



A G E N D A
REGULAR MEETING OF THE
HIGHLAND VILLAGE CITY COUNCIL
HIGHLAND VILLAGE MUNICIPAL COMPLEX
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS
TUESDAY, NOVEMBER 14 2023 at 6:00 P.M.

EARLY WORK SESSION
City Council Chambers – 6:00 P.M.

Convene Meeting in Open Session

1. Receive an Update from Denton County Transportation Authority (DCTA) regarding Projects, Operations and Services
2. Discuss awarding of Grant Funds to Community Nonprofit Organizations for Fiscal Year 2023-2024
3. Receive a Presentation on Positron Electronic Three-Wheeled Patrol Vehicles for the Highland Village Police Department
4. Receive a Presentation regarding the Notification Process for Street Construction Projects
5. Clarification of Consent or Action Items listed on Today's City Council Meeting Agenda for November 14, 2023

(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
City Manager's Conference Room

6. 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)

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

7. Call Meeting to Order
8. Prayer led by Mayor Daniel Jaworski

9. Pledge of Allegiance to the U.S. and Texas flags led by Mayor Daniel Jaworski:
"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."
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
 - Check Presentation to the Texas Police Chiefs Association (TPCA) for Proceeds from the Highland Village TXFallenPD Tribute Event
 - Presentation of a Proclamation celebrating the Mayor for the Day
11. City Manager/Staff Reports
 - The Village Report
12. 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.)*

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

CONSENT AGENDA

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

13. Consider approval of Minutes of the Regular City Council Meeting held on October 24, 2023
14. Consider Ordinance 2023-1309 amending the City's Code of Ordinances, Chapter 20 "Transportation and Traffic" by re-titling and amending in its Entirety Article 20.07 "Motor-Assisted Scooters" to provide Regulations for the Operation of Micro-Mobility Devices *(2nd and final read)*
15. Receive Investment Report for Quarter ending September 30, 2023
16. Consider Resolution 2023-3101 authorizing Negotiation and Execution of an Agreement with Flock Group, Inc. for Automatic License Plate Detection Hardware and Software Services

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)
18. Consider Ordinance 2023-1310 adopting Amendments to the Fiscal Year 2023-2024 Budget (*1st of two reads*)
19. Consider Resolution 2023-3102 denying a Request from CoServ Gas, Ltd. for a Rate Increase
20. Consider Resolution 2023-3103 awarding Grant Funds to Community Nonprofit Organizations for Fiscal Year 2023-2024

LATE WORK SESSION

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

21. Status Reports on Current Projects and Discussion on Future Agenda Items (A Councilmember may inquire about a subject of which notice has not been given. A statement of specific information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.)
22. 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 10TH DAY OF NOVEMBER 2023 NOT LATER THAN 6:00 P.M.



Angela Miller, City Secretary

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

Removed from posting on the _____ day of _____, 2023 at _____

am / pm by _____.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 1

MEETING DATE: 11/14/2023

SUBJECT: Receive an Update from Denton County Transportation Authority (DCTA) regarding Projects, Operations and Services

PREPARED BY: Paul Stevens, City Manager

COMMENTS:

At the June 17 City Council Work Session, Paul Cristina, President and CEO of DCTA, presented an update about DCTA projects, operations and services. Council requested at that time that DCTA give regular updates to City Council. At this meeting, Mr. Cristina will give a status report of projects, operations and services of DCTA.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA#	2	MEETING DATE:	11/14/2023
SUBJECT:	Discuss awarding of Grant Funds to Community Nonprofit Organizations for Fiscal Year 2023-2024		
PREPARED BY:	Angela Miller, City Secretary		

COMMENTS

Per Resolution 2018-2729, community nonprofit organizations desiring funding from the City must submit request applications to the City. Once all applications are received, they are reviewed and provided to City Council for consideration.

Requests must meet the following criteria:

- Services to be provided by an organized civic, cultural, educational, or service group that is a nonprofit organization with membership open to all citizens of Highland Village
- Services must be of economic benefit to the community or contribute to the quality of life in Highland Village by serving a municipal public purpose
- Services must be provided to the residents of Highland Village on an equal basis
- The organization must enter into a written contract with the City of Highland Village for the provision of services

Examples of municipal public purpose include, but are not limited to:

- Preservation, promotion or development of historically sensitive areas of the city
- Promotion of the performing arts
- Activities promoting and improving the health, safety and welfare of the youth, adults or senior citizens residing in the city
- Educational programs promoting student and citizen participation in the electoral process and local government
- Crime awareness and prevention

Eighteen (18) nonprofit organizations submitted funding request applications this year. A copy of all applications have been provided to Council and representatives from each organization provided a presentation to Council at the regular meeting held on October 24, 2023. Below is a listing of the nonprofit organizations, including the amount of funds requested:

Nonprofit Organization	Funding Request
Family Service Organizations	
Christian Community Action (CCA)	\$5,000
Denton County Friends of the Family	\$5,000
Denton County MHMR Center	\$10,000
Love Thy Neighbor	\$2,500
Salvation Army – Lewisville	\$4,000
SPAN, Inc./Meals on Wheels of Denton County	\$2,106
Special Abilities of North Texas	\$7,000
Winning The Fight (WTF)	\$3,000
Children’s Service Organizations	
CASA of Denton County	\$3,000
Communities in Schools of North Texas	\$3,500
Journey to Dream	\$4,100
PediPlace	\$5,000
Lewisville ISD Education Foundation (LEF)	\$5,000
Community Service Organizations	
Chisholm Trail Retired Senior Volunteer Program (RSVP)	\$2,500
Friends of the Flower Mound Public Library	\$ 500
Lewisville Lake Symphony Association	\$4,500
Studio B Performing Arts	\$5,000
MLK of North Texas	\$1,000
TOTAL	\$72,706

In addition to the funding that is awarded annually to nonprofit organizations, the City purchases tables and tickets to special events hosted by nonprofit and community organizations, as well as local Chamber events. In order to provide a better understanding of the monetary support provided to the local organizations by the City and City Council, a listing of these purchases for the previous three (3) fiscal years is included with this briefing.

City Council may consider written requests for financial assistance and determine allocation amounts, if any, for the community nonprofit organizations. Council has historically allocated 0.25% of the City’s Maintenance & Operations budget (excluding capital project or purchasing funds) for nonprofit organizations. There is \$56,000 included in the Fiscal Year 2023-2024 budget for funding community services and activities provided by nonprofit organizations.

The City has received Opioid Settlement Funds through the Attorney General’s Office, and we currently have \$15,794.78. These funds can be used for drug education that addresses the misuse of opioids. Winning the Fight does this type of programming and in fact are currently gearing up to have this program in Highland Village schools. The City can allocate the Opioid Settlement Funds to Winning the Fight, thereby freeing up those requested dollars from the General Fund that can be allocated to the other nonprofit organizations.

Staff foresees the City being able to allocate these funds to Winning the Fight and any other nonprofit that meets the use guidelines for several years in the future. These

allocations can be done separate from the other nonprofit requests.

This agenda item provides for Council discussion to identify nonprofit organizations that will receive funding as allocated in the Fiscal Year 2023-2024 budget. There is an item included on tonight's regular meeting agenda if Council wishes to take formal action.

ADDITIONAL SPONSORSHIPS / PURCHASES			
EVENT	FY 2020 - 2021	FY 2021 – 2022	FY 2022 - 2023
FM Chamber - Fiesta	1 Table - \$1,500	1 Table - \$2,000	1 Table - \$2,000
FM Chamber – Awards Banquet	3 Tickets - \$180	1 Table - \$600	2 Tickets - \$120
Lewisville Chamber – Awards Banquet	1 Table - \$800	1 Table - \$1,000	1 Table - \$1,000
State of the Cities Luncheon	1 Table - \$300	1 Table - \$500	1 Table - \$600
Unity Luncheon	1 Table - \$450	1 Table - \$500	1 Table - \$600
Mayor's Prayer Breakfast	Event Cancelled	1 Table - \$250	1 Table - \$300
Children's Advocacy Center of Denton County	\$4,000 Funds included in PD Annual FY Budget	\$6,375 Funds included in PD Annual FY Budget	\$12,325 Funds included in PD Annual FY Budget
Children's Advocacy Center of Denton County – Annual Gala	Event Cancelled	1 Table - \$2,500	None
Ally's Wish – Gala	1 Table - \$1,250	1 Table - \$1,500	None
Special Olympics Steak & Stetsons	1 Table - \$0 (Table purchased previous year)	1 Table - \$1,200	1 Table - \$1,200
Journey to Dream – Flappers & Dappers Gala	None	None	1 Table - \$1,750
Special Abilities of North Texas – Denim & Diamonds Gala	Event Postponed until Spring 2022	None	None
Lewisville Education Foundation (LEF) – Evening for Education	1 Table - \$500	1 Table - \$500	None
TOTAL	\$ 8,980	\$16,925	\$19,895

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 3

MEETING DATE: 11/14/2023

SUBJECT: Receive a Presentation on Positron Electronic Three-Wheeled Patrol Vehicles for the Highland Village Police Department

PREPARED BY: Doug Reim, Chief of Police

COMMENTS

Over the past few months, and at the direction of City Council, a working group was established to address the growing safety and concerns of various micro-mobility devices being utilized on our extensive trail system (32 miles). For enforcement purposes, specialized Trikke Positron three-wheeled patrol vehicles have been identified as being beneficial in bolstering police presence on the trails. These vehicles can also be utilized during special events, and even day to day operations, and would enhance the Police Department's robust community policing philosophy. Information on these devices will be provided by Chief Reim.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 4

MEETING DATE: 11/14/2023

**SUBJECT: Receive a Presentation regarding the Notification Process for
Street Projects**

PREPARED BY: Scott Kriston, Public Works Director

COMMENTS

City staff will present the City's notification process to residents of upcoming street projects.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 10

MEETING DATE: 11/14/2023

SUBJECT: Mayor and Council Reports on Items of Community Interest

PREPARED BY: Karen McCoy, Executive Assistant

COMMENTS

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

- Check Presentation to the Texas Police Chiefs Association (TPCA) for Proceeds from the Highland Village TXFallenPD Tribute Event
- Presentation of a Proclamation celebrating the Mayor for the Day

Proclamation

The City of Highland Village

Whereas, The City of Highland Village is served by and is proud to support the Lewisville Independent School District; and

Whereas, The City of Highland Village recognizes that current LISD students are the future leaders of our city, county, state and nation, and understands the importance of increasing students' knowledge of the operations and complexities of local government; and

Whereas, Heritage Elementary School has provided Highland Village students in grades Kindergarten through Fifth Grade with a high quality education; and

Whereas, The City of Highland Village offered a "Mayor for the Day" opportunity to one lucky student at Heritage Elementary and fifth grade student Eli Albin was the successful recipient.

