HVCDC | Parks Board | P & Z | ZBA |
|---|-------------------|-------------------------|--------------|-------|-------------|-------|-----|
| PLANNING & ZONING COMMISSION | | | | | | | |
| Stan Lemko | Place 2 | Same Board | - | - | - | 1 | - |
| Robert Holden | Place 3 | No | - | - | - | - | - |
| Thomas Heslep | Alternate Place 2 | Same Board | - | - | - | 1 | - |
| ZONING BOARD of ADJUSTMENT | | | | | | | |
| Richard Metevier | Place 4 | Same Board | - | - | 2 | 3 | 1 |
| Darrah Boxberger-Torres | Place 5 | Same Board | 2 | 5 | 3 | 4 | 1 |
| Richard Holderby | Alternate Place 2 | Same Board | 5 | 3 | 4 | 2 | 1 |
| David Smith | Alternate Place 3 | Same Board | - | - | - | - | - |

BOARD AND COMMISSION APPLICANT PREFERENCES

| Applicant Name | Ethics Board | HVCDC | Parks Board | P & Z | ZBA |
|-------------------------|---------------|-------|-------------|-------|-----|
| Vanessa Boyd | 2 | 3 | 1 | - | - |
| Annette Brunken | 5 | 3 | 4 | 2 | 1 |
| Kevan Fenderson | 3 | 2 | 1 | - | - |
| Manika Kataria | 3 | 2 | 1 | - | - |
| Joseph Land | 1 | 3 | 5 | 4 | 2 |
| John McGee | No Preference | | | | |
| Elisabeth Mechem | 1 | 2 | - | - | - |
| Charles Payne (Kerry) | 5 | 3 | 4 | 1 | 2 |
| Angelina Robinson | - | 3 | - | 1 | 2 |
| Kelley Scott | - | 3 | 2 | 1 | - |
| Robert Shade | 5 | 2 | 1 | 4 | 3 |
| Norman Shultz | 1 | 2 | - | - | - |
| Stanley Wilkins (Ricky) | No Preference | | | | |

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2018-2775

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS 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; 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, 2018, 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, 2018, and ending as indicated below:

| Name | Place | Expiration |
|-------------|--------------|--------------------|
| _____ | N/A | September 30, 2020 |
| _____ | N/A | September 30, 2020 |

SECTION 2. The following people are hereby appointed to the indicated positions on the Parks and Recreation Advisory Board with a term commencing on October 1, 2018, and ending as indicated below:

| Name | Place | Expiration |
|-------------|-------------------|--------------------------------|
| _____ | Place 1 | September 30, 2020 |
| _____ | Place 2 | September 30, 2020 |
| _____ | Place 3 | September 30, 2020 |
| _____ | Alternate Place 2 | September 30, 2020 |
| _____ | Alternate Place 1 | September 30, 2019 (if needed) |

SECTION 3. The following people are hereby appointed to the indicated positions on the Planning and Zoning Commission with a term commencing on October 1, 2018, and ending as indicated below:

| Name | Place | Expiration |
|-------------|--------------|--------------------|
| _____ | Place 2 | September 30, 2020 |
| _____ | Place 3 | September 30, 2020 |

| | | |
|-------|-------------------|--------------------------------|
| _____ | Place 5 | September 30, 2019 |
| _____ | Alternate Place 2 | September 30, 2020 |
| _____ | Alternate Place 1 | September 30, 2019 (if needed) |

SECTION 4. The following people are hereby appointed to the indicated positions on the Zoning Board of Adjustment with a term commencing on October 1, 2018, and ending as indicated below:

| Name | Place | Expiration |
|-------------|-------------------|--------------------------------|
| _____ | Place 4 | September 30, 2020 |
| _____ | Place 5 | September 30, 2020 |
| _____ | Alternate Place 2 | September 30, 2020 |
| _____ | Alternate Place 3 | September 30, 2020 |
| _____ | Alternate Place 1 | September 30, 2019 (if needed) |

SECTION 5. The following people are hereby appointed to the indicated positions on the Highland Village Community Development Corporation (4B) with a term commencing on October 1, 2018, and ending as indicated below:

| Name | Place | Expiration |
|-------------|------------------------|--------------------|
| _____ | Citizen Representative | September 30, 2020 |
| _____ | Citizen Representative | September 30, 2020 |
| _____ | Council Representative | September 30, 2020 |

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

PASSED AND APPROVED THIS THE 25th DAY OF SEPTEMBER, 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:9/18/18:102801)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 24

MEETING DATE: 09/25/18

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

PREPARED BY: Angela Miller, City Secretary

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.



UPCOMING EVENTS

| | |
|-------------------------------|--|
| September 25, 2018 | Regular City Council Mtg. 7:30 pm |
| October 4, 2018 | Zoning Board of Adjustment Mtg. 7:00 pm (if needed) |
| October 9, 2018 | Regular City Council Mtg. 7:30 pm |
| October 15, 2018 | Park Board Mtg. 6:00 pm (if needed) |
| October 16, 2018 | Planning & Zoning Commission Mtg. 7:00 pm (if needed) |
| October 23, 2018 | Regular City Council Mtg. 7:30 pm |
| November 1, 2018 | Zoning Board of Adjustment Mtg. 7:00 pm (if needed) |
| November 13, 2018 | Regular City Council Mtg. 7:30 pm |
| November 19, 2018 | Park Board Mtg. 6:00 pm (if needed) |
| November 20, 2018 | Planning & Zoning Commission Mtg. 7:00 pm (if needed) |
| November 22 - 23, 2018 | City Offices Closed in Observance of Thanksgiving |
| November 27, 2018 | Regular City Council Mtg. 7:30 pm |
| December 6, 2018 | Zoning Board of Adjustment Mtg. 7:00 pm (if needed) |
| December 11, 2018 | Regular City Council Mtg. 7:30 pm |

Note - Please visit www.highlandvillage.org or the City Hall bulletin board for the latest meeting additions and updates.

By: Karen Bradley, Administrative Assistant - City Secretary Office