NOW THEREFORE, on behalf of the City Council and City Staff, I, Daniel Jaworski, Mayor of the City of Highland Village, do hereby congratulate and recognize

"Eli Albin as Mayor for the Day"

in the City of Highland Village.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed on this 14th day of November 2023.

Daniel Jaworski, Mayor

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 13

MEETING DATE: 11/14/2023

SUBJECT: Consider approval of Minutes of the Regular City Council Meeting held on October 24, 2023

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 contact the City Secretary's Office prior to the meeting with suggested changes. Upon doing so, staff can 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 minutes of the Regular City Council Meeting held on October 24, 2023.



**MEETING MINUTES OF THE REGULAR MEETING
HIGHLAND VILLAGE CITY COUNCIL
HIGHLAND VILLAGE MUNICIPAL COMPLEX
1000 HIGHLAND VILLAGE ROAD
TUESDAY, OCTOBER 24, 2023**

EARLY WORK SESSION

Mayor Jaworski called the meeting to order at 5:31 p.m.

Roll Call

Present: Daniel Jaworski Mayor
Jon Kixmiller Mayor Pro Tem
Kevin Cox Councilmember
Shawn Nelson Councilmember
Rhonda Hurst Councilmember
Robert Fiester Councilmember
Brian A. Fiorenza Deputy Mayor Pro Tem

Staff Members: Paul Stevens City Manager
Ken Heerman Assistant City Manager
Kevin Laughlin City Attorney
Angela Miller City Secretary
Scott Kriston Public Works Director
Phil Lozano Parks and Recreation Director
Andra Foreman Recreation Manager
Kim Lopez Human Resources Director
Laurie Mullens Marketing & Communications Director

1. Discuss City Representation on the Denton County Transportation Authority (DCTA) Board of Directors

City Secretary Miller reported Highland Village has two (2) representatives that serve on the DCTA Board of Directors, with terms that will expire this year. Mrs. Dianne Costa has served as the City's representative, with City Manager Paul Stevens serving as the alternate representative. She explained that Council has this opportunity to discuss appointments for a representative and alternate. Mayor Jaworski reported Mrs. Costa does not wish to serve again and that he would serve if Council wished to consider him for appointment.

Councilmembers Fiester and Cox, and Mayor Pro Tem Kixmiller voiced their support for Mayor Jaworski to serve. City Secretary Miller reported Council could take action during tonight's regular meeting.

2. Receive an Update on Upper Trinity Regional Water District (UTRWD) Wholesale Pass-Through Rate

Assistant City Manager Ken Heerman reported the City's utility rate structure includes a pass-through component that is updated each year to reflect increases or decreases in UTRWD rates. The UTRWD is the City's wholesale water provider. Mr. Heerman reported the associated costs have been reviewed each year; however, adjustments have only been applied periodically, thereby providing a longer time frame to "true-up" the wholesale costs. The last change for wholesale rates was November 2017. Mr. Heerman reported that without an adjustment, Fiscal Year 2023-2024 wholesale rates would result in a deficient of roughly \$271,000 and presented the following suggested changes for the wholesale pass-through rates:

Water

Base Charge - \$2.00/per month increase

Volume Charge - .02 cents/per 1,000 gallons

Sewer

Base Charge - \$1.00/per month decrease

Volume Charge – No change

3. Clarification of Consent or Action Items listed on Today's City Council Meeting Agenda for October 24, 2023

No items were discussed.

4. Receive Presentations from Nonprofit Organizations requesting Funding for Providing Services, Programs and/or Benefits Serving a Public Purpose to City Residents

The City received eighteen (18) funding request applications this year from nonprofit organizations. A representative from each of the following organizations provided a brief presentation to Council highlighting the services they provide to Highland Village residents:

- Denton County Friends of the Family
- Love Thy Neighbor/Love They Baby
- MLK of North Texas
- Journey to Dream
- Friends of the Flower Mound Public Library
- Lewisville ISD Education Foundation (LEF)
- Denton County MHMR Center
- Pedi Place
- The Salvation Army – Lewisville
- Communities in Schools of North Texas
- SPAN, Inc./Meals on Wheels of Denton County
- Chisholm Trail Retired Senior Volunteer Program (RSVP)
- Special Abilities of North Texas
- Christian Community Action (CCA)
- Studio B Performing Arts
- CASA of Denton County
- Winning the Fight (WTF)
- Lewisville Lake Symphony Association

City Council will consider funding allocations at its November 14, 2023 meeting.

Mayor Jaworski adjourned Early Work Session at 7:26 p.m.

CLOSED SESSION

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

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

Council did not meet in Closed Session.

OPEN SESSION

6. **Call Meeting to Order**

Mayor Jaworski called the meeting to order at 7:35 p.m.

Roll Call

Present:	Daniel Jaworski	Mayor
	Jon Kixmiller	Mayor Pro Tem
	Kevin Cox	Councilmember
	Shawn Nelson	Councilmember
	Rhonda Hurst	Councilmember
	Robert Fiester	Councilmember
	Brian A. Fiorenza	Deputy Mayor Pro Tem

Staff Members:	Paul Stevens	City Manager
	Ken Heerman	Assistant City Manager
	Kevin Laughlin	City Attorney
	Angela Miller	City Secretary
	Doug Reim	Chief of Police
	Scott Kriston	Public Works Director
	Phil Lozano	Parks and Recreation Director
	Kim Lopez	Human Resources Director
	Laurie Mullens	Marketing & Communications Director

7. **Prayer led by Deputy Mayor Pro Tem Brian Fiorenza**

Deputy Mayor Pro Tem Fiorenza gave the invocation.

8. **Pledge of Allegiance to the U.S. and Texas flags led by Deputy Mayor Pro Tem Brian Fiorenza**

Deputy Mayor Pro Tem Fiorenza led the Pledge of Allegiance to the U.S. and Texas flags.

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

Councilmember Hurst announced upcoming meetings and events:

Zoning Board of Adjustment meeting – November 2, if needed

Coffee with the Mayor – November 6

Our Village Glows – November 18

Denton County Transportation Authority Board of Directors meeting– October 26 at 10:00 a.m.

Mayor Pro Tem Kixmiller announced he will be participating along with Lewisville Mayor TJ Gilmore in The Great Punkin' Chunkin' Competition on November 4 at 10:00 a.m. at Memorial Park in Lewisville; this event is hosted by the City of Lewisville Parks and Recreation Department. He and Mayor Jaworski also thanked Highland Village staff for their work in making the TXFallenPD Event a success; Councilmember Nelson thanked the Police Auxiliary members for their help with the event.

Councilmember Cox thanked Highland Village Elementary for its Fall Fest Celebration last week; he also thanked the Highland Village Fire and Police Departments for participating. He then announced Boo Bash will be held at Briarhill Middle School on Monday, October 30. Mayor Jaworski reminded everyone that early voting started on October 23.

10. City Manager/Staff Reports

City Manager Stevens thanked staff for their hard work in hosting the TXFallenPD Event. He also informed residents of the request for sponsorships to cover the cost of veterans to attend the Salute Our Veterans Luncheon. Chief Reim shared results of the DNA test, which was donated by Councilmember Hurst, on the department's therapy dog, Ollie. Ollie is a rescue so his genealogy was unknown. The results show Ollie to be 50% Standard Poodle and 50% Golden Retriever.

11. Visitor Comments

No one wished to speak.

CONSENT AGENDA

12. Consider approval of Minutes of the Regular City Council Meetings held on September 26, 2023 and October 10, 2023

13. Consider Resolution 2023-3098 canceling the November 28, 2023 and December 26, 2023 City Council Meetings

14. Consider Resolution 2023-3099 authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Terralogic Solutions, Inc. relating to Integration of Parks Department Software Applications and Associated Hosting and Support Services

Motion by Deputy Mayor Pro Tem Fiorenza, seconded by Councilmember Fiester, to approve Consent Agenda Items #12 through #14. Motion carried 7-0.

ACTION AGENDA

15. Take action, if any, on Matters discussed in Closed Session in accordance with the following Sections of the Texas Government Code:
(a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)

NO ACTION TAKEN

No action was taken on this item.

16. Consider Ordinance 2023-1309 amending the City's Code of Ordinances, Chapter 20 "Transportation and Traffic" by re-titling and amending in its Entirety Article 20.07 "Motor-Assisted Scooters" to provide Regulations for the Operation of Micro-Mobility Devices (*1st of two reads*)

APPROVED 1ST READ (7 – 0)

Chief Reim reported that after meetings of the working group committee and review by the City Attorney, the proposed ordinance was provided in the agenda packet for Council consideration. Councilmember Hurst asked for clarification that the Transportation Code addresses that only the number of persons a device is designed or equipped to carry is allowed. Chief Reim stated if a device is designed for two (2), then it's allowed, otherwise it would not be.

Motion by Mayor Pro Tem Kixmiller, seconded by Deputy Mayor Pro Tem Fiorenza, to approve the first read of Ordinance 2023-1309 amending the City's traffic and transportation ordinances for micromobility devices. Motion carried 7-0.

17. Consider Resolution 2023-3100 appointing City Representation to the Denton County Transportation Authority (DCTA) Board of Directors

APPROVED (6 – 0 with 1 abstention)

City Secretary Angela Miller reported Council discussed appointments during Early Work Session earlier this evening. This item provides an opportunity for Council to take formal action if it wished to do so. Councilmember Nelson asked Mayor Jaworski as a member of the Board, what he hoped to accomplish. Mayor Jaworski stated he would continue to fairly and equitably represent the residents of Highland Village and ensure they are getting the level of service they deserve from DCTA.

*Motion by Mayor Pro Tem Kixmiller, seconded by Councilmember Fiester, to approve Resolution 2023-3100 appointing Dan Jaworski as the City Representative and Paul Stevens as Alternate to the Denton County Transportation Authority Board of Directors. Motion carried with the following vote:
Ayes – Nelson, Cox, Kixmiller, Jaworski, Fiester, and Fiorenza
Councilmember Hurst abstained.*

LATE WORK SESSION

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

The following future agenda items were requested:

- Deputy Mayor Pro Tem Fiorenza Brian requested an item to discuss and review the City's existing landscape ordinances for non-residential developments, and to also include regulations for future developments in that discussion
- Councilmember Nelson stated he would like to continue prior Council discussion and receive more information on the DCTA Board of Directors authority to reduce the City's contribution
- Mayor Pro Tem Kixmiller requested an item on the City's process for notifying citizens of upcoming street projects

19. Adjournment

Mayor Jaworski adjourned the meeting at 7:57 p.m.

Daniel Jaworski, Mayor

ATTEST:

Angela Miller, City Secretary

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 14

MEETING DATE: 10/24/2023

SUBJECT: Consider Ordinance No. 2023-1309 Amending by Re-titling and Amending in its Entirety Code of Ordinances Article 20.07 “Motor Assisted Scooters” to Provide Regulations for the Operation of Micro-Mobility Devices (2nd and final read)

PREPARED BY: Doug Reim, Chief of Police

BACKGROUND:

The first formal council meeting addressing this matter occurred on July 27, 2023, involving a discussion with County arising from community concerns that, near the end of the school year as the weather warmed, it was apparent the scooter “population” and riders grew exponentially within Highland Village. Along with such growth, a number of significant accidents/incidents occurred on roads, sidewalks, and trails within the City.

IDENTIFIED NEED/S:

Review and determine if any new or amended ordinances and needed to address City Council and citizen concerns regarding regulations relating to the operation of electric scooters and other “micro-mobility” devices.

PROGRESS TO DATE: (if appropriate)

With direction from council, a working group comprised of members from the police department, fire department, parks, marketing, and one council member was created to review current ordinances related to scooters. Over the course of working group’s four meetings, the working group addressed not only scooters, but discussed broadening the scope of the City’s ordinances to include regulation of a variety of slower, motorized, mobility devices of “Micro-Mobility Devices.” In considering the possible contents of a new ordinance regulating micro-mobility devices, the working group focused on education, safety, the enforceability, community acceptance, and need for flexibility in addressing future needs and desire for multi-modal transportation opportunities for residents.

During two subsequent council workshops, Chief Reim presented the group’s progress and recommendations and received input from City Council and the City Attorney. Following the second workshop, the City Attorney prepared the initial working draft of a proposed ordinance, which draft was presented to the working group for one additional review and comment prior to presentation of the ordinance to the City Council for consideration. The proposed ordinance was then presented to Council and approved on first read at their October 24, 2023 meeting.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Adoption of the working group's recommendations will require adoption of the proposed ordinance. Additional police department resources will be expended in preparing and teaching the safety courses contemplated by the ordinance, but no additional budgeted funds will be required.

RECOMMENDATION:

To approve the second read of Ordinance No. 2023-1309 amending the Code of Ordinances to provide regulations for the operation of micro-mobility devices.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2023-1309

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 20 “TRANSPORTATION AND TRAFFIC,” BY RE-TITLING AND AMENDING IN ITS ENTIRETY ARTICLE 20.07 “MOTOR-ASSISTED SCOOTERS” TO PROVIDE REGULATIONS FOR THE OPERATION OF MICRO-MOBILITY DEVICES; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED \$100.00 PER OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds it to be necessary for the protection of public safety by amending the Code of Ordinances to define what constitutes a “micro-mobility device” and to establish regulations that promote the safe use and operation of such devices on public streets and other public property within the City.

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 20 “Transportation and Traffic” is retitling and amending in its entirety Article 20.07 “Motor-Assisted Scooters” to read as follows:

ARTICLE 20.07 OPERATION OF MICRO-MOBILITY DEVICES

§ 20.07.001 Definitions:

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult. Any person 18 years of age or older.

Child. Any person less than 18 years of age.

Crosswalk. The portion of a roadway (a) designated as a pedestrian crossing by surface markings, including lines; whether or not located at an intersection; or (b) at an intersection that is within the connections of the lateral lines of the sidewalks on opposite sides of the roadway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.

Daytime. The period of time each day beginning of one-half hour before sunrise and ending one-half hour after sunset as established for the National Weather Service office located at Dallas-Fort Worth International Airport.

Driver. The person driving and having physical control over a Micromobility Device.

Electric bicycle. Shall have the same meaning assigned by Texas Transportation Code section 664.001(4).

Gas combustible motor-assisted scooter. A motor-assisted scooter propelled by a gas combustible engine.

Helmet. Protective headgear that is not structurally damaged and that conforms to the standards of the American National Standards Institute, the American Society for Testing and Materials, the Snell Memorial Foundation, or any federal agency having regulatory jurisdiction over bicycle helmets, as applicable, at the time of the manufacture of the helmet.

Inclement weather. Any weather that impacts the performance or ability to control a motor-assisted scooter, which includes but is not limited to rain, lightning, heavy fog, high winds, snow, or icy conditions.

Micro-mobility Device. A range of small, lightweight vehicles or devices incapable of operating at a top assisted speed faster than 28 mph and driven by one person, which may include, but are not limited to, bicycles, electric bicycle, electric motor-assisted scooters, electric skateboards, electric pedal assisted bicycles (one, two, three, and four-wheeled included), Segways, hover board, unicycles, and skateboards with one or more wheels. Gas-powered devices are not included in this definition.

Micro-mobility safety course. A safety course conducted by the Highland Village Police Department with a curriculum designed, as a minimum, to educate people regarding the contents and requirements of this Article, other provisions of this Code and State law relating to the operation of micro-mobility devices on public streets and roadways, recommended safety practices relating to operation of a micro-mobility device.

Motor-assisted scooter. Shall have the same meaning assigned by Texas Transportation Code section 551.351(1).

Nighttime. The period beginning one-half hour after sunset and ending one-half hour before sunrise as established for the National Weather Service office located at Dallas-Fort Worth International Airport.

Operator. The person driving and having physical control over a Micromobility Device while operating the Micromobility Device.

Parent. The natural or adoptive parent or court-appointed guardian or conservator of a child.

Passenger. Any person riding upon or attached to micro-mobility device who is not the operator of such device.

Pedestrian. A person on foot

Public way or public property. Any interest in real property owned in fee simple or as an easement or right-of way, leased, or controlled by a governmental entity, including, but not limited to, a path, trail, sidewalk, alley, street or highway, or a public park.

Public Safety Personnel. An employee or officer of a governmental law enforcement agency or the city's fire department, or a person serving as a volunteer with the city's police department auxiliary or under the direction of authorized law enforcement or Fire Department

Public Street. A publicly owned or dedicated road, street, drive, alley or other right-of-way for the use of vehicles within the city's corporate boundaries.

Sidewalk. The portion of a street that is between a curb or lateral line of a roadway and the adjacent property line and intended for pedestrian use.

Trail. A separated linear pathway, typically 8 feet to 14 feet in width that is intended for pedestrian recreational and transportation use. (micro-mobility use needs to be specific to harmonize with other parts of this document)

§ 20.07.002 General Prohibitions:

- (a) It is unlawful for any person to operate or ride a motor-assisted scooter on any public way or public property for which the posted speed limit is more than 30 miles per hour; provided, however, it shall not be a violation of this Section 20.07.002(a) for a person to operate or ride a motor-assisted scooter across a road or a street at an intersection where the road or street being crossed has a posted speed of more than 30 miles per hour.
- (b) It is unlawful for a child to operate a micro-mobility device on a public way or on public property within the city unless the child is wearing a properly fitted helmet fastened securely to the child's head with the straps of the helmet securely tightened in the manner intended by the manufacturer to provide maximum protection and prevent the slipping of the helmet on the child's head from front to back.
- (c) It is unlawful for a parent to authorize a child to operate or ride a micro-mobility device on a public way or on public property within the city in violation of Section 20.07.002(b). It is an irrebuttable presumption that if a child is operating a micro-mobility device in violation of Section 20.07.002(b) that the child's parent authorized the child to operate or ride the micro-mobility device without wearing a helmet.
- (d) It is unlawful to operate a gas combustible motor-assisted scooter on any public way or public property within the city.

§ 20.07.003 Operation Rules for Micro-mobility Devices: It is unlawful to:

- (a) Operate a micro-mobility device on any public way or public property in excess of 28 miles per hour;
- (b) Operate a micro-mobility device in violation of the provisions of Texas Transportation Code Chapter 551, Chapter C applicable to the operation of vehicles defined in this article as micro-mobility devices;
- (c) Operate a micro-mobility device other than a non-motorized skateboard on a public way or public property at nighttime unless such micro-mobility device is equipped as required by Tex. Trans. Code §551.104(b);
- (d) Use a portable electronic device, including, but not limited to, a mobile phone or tablet, while operating a micro-mobility device on a public roadway or public property;
- (e) Use any device, including, but not limited to, headphones or earphones, that inhibit or prevent the operator from hearing approaching vehicles from any direction while operating a micro-mobility device on a public roadway or public property;
- (f) Operate a micro-mobility device on a public roadway or public property with a passenger on board;

- (g) Operate a micro-mobility device during inclement weather under conditions that impair the operation of micro-mobility device in any way;
- (h) Operate a micro-mobility device on a public roadway in tandem with one or more other micro-mobility devices operated by other people or in any configuration other than single file;
- (i) Operate a micro-mobility device in a crosswalk; provided, however, it is not unlawful to dismount and walk the micro-mobility device through the crosswalk; or
- (j) Operate a micro-mobility device with fewer than all wheels on the device in contact with the ground.

§ 20.07.004 Pedestrians

- (a) An operator of a micro-mobility device shall yield the right-of-way to pedestrians.
- (b) The operator of a micro-mobility devices shall slow and provide an audible warning to pedestrians before passing them.

§ 20.07.005 Law Enforcement Officers.

This article shall not apply to a law enforcement officer operating a micro-mobility device in the performance of the officer's official duties.

§ 20.07.006 Required Equipment

A motorized micro-mobility device shall be equipped with:

- (1) A braking system capable of stopping the device under typical operating conditions;
- (2) A deck or seat designed to allow the operator to stand or sit while operating the device; and
- (3) A means of disengaging the engine so the device may be operated by the operator's own power.

§ 20.07.007 Penalties

- (a) A person convicted of the person's first violation of any provision of this article shall pay a fine of \$50.00; provided, however, (1) if not later than 30 days after entry of judgment on the person's conviction such person schedules the person's attendance at a micro-mobility safety course and (2) attends the micro-mobility safety course on the scheduled date, the fine paid as required by this Section 20.07.006(a) shall be refunded to the person.
- (b) A person convicted of the person's second violation of any provision of this article shall pay a fine of \$50 upon conviction.
- (c) A person convicted of the third or more violations of any provision of this article shall pay a fine of \$100 upon conviction for each violation

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 One Hundred Dollars (\$100) 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 24TH DAY OF OCTOBER 2023.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 14TH DAY OF NOVEMBER 2023.

APPROVED:

Daniel Jaworski, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:10/17/2023:4867-2218-8680 v1)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 15

MEETING DATE: 11/14/2023

SUBJECT: Investment Report for the Quarter Ending September 30, 2023

PREPARED BY: Heather Miller, Assistant Finance Director

BACKGROUND:

The Public Funds Investment Act, Chapter 2256.023 of the Government Code requires the investment officer of each local government to submit its governing body a quarterly report of investment transactions. The City staff has compiled the following information for your review and to comply with this reporting requirement.

IDENTIFIED NEED/S:

N/A

OPTIONS & RESULTS:

The detailed transactions for June 30, 2023 through September 30, 2023 follow this briefing.

- TexPool (Texas Local Government Investment Pool, a public funds investment pool that matures October 1, 2023)
- TexSTAR (Texas Short Term Asset Reserve Program, a public funds investment pool, custodial, and depository services are provided by JP Morgan Chase Bank and subsidiary J.P. Morgan Investor Services Co. that matures October 1, 2023)
- Wells Fargo DDA (Demand Deposit Account that matures October 1, 2023 collateralized by pledged securities held in custody by the Bank of New York Mellon)
- Southside MMA (Money Market Account that matures October 1, 2023, collateralized by pledged securities held in custody by the Federal Home Loan Bank)
- InterBank MMA (Money Market Account that matures October 1, 2023, fully insured by the Federal Deposit Insurance Corporation)
- InterBank ICS (Insured Cash Sweep that matures October 1, 2023, fully insured by the Federal Deposit Insurance Corporation)
- East West Bank CD (Certificate of Deposit that matures July 20, 2023 collateralized by a letter of credit held in custody by the Federal Home Loan Bank)

- East West Bank CD (Certificate of Deposit that matures August 2, 2023 collateralized by a letter of credit held in custody by the Federal Home Loan Bank)
- East West Bank CD (Certificate of Deposit that matures November 2, 2023 collateralized by a letter of credit held in custody by the Federal Home Loan Bank)
- Wallis Bank CD (Certificate of Deposit that matures November 9, 2023 collateralized by a letter of credit held in custody by the Federal Home Loan Bank)
- Wallis Bank CD (Certificate of Deposit that matures February 9, 2024 collateralized by a letter of credit held in custody by the Federal Home Loan Bank)
- Wallis Bank CD (Certificate of Deposit that matures May 9, 2024 collateralized by a letter of credit held in custody by the Federal Home Loan Bank)

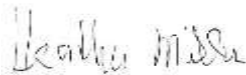
This information reports that the beginning market value for all cash and investments was \$39,744,808 and the ending market value on September 30, 2023 was \$38,431,319. The average yield for the quarter ending September 30, 2023 in pooled, demand deposit, negotiable order of withdrawal, and money market accounts (5.15%) is greater than the six-month term treasuries. The beginning pool, demand deposit, negotiable order of withdrawal, and money market accounts invested balance at June 30, 2023 was \$19,380,018 and the ending balance on September 30, 2023 was \$21,468,815 or 56% of the City's total portfolio. The weighted average maturity of the City's portfolio on September 30, 2023 is 48 days.

The average total portfolio yield for the quarter ending September 30, 2023 was 5.14%.

The book value and market value for the City's total portfolio for the beginning and end of the reporting period is as follows:

	<u>Book Value</u>	<u>Market Value</u>
September 30, 2023	\$38,431,319	\$38,431,319
June 30, 2023	\$39,744,808	\$39,744,808

I hereby certify that the attached report is in compliance with the Public Funds Investment Act and that all investments held and transactions made during the reporting period were duly authorized and properly recorded and valued.



Heather Miller
Investment Officer



Ken Heerman
Assistant City Manager

¹Note:

Par is the stated legal dollar value or principal value at maturity.

Book value is what we paid for the instrument adjusted by any accretion or amortization costs.

Market value is what we could reasonably sell the instrument for in the current market.

RECOMMENDATION:

Council to receive the Investment Reports for the period ending September 30, 2023.



QUARTERLY INVESTMENT REPORT

For the Quarter Ended

September 30, 2023

Prepared by

Valley View Consulting, L.L.C.

The investment portfolio of the City of Highland Village is in compliance with the Public Funds Investment Act and the City of Highland Village Investment Policy and Strategies.

Ken Heerman, Assistant City Manager

Heather Miller, Assistant Finance Director

Staff Accountant

Disclaimer: These reports were compiled using information provided by the City of Highland Village. No procedures were performed to test the accuracy or completeness of this information. The market values included in these reports were obtained by Valley View Consulting, L.L.C. from sources believed to be accurate and represent proprietary valuation. Due to market fluctuations these levels are not necessarily reflective of current liquidation values. Yield calculations are not determined using standard performance formulas, are not representative of total return yields and do not account for investment advisor fees.

Annual Comparison of Portfolio Performance

FYE Results by Investment Category:

Asset Type	September 30, 2022			September 30, 2023		
	Ave. Yield	Book Value	Market Value	Ave. Yield	Book Value	Market Value
MMA/NOW/Pools	2.35%	\$ 16,371,861	\$ 16,371,861	5.15%	\$ 21,468,815	\$ 21,468,815
Securities/CDs	1.87%	19,613,585	19,613,585	5.13%	16,962,504	16,962,504
Totals		\$ 35,985,446	\$ 35,985,446		\$ 38,431,319	\$ 38,431,319

Fourth Quarter-End Yield **2.09%** **5.14%**

Average Quarter-End Yields (1):

	2022 Fiscal Year	2023 Fiscal Year
Highland Village	0.87%	4.22%
Rolling Three Month Treasury	1.06%	4.95%
Rolling Six Month Treasury	1.01%	4.77%
TexPool	0.90%	4.74%
Fiscal YTD Interest Earnings	\$ 249,250 (Approximate)	\$ 1,444,586 (Approximate)

(1) Average Quarterly Yield calculated using quarter-end report average yield and adjusted book value.

Summary

Quarter End Results by Investment Category:

Asset Type	June 30, 2023			September 30, 2023		
	Ave. Yield	Book Value	Market Value	Ave. Yield	Book Value	Market Value
MMA/NOW/Pools	4.96%	\$ 19,380,018	\$ 19,380,018	5.15%	\$ 21,468,815	\$ 21,468,815
Securities/CDs	4.27%	20,364,790	20,364,790	5.13%	16,962,504	16,962,504
Totals	4.61%	\$ 39,744,808	\$ 39,744,808	5.14%	\$ 38,431,319	\$ 38,431,319

Current Quarter Average Yield (1)

Total Portfolio	5.14%
Rolling Three Month Treasury	5.54%
Rolling Six Month Treasury	5.38%
TexPool	5.32%

Fiscal Year-to-Date Average Yield (2)

Total Portfolio	4.22%
Rolling Three Month Treasury	4.95%
Rolling Six Month Treasury	4.77%
TexPool	4.74%

Interest Earnings (Approximate)

Quarterly Interest	\$ 476,377
Fiscal Year-to-Date Interest	\$ 1,444,586

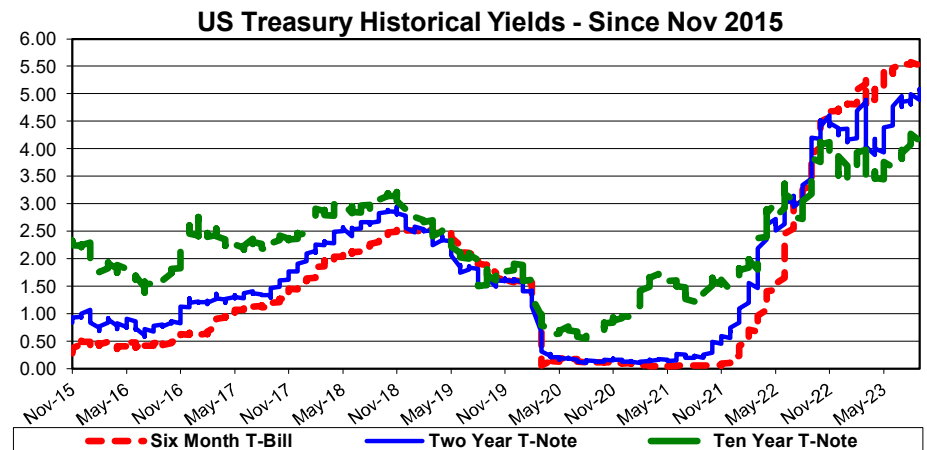
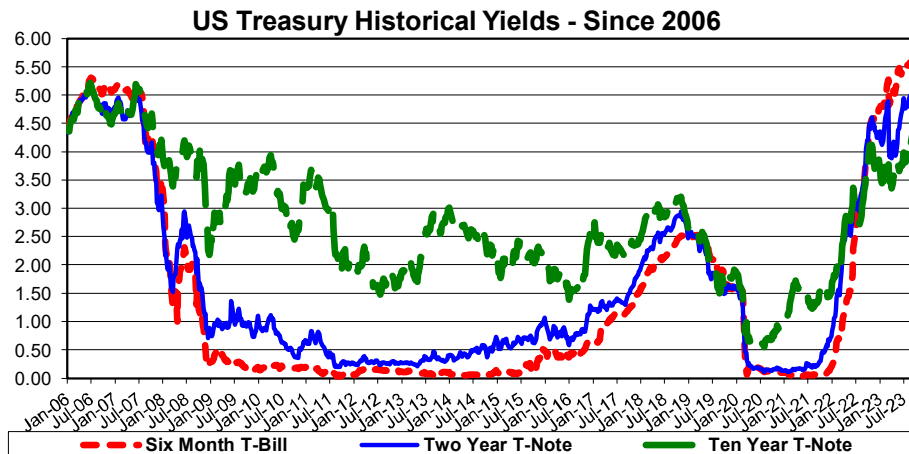
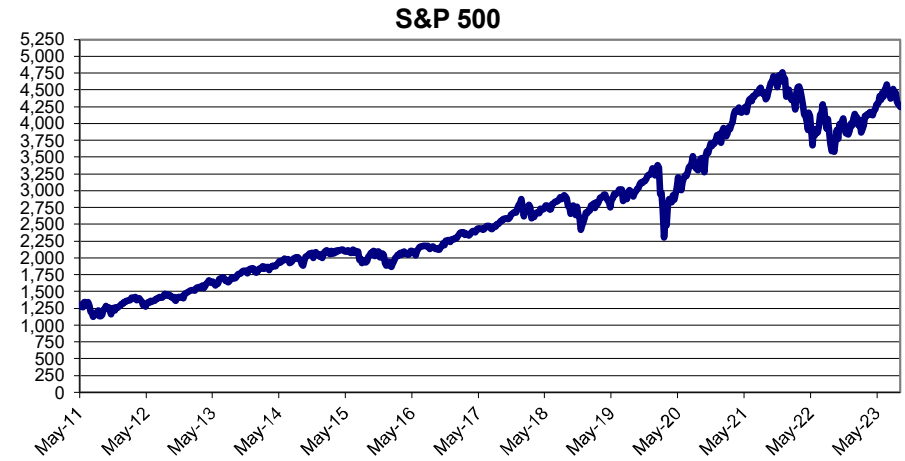
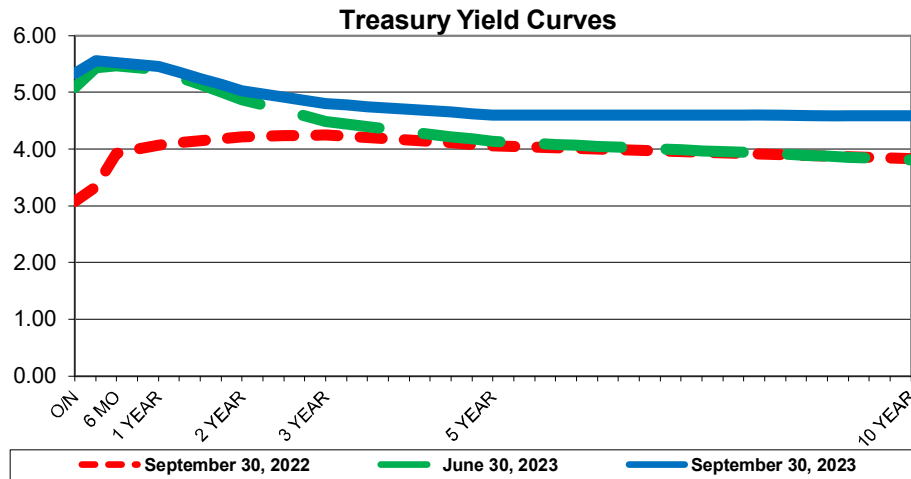
(1) **Current Quarter Average Yield** - based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for bank, pool, and money market balances.

(2) **Fiscal Year-to-Date Average Yield** - calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

Economic Overview

9/30/2023

The Federal Open Market Committee (FOMC) maintained the Fed Funds target range 0.25% to 5.25% - 5.50% (Effective Fed Funds are trading +/-5.33%). A pause is projected at least until the September 19-20 meeting, with any future actions data-dependent. Second Quarter 2023 GDP posted 2.1%. September Non-Farm Payroll surged up 336k new jobs, above the 170k projection. The S&P Stock Index continued to slide below 4,300. The yield curve drifted higher on the long end. Crude Oil traded +/--\$85 per barrel. Inflation drifted lower but still over the FOMC 2% target (Core PCE +/-3.9% and CPI +/-3.7%). The slowing China and German economies, Ukrainian/Russian and Israeli/Hamas conflicts continue to weight on future outlooks.



Investment Holdings
September 30, 2023

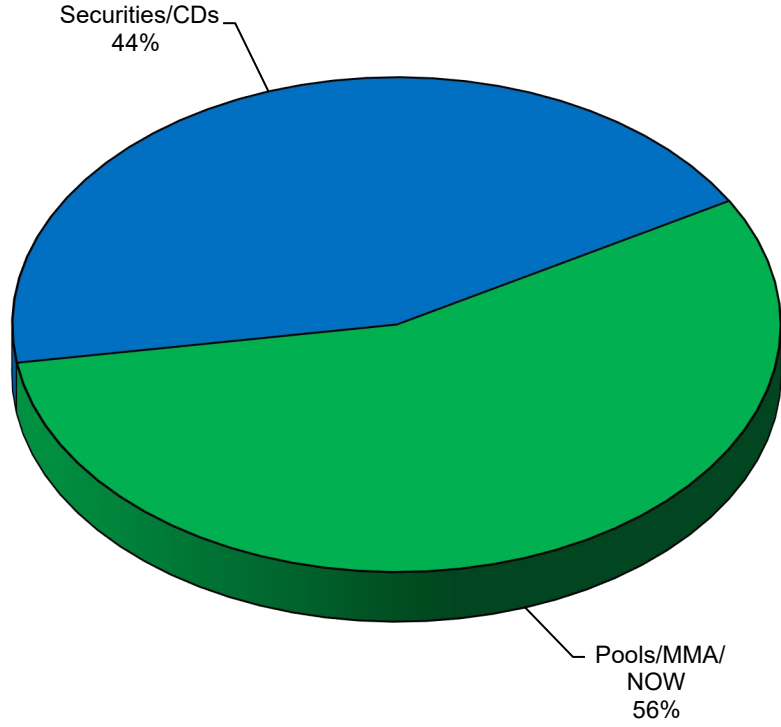
Description	Rating	Coupon/ Discount	Maturity Date	Settlement Date	Original Face/ Par Value	Book Value	Market Price	Market Value	Life (days)	Yield
Wells Fargo DDA (3)		1.63%	10/01/23	09/30/23	1,453,889	1,453,889	1.00	1,453,889	1	1.63%
Southside MMA		5.55%	10/01/23	09/30/23	2,632,807	2,632,807	1.00	2,632,807	1	5.55%
InterBank MMA		5.64%	10/01/23	09/30/23	150,678	150,678	1.00	150,678	1	5.64%
InterBank IntraFi MMA		5.66%	10/01/23	09/30/23	3,383,262	3,383,262	1.00	3,383,262	1	5.66%
TexPool	AAAm	5.32%	10/01/23	09/30/23	7,329,236	7,329,236	1.00	7,329,236	1	5.32%
TexSTAR	AAAm	5.31%	10/01/23	09/30/23	6,518,943	6,518,943	1.00	6,518,943	1	5.31%
Wallis Bank CD		4.82%	11/09/23	02/09/23	4,608,201	4,608,201	100.00	4,608,201	40	4.91%
East West Bank CD		5.78%	11/02/23	08/02/23	3,650,249	3,650,249	100.00	3,650,249	33	5.95%
Wallis Bank CD		4.85%	02/09/24	02/09/23	4,608,879	4,608,879	100.00	4,608,879	132	4.94%
Wallis Bank CD		4.77%	05/09/24	02/09/23	4,095,175	4,095,175	100.00	4,095,175	222	4.86%
					\$ 38,431,319	\$ 38,431,319		\$ 38,431,319	48	5.14%
									(1)	(2)

(1) **Weighted average life** - For purposes of calculating weighted average life, pool and bank account investments are assumed to have a one day maturity.

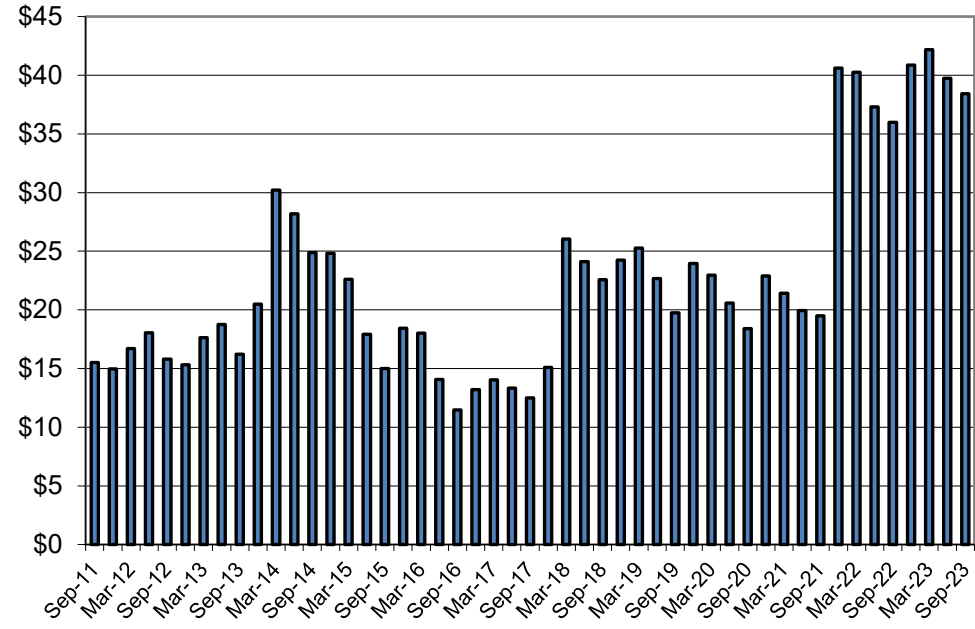
(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered.

(3) **Wells Fargo Earnings Credit Rate** - 0.50% floor. Effective ECR reported.

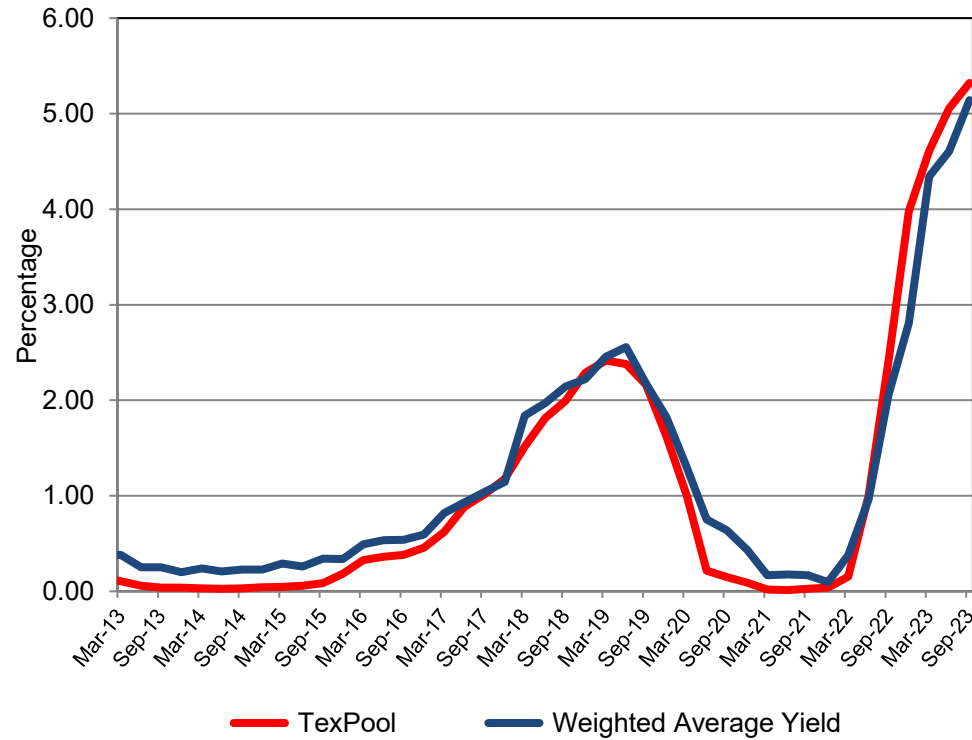
Portfolio Composition



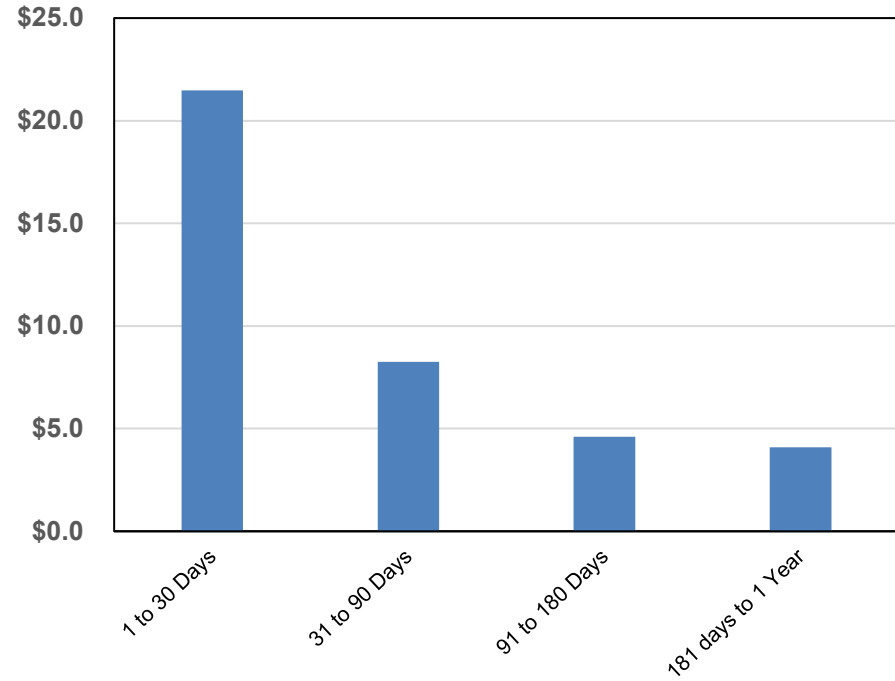
Total Portfolio (Millions)



Total Portfolio Performance



Distribution by Maturity (Millions)



Book & Market Value Comparison

Issuer/Description	Yield	Maturity Date	Book Value 06/30/23	Increases	Decreases	Book Value 09/30/23	Market Value 06/30/23	Change in Market Value	Market Value 09/30/23
Wells Fargo DDA	1.63%	10/01/23	\$ 962,918	\$ 490,971	\$ -	\$ 1,453,889	\$ 962,918	\$ 490,971	\$ 1,453,889
Southside MMA	5.55%	10/01/23	2,597,699	35,108	-	2,632,807	2,597,699	35,108	2,632,807
InterBank MMA	5.64%	10/01/23	150,647	31	-	150,678	150,647	31	150,678
InterBank IntraFi MMA	5.66%	10/01/23	3,830,366	-	(447,104)	3,383,262	3,830,366	(447,104)	3,383,262
TexPool	5.32%	10/01/23	7,326,667	2,570	-	7,329,236	7,326,667	2,570	7,329,236
TexSTAR	5.31%	10/01/23	4,511,721	2,007,221	-	6,518,943	4,511,721	2,007,221	6,518,943
East West Bank CD	3.15%	07/20/23	3,606,082	-	(3,606,082)	-	3,606,082	(3,606,082)	-
East West Bank CD	3.05%	08/02/23	3,606,079	-	(3,606,079)	-	3,606,079	(3,606,079)	-
Wallis Bank CD	4.91%	11/09/23	4,552,888	55,313	-	4,608,201	4,552,888	55,313	4,608,201
East West Bank CD	5.95%	11/02/23	-	3,650,249	-	3,650,249	-	3,650,249	3,650,249
Wallis Bank CD	4.94%	02/09/24	4,553,217	55,662	-	4,608,879	4,553,217	55,662	4,608,879
Wallis Bank CD	4.86%	05/09/24	4,046,524	48,651	-	4,095,175	4,046,524	48,651	4,095,175
TOTAL/AVERAGE	5.14%		\$ 39,744,808	\$ 6,345,776	\$ (7,659,265)	\$ 38,431,319	\$ 39,744,808	\$ (1,313,489)	\$ 38,431,319

**Allocation by Fund
September 30, 2023
Book and Market Value**

Utility Funds	TexPool	TexSTAR	Wells Fargo DDA	Southside MMA	InterBank MMA	InterBank IntraFi MMA
Interest & Sinking	\$ 567,777	\$ -	\$ -	\$ -	\$ -	\$ -
Replacement Reserve	499,314	-	-	-	-	-
Operations	3,428,101	-	-	295,890	-	-
Impact Fees	334,310	-	-	945,030	-	-
2018 CO Utility Capital Projects	-	343,503	-	-	100,452	319,684
American Rescue Plan Act	-	1,861,368	-	-	-	-
Sub Total	\$ 4,829,501	\$ 2,204,871	\$ -	\$ 1,240,920	\$ 100,452	\$ 319,684
General Funds						
Operations	\$ 40,890	\$ 221,614	\$ -	\$ 1,391,887	\$ 50,226	\$ 3,063,578
Pooled Cash	-	-	1,276,714	-	-	-
Pooled Cash Credit Card Clearing	-	-	177,175	-	-	-
Interest & Sinking	64,851	69,432	-	-	-	-
Drainage Utility	192,505	-	-	-	-	-
Sub Total	\$ 298,245	\$ 291,047	\$ 1,453,889	\$ 1,391,887	\$ 50,226	\$ 3,063,578
General Capital Project Funds						
Park Development	\$ 86,219	\$ -	\$ -	\$ -	\$ -	\$ -
2021 CO Capital Projects	-	4,009,941	-	-	-	-
Sub Total	\$ 86,219	\$ 4,009,941	\$ -	\$ -	\$ -	\$ -
Corp Leased Park Funds						
Corp LeasedTXDot Mitigation	\$ -	\$ 6,688	\$ -	\$ -	\$ -	\$ -
Operations	1,018,718	-	-	-	-	-
Sub Total	\$ 1,018,718	\$ 6,688	\$ -	\$ -	\$ -	\$ -
HV Community Development Funds						
Operations	\$ 1,096,553	\$ -	\$ -	\$ -	\$ -	\$ -
HVDCDC TXDot Mitigation	-	6,396	-	-	-	-
Sub Total	\$ 1,096,553	\$ 6,396	\$ -	\$ -	\$ -	\$ -
Totals	\$ 7,329,236	\$ 6,518,943	\$ 1,453,889	\$ 2,632,807	\$ 150,678	\$ 3,383,262

**Allocation by Fund
September 30, 2023
Book and Market Value**

(Continued)

Utility Funds	Certificate of Deposit				Total	Interest This Quarter
	11/02/2023	11/09/2023	02/09/2024	05/09/2024		
Interest & Sinking	\$ -	\$ -	\$ -	\$ -	\$ 567,777	\$ 6,099
Replacement Reserve	-	-	-	-	499,314	6,549
Operations	-	-	-	-	3,723,991	48,906
Impact Fees	-	-	-	-	1,279,340	16,408
2018 CO Utility Capital Projects	-	-	-	-	763,639	12,755
American Rescue Plan Act	-	-	-	-	1,861,368	24,368
Sub Total	\$ -	\$ -	\$ -	\$ -	\$ 8,695,428	\$ 115,084
General Funds						
Operations	\$ -	\$ 2,048,089	\$ 2,048,391	\$ 2,047,588	\$ 10,912,263	\$ 144,908
Pooled Cash	-	-	-	-	1,276,714	-
Pooled Cash Credit Card Clearing	-	-	-	-	177,175	-
Interest & Sinking	-	-	-	-	134,283	4,302
Drainage Utility	-	-	-	-	192,505	2,588
Sub Total	\$ -	\$ 2,048,089	\$ 2,048,391	\$ 2,047,588	\$ 12,692,939	\$ 151,798
General Capital Project Funds						
Park Development	\$ -	\$ -	\$ -	\$ -	\$ 86,219	\$ 1,131
2021 CO Capital Projects	3,650,249	2,560,112	2,560,488	2,047,588	14,828,377	181,600
Sub Total	\$ 3,650,249	\$ 2,560,112	\$ 2,560,488	\$ 2,047,588	\$ 14,914,596	\$ 182,731
Corp Leased Park Funds						
Corp LeasedTXDot Mitigation	\$ -	\$ -	\$ -	\$ -	\$ 6,688	\$ 88
Operations	-	-	-	-	1,018,718	12,963
Sub Total	\$ -	\$ -	\$ -	\$ -	\$ 1,025,407	\$ 13,050
HV Community Development Funds						
Operations	\$ -	\$ -	\$ -	\$ -	\$ 1,096,553	\$ 13,631
HV CDC TXDot Mitigation	-	-	-	-	6,396	84
Sub Total	\$ -	\$ -	\$ -	\$ -	\$ 1,102,948	\$ 13,714
Totals	\$ 3,650,249	\$ 4,608,201	\$ 4,608,879	\$ 4,095,175	\$ 38,431,319	\$ 476,377

Allocation by Fund
June 30, 2023
Book and Market Value

Utility Funds	TexPool	TexSTAR	Wells Fargo DDA	Southside MMA	InterBank MMA	InterBank IntraFi MMA
Interest & Sinking	\$ 440,832	\$ -	\$ -	\$ -	\$ -	\$ -
Replacement Reserve	492,765	-	-	-	-	-
Operations	3,383,140	-	-	291,945	-	-
Impact Fees	260,570	-	-	932,428	-	-
2018 CO Utility Capital Projects	-	37,851	-	-	100,432	809,012
American Rescue Plan Act	-	1,837,000	-	-	-	-
Sub Total	\$ 4,577,308	\$ 1,874,851	\$ -	\$ 1,224,372	\$ 100,432	\$ 809,012
General Funds						
Operations	\$ 41,535	\$ 1,025,162	\$ -	\$ 1,373,326	\$ 50,216	\$ 3,021,354
Pooled Cash	-	-	889,535	-	-	-
Pooled Cash Credit Card Clearing	-	-	73,384	-	-	-
Interest & Sinking	441,159	68,524	-	-	-	-
Drainage Utility	195,580	-	-	-	-	-
Sub Total	\$ 678,274	\$ 1,093,685	\$ 962,918	\$ 1,373,326	\$ 50,216	\$ 3,021,354
General Capital Project Funds						
Park Development	\$ 85,088	\$ -	\$ -	\$ -	\$ -	\$ -
2021 CO Capital Projects	-	1,530,273	-	-	-	-
Sub Total	\$ 85,088	\$ 1,530,273	\$ -	\$ -	\$ -	\$ -
Corp Leased Park Funds						
Corp LeasedTXDot Mitigation	\$ -	\$ 6,601	\$ -	\$ -	\$ -	\$ -
Operations	947,612	-	-	-	-	-
Sub Total	\$ 947,612	\$ 6,601	\$ -	\$ -	\$ -	\$ -
HV Community Development Funds						
Operations	\$ 1,038,384	\$ -	\$ -	\$ -	\$ -	\$ -
HVDCD TXDot Mitigation	-	6,312	-	-	-	-
Sub Total	\$ 1,038,384	\$ 6,312	\$ -	\$ -	\$ -	\$ -
Totals	\$ 7,326,667	\$ 4,511,721	\$ 962,918	\$ 2,597,699	\$ 150,647	\$ 3,830,366

Allocation by Fund
June 30, 2023
Book and Market Value

(Continued)

Utility Funds	Certificate of Deposit					Total	Interest This Quarter
	07/20/2023	08/02/2023	11/09/2023	02/09/2024	05/09/2024		
Interest & Sinking	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 440,832	\$ 3,400
Replacement Reserve	-	-	-	-	-	492,765	6,035
Operations	-	-	-	-	-	3,675,085	32,961
Impact Fees	-	-	-	-	-	1,192,998	14,678
2018 CO Utility Capital Projects	-	-	-	-	-	947,294	12,556
American Rescue Plan Act	-	-	-	-	-	1,837,000	28,504
Sub Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,585,975	\$ 98,133
General Funds							
Operations	\$ 1,030,309	\$ -	\$ 2,023,506	\$ 2,023,652	\$ 2,023,262	\$ 12,612,322	\$ 170,011
Pooled Cash	-	-	-	-	-	889,535	-
Pooled Cash Credit Card Clearing	-	-	-	-	-	73,384	-
Interest & Sinking	-	-	-	-	-	509,683	5,965
Drainage Utility	-	-	-	-	-	195,580	2,499
Sub Total	\$ 1,030,309	\$ -	\$ 2,023,506	\$ 2,023,652	\$ 2,023,262	\$ 14,280,503	\$ 178,475
General Capital Project Funds							
Park Development	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 85,088	\$ 1,042
2021 CO Capital Projects	2,575,773	3,606,079	2,529,382	2,529,565	2,023,262	14,794,334	149,236
Sub Total	\$ 2,575,773	\$ 3,606,079	\$ 2,529,382	\$ 2,529,565	\$ 2,023,262	\$ 14,879,422	\$ 150,278
Corp Leased Park Funds							
Corp LeasedTXDot Mitigation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,601	\$ 81
Operations	-	-	-	-	-	947,612	5,713
Sub Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 954,213	\$ 5,794
HV Community Development Funds							
Operations	\$ -	-	\$ -	\$ -	\$ -	\$ 1,038,384	\$ 10,425
HV CDC TXDot Mitigation	-	-	-	-	-	6,312	78
Sub Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,044,695	\$ 10,503
Totals	\$ 3,606,082	\$ 3,606,079	\$ 4,552,888	\$ 4,553,217	\$ 4,046,524	\$ 39,744,808	\$ 443,183

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 16

MEETING DATE: 11/14/2023

SUBJECT: Consider Resolution 2023-3101 Authorizing Negotiation and Execution of an Agreement with Flock Group, Inc. for Automatic License Plate Detection Hardware and Services and Authorizing the City Manager to Approve Future Term Extensions

PREPARED BY: Doug Reim, Chief of Police

BACKGROUND:

The City utilizes Flock Group Inc. software and hardware services for automatic license plate detection to enhance public safety at city parks and other key city locations. An annual recurring services agreement has been in place since May 2021. In prior presentations to the City Council, the Police Department has demonstrated the effectiveness of the Flock license plate reader system as a law enforcement tool, especially when the City's system and the data collected is integrated with similar systems deployed by other cities within the region.

IDENTIFIED NEED/S:

Flock Group has announced upcoming price increases for 2024. The increased cost for our agency will go from \$40,000 to \$48,000 annually for the City's sixteen (16) camera system.

Existing customers are being offered the opportunity to lock in current pricing with a five (5) year services agreement rather than an annual one. As a procurement that has been determined to be necessary to preserve the health or safety of the City's residents, there is no competitive bid requirement. .

OPTIONS & RESULTS:

Funds for the initial years of these services are a budgeted item in the FY 2023-24 Budget. Budgeting over the next five (5) years will be predictable and not be increased with the agreement adoption.

PROGRESS TO DATE: (if appropriate)

N/A

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Approval of a five (5) year agreement versus an annual one will save the city at least \$8,000 a year or \$40,000 over the five (5) year agreement period.

RECOMMENDATION:

Staff recommends approval of Resolution No 2023-3101 authorizing negotiation and execution of an agreement with Flock Group, Inc. for automatic license plate detection hardware and software services.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2023-3101

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING NEGOTIATION AND EXECUTION OF AN AGREEMENT WITH FLOCK GROUP, INC. FOR AUTOMATIC LICENSE PLATE DETECTION HARDWARE AND SOFTWARE SERVICES; AUTHORIZING TERM EXTENSIONS AND CHANGE ORDERS SUBJECT TO AVAILABLE FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has contracted for several years with Flock Group, Inc. (“Flock”) to provide cameras and related imaging and data collection software services for an automatic license plate reader system (the “Services”) on an annually renewable basis; and

WHEREAS, Flock has offered a discounted cost for the Services if the City agrees to a new five-year agreement for the Services; and

WHEREAS, the procurement of the Services have been determined to be necessary to preserve or protect the public health or safety of the City's residents; and

WHEREAS, City Administration recommends negotiation and execution of a five-year agreement with Flock for the Services subject to such agreement containing the ability to terminate the agreement in the event of the non-appropriation of funds for such agreement in any future fiscal year; and

WHEREAS, the City Council of the City of Highland Village, Texas, finds it to be in the public interest to concur in such recommendation.

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

SECTION 1. The City Manager is hereby authorized to negotiate and executes an agreement with Flock Group Inc. for the Services for a term of up to five-years for an annual amount of \$40,000.00 is further authorized to make such payments in future fiscal years in accordance with said agreement without further approval of the City Council subject to (i) current funds being budgeted for the fiscal year in which such payment is due and payable and available for such purpose and (ii) such agreement containing provisions authorizing termination of such agreement before the end of said five-year term in the event the City Council fails to appropriate funds for such agreement in a future fiscal year.

SECTION 2. This resolution shall become effective immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THIS THE 14TH DAY OF NOVEMBER 2023.

APPROVED:

Daniel Jaworski, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:11/8/2023:4895-5288-7183 v1)

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 18	MEETING DATE: 11/14/2023
SUBJECT:	Consider Ordinance 2023-1310 on First Reading Authorizing Amendments to the Fiscal Year 2023-2024 Budget
PREPARED BY:	Ken Heerman, Assistant City Manager

BACKGROUND:

Each department is responsible for not exceeding the amounts budgeted in each of three categories – Personnel, Services/Supplies, and Capital. Category subtotals of departmental expenditures thus provide the level of budgetary control. Should a need arise for reallocation between categories or between departments, budget amendments are then presented for Council consideration.

IDENTIFIED NEED/S:

This is the first amendment presented to Council this fiscal year. This amendment addresses a proposed purchase for Police specialty vehicles (Trikke POSITRONs) that were not identified in the FY 2024 Budget. Significantly, over the past few months, and at the direction of City Council, a working group was established to address the growing safety and concerns of various micro-mobility devices being utilized on our extensive trail system (32 miles). That ordinance was only recently presented and is pending a second read during tonight's regularly scheduled council meeting.

Enforcement of this newly created ordinance was the driving factor for the request for these specialized vehicles to bolster police presence on the trails. They will also be utilized during special events, and even day to day operations, and will enhance the police department's robust community policing philosophy. The request entails purchase of two (2) of the company's top rated positron electronic three-wheeled personal patrol vehicles at a cost of \$25,000; two (2) spare 72 V Lithium batteries at a cost of \$5600; and a shipping cost of \$1000 for a grand total of: \$31,600. Additional information on these devices is to be provided during a presentation at the early workshop meeting by Chief Reim.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Budgetary changes to Fund Balance are detailed on the request worksheet following.

RECOMMENDATION:

Council to approve the first read of Ordinance No. 2023-1310 adopting amendments to the Fiscal Year 2023-2024 Budget, as presented.

Budget Amendment Request Worksheet

Line Item for Proposed Change:

DEPARTMENT	Category	Current Budget (Annual)	Proposed Budget (Annual)	Increase / Decrease
Police	Capital	-	31,600	31,600
General Fund Balance			Net Change	31,600
Reason For Request				
Police Capital - \$31,600 == Acquisition of two (2) positron electronic three-wheeled personal patrol vehicles .				
General Fund			Net Change \$ -31,600	

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2023-1310

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ADOPTING AMENDMENTS TO THE FISCAL YEAR 2023-2024 BUDGET; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Highland Village, Texas, has lawfully adopted a budget for fiscal year 2023-2024 (“2023-2024 Budget”); and

WHEREAS, the City Manager has prepared, as required by Article VI, Section 6.08 of the City Charter, an amendment to certain appropriations and expenditures in the 2023-2024 Budget, and has submitted same to the City Council for its review and approval, a copy of which is attached to this Ordinance; and

WHEREAS, the City Council of the City of Highland Village has determined that this budget amendment is necessary and appropriate to preserve and protect the health, safety and welfare of the citizens of the City of Highland Village as well as other persons in the City.

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

SECTION 1. The amendments to the 2023-2024 Budget, attached hereto as Exhibit “A” and incorporated herein by reference, are hereby authorized, approved, and adopted.

SECTION 2. If any section, subsection, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared severable.

SECTION 3. This Ordinance shall take effect immediately from and after its passage on second reading.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS ON THE FIRST READING, THIS THE 14th DAY OF NOVEMBER 2023.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS ON THE SECOND READING, THIS THE ____ DAY OF _____ 2023.

APPROVED:

Daniel Jaworski, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:11/8/2023:4882-7022-3247 V1)

**Ordinance No. 2023-1310
Exhibit "A"**

Budget Amendment Request Worksheet

Line Item for Proposed Change:

DEPARTMENT	Category	Current Budget (Annual)	Proposed Budget (Annual)	Increase / Decrease
Police	Capital	-	31,600	31,600
General Fund Balance			Net Change	31,600
Reason For Request				
Police Capital - \$31,600 == Acquisition of two (2) positron electronic three-wheeled personal patrol vehicles.				
General Fund			Net Change \$	-31,600

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 19

MEETING DATE: 11/14/2023

SUBJECT: Consider Resolution 2023-3102 finding that CoServ Gas, LTD.'s Statement of Intent to Increase Rates within the City should be Denied

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

On July 28, 2023, CoServ Gas, Ltd. ("CoServ"), pursuant to Subchapter C of Chapter 104 of the Gas Utility Regulatory Act, filed its Statement of Intent to change gas rates at the Railroad Commission of Texas ("RRC") and in all municipalities exercising original jurisdiction within its service area, effective September 1, 2023. Service in Highland Village includes the Shops of Highland Village and homes in the Rolling Hills and Highland Oaks subdivisions.

CoServ is seeking to increase its gas rates on a system-wide basis by \$10,314,726, which is an increase of 7.5% including gas costs, or 27.3% excluding gas costs. CoServ is also requesting: (1) new depreciation rates for distribution and general plant; (2) a prudence determination for capital investment; (3) specification of the factors to be used in any Interim Rate Adjustment Filing the Company makes pursuant to Texas Utilities Code § 104.302; and (4) a surcharge on customer bills to recover the reasonable rate case expenses associated with the filing of this statement of intent.

Action taken at the August 8, 2023 Council Meeting suspended the September 1, 2023 effective date of the CoServ's rate increase for the maximum period permitted by law to allow the City, working in conjunction with other similarly situated cities with original jurisdiction served by CoServ, to evaluate the filing, to determine whether the filing complies with the law, and if lawful, to determine what further strategy, including settlement, to pursue.

OPTIONS & RESULTS:

The Steering Committee of Cities Served by CoServ Gas, Ltd. ("CoServ Gas Cities") engaged the services of consultants to review the Company's filing. The consultants identified numerous unreasonable expenses and proposed significant reductions to the Company's request. Settlement discussions are ongoing, but no agreement has been met. Accordingly, CoServ Gas Cities' attorneys recommend that all member cities adopt the Resolution denying the rate change.

The resolution provides for the current rates to be unchanged. And CoServ Gas will reimburse Cities for their reasonable rate case expenses. Legal counsel and consultants, approved by the Cities, will submit monthly invoices that will be forwarded to CoServ for reimbursement. Once the Resolution is adopted, CoServ will have 30 days to appeal the decision to the Railroad Commission where the appeal will be consolidated with CoServ's filing.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

Council to approve Resolution No. 2023-3102 denying a request from CoServ Gas, Ltd. for a rate increase.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2023-3102

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS FINDING THAT COSERV GAS, LTD.'S STATEMENT OF INTENT TO INCREASE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND THE CITY'S LEGAL COUNSEL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Highland Village, Texas ("City") is a gas utility customer of CoServ Gas, Ltd. ("CoServ" or "Company") and is a regulatory authority under the Gas Utility Regulatory Act ("GURA") with exclusive original jurisdiction over CoServ's rates, operations, and services within the City; and

WHEREAS, the City cooperated with a coalition of similarly situated cities served by the Company that have joined together to facilitate the review and response to natural gas issues affecting the rates charged in CoServ's service area ("CoServ Gas Cities" or "Steering Committee of Cities Served by CoServ Gas, Ltd."); and

WHEREAS, on or about July 28, 2023, CoServ filed with the City a Statement of Intent to Increase Rates seeking to increase natural gas rates by \$10.3 million annually in incorporated areas; and

WHEREAS, the City passed Resolution No. 2023-3079 to suspend the effective date of CoServ's requested rate increase for 90 days, the maximum period allowed by law; and

WHEREAS, CoServ Gas Cities hired and directed legal counsel and consultants to prepare a collective response to the Company's requested increase, which resulted in a conclusion that CoServ's proposed rates are not reasonable; and

WHEREAS, CoServ Gas Cities' attorneys recommend that members deny the requested increase; and

WHEREAS, GURA § 103.022 provides that costs incurred by CoServ Gas Cities in ratemaking activities are to be reimbursed by the regulated utility.

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

SECTION 1. The rates proposed by CoServ to be recovered through its gas rates charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

SECTION 2. The Company shall continue to charge its existing rates to customers within the City.

SECTION 3. The City's reasonable rate case expenses shall be reimbursed in full by CoServ.

SECTION 4. It is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 5. A copy of this Resolution shall be sent to CoServ, care of Charles Harrell, CoServ Gas, Ltd., 7701 South Stemmons Freeway, Corinth, Texas 76210 (Charrell@coserv.com); and to Thomas Brocato, counsel for CoServ Gas Cities, Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701 (tbrocato@lglawfirm.com).

SECTION 6. This Resolution shall be and become effective immediately from and after its adoption.

PASSED AND APPROVED THIS THE 14TH DAY OF NOVEMBER 2023.

Daniel Jaworski, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(KBL:11/8/2023:4892-3019-2783 V1)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA#	20	MEETING DATE:	11/14/2023
SUBJECT:	Consider Resolution 2023-3103 awarding Grant Funds to Community Nonprofit Organizations for Fiscal Year 2023-2024		
PREPARED BY:	Angela Miller, City Secretary		

BACKGROUND:

Per Resolution 2018-2729, community nonprofit organizations desiring funding from the City must submit request applications to the City. Once all applications are received, they are reviewed and provided to City Council for consideration.

Requests must meet the following criteria:

- Services to be provided by an organized civic, cultural, educational, or service group that is a nonprofit organization with membership open to all citizens of Highland Village
- Services must be of economic benefit to the community or contribute to the quality of life in Highland Village by serving a municipal public purpose
- Services must be provided to the residents of Highland Village on an equal basis
- The organization must enter into a written contract with the City of Highland Village for the provision of services

Examples of municipal public purpose include, but are not limited to:

- Preservation, promotion or development of historically sensitive areas of the city
- Promotion of the performing arts
- Activities promoting and improving the health, safety and welfare of the youth, adults or senior citizens residing in the city
- Educational programs promoting student and citizen participation in the electoral process and local government
- Crime awareness and prevention

IDENTIFIED NEED/S:

City Council will consider written requests for financial assistance and determine allocation amounts, if any, for the community nonprofit organizations.

OPTIONS & RESULTS:

To identify nonprofit organizations that will receive funding as allocated in the Fiscal Year 2023-2024 budget.

PROGRESS TO DATE: (if appropriate)

Eighteen (18) nonprofit organizations submitted funding request applications. A copy of all applications have been provided to Council and representatives from each nonprofit organization provided a presentation to Council at their regular meeting held October 24, 2023. Below is a listing of those nonprofit organizations, including the amount of funds requested:

Nonprofit Organization	Funding Request
Family Service Organizations	
Christian Community Action (CCA)	\$5,000
Denton County Friends of the Family	\$5,000
Denton County MHMR Center	\$10,000
Love Thy Neighbor	\$2,500
Salvation Army – Lewisville	\$4,000
SPAN, Inc./Meals on Wheels of Denton County	\$2,106
Special Abilities of North Texas	\$7,000
Winning The Fight (WTF)	\$3,000
Children’s Service Organizations	
CASA of Denton County	\$3,000
Communities in Schools of North Texas	\$3,500
Journey to Dream	\$4,100
PediPlace	\$5,000
Lewisville ISD Education Foundation (LEF)	\$5,000
Community Service Organizations	
Chisholm Trail Retired Senior Volunteer Program (RSVP)	\$2,500
Friends of the Flower Mound Public Library	\$ 500
Lewisville Lake Symphony Association	\$4,500
Studio B Performing Arts	\$5,000
MLK of North Texas	\$1,000
TOTAL	\$72,706

In addition to the funding that is awarded annually to nonprofit organizations, the City purchases tables and tickets for events hosted by nonprofit and community civic organizations, as well as local Chamber events. In order to provide a better understanding of the monetary support provided to the local organizations by the City and City Council, a listing of these purchases was provided during the Early Work Session discussion.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Council has historically allocated 0.25% of the City’s Maintenance & Operations budget (excluding capital project or purchasing funds) to fund services provided by eligible nonprofit organizations. There is \$56,000 included in the Fiscal Year 2023-2024 budget for funding community services and activities provided by nonprofit organizations.

The City has received Opioid Settlement Funds through the Attorney General’s Office, and we currently have \$15,794.78. These funds can be used for drug education that addresses the misuse of opioids. Winning the Fight does this type of programming and in

fact are currently gearing up to have this program in Highland Village schools. The City can allocate Opioid Settlement Funds to Winning the Fight, thereby freeing up those requested dollars from the General Fund that can be allocated to the other nonprofit organizations. These allocations can be done separate from the other nonprofit requests.

RECOMMENDATION:

To approve Resolution 2023-3103 making nonprofit funding allocations for Fiscal Year 2023-2024.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2023-3103

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AWARDED GRANT FUNDS TO NONPROFIT ORGANIZATIONS FOR FISCAL YEAR 2023-2024; AUTHORIZING CONTRACTS WITH SUCH ORGANIZATIONS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, City Resolution 2018-2729 establishes a uniform policy to grant financial assistance to nonprofit organizations and community service providers; and

WHEREAS, grant funds are included in the Fiscal Year 2023-2024 Budget; and

WHEREAS, the Council finds it to be in the public interest to authorize the City Manager to execute agreements with nonprofit organizations who are to receive funding from the City, in accordance with Resolution 2018-2729 based on the funding allocation set forth in this Resolution.

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

SECTION 1. The City Manager is authorized to negotiate and sign service agreements on behalf of the City of Highland Village with the following Family Service Organizations for Fiscal Year 2023-2024 in the following designated amounts:

<u>Organization</u>	<u>Funding Amount</u>
<u>Christian Community Action (CCA)</u>	\$ _____
<u>Denton County Friends of the Family, Inc.</u>	\$ _____
<u>Denton County MHMR Center</u>	\$ _____
<u>Love Thy Neighbor</u>	\$ _____
<u>Salvation Army</u>	\$ _____
<u>SPAN, Inc./Meals on Wheels of Denton County</u>	\$ _____
<u>Special Abilities of North Texas</u>	\$ _____
<u>Winning the Fight (WTF)</u>	\$ _____

SECTION 2. The City Manager is authorized to negotiate and sign service agreements on behalf of the City of Highland Village with the following Children's Service Organizations for Fiscal Year 2023-2024 in the following designated amounts:

<u>Organization</u>	<u>Funding Amount</u>
<u>CASA of Denton County, Inc.</u>	\$ _____

<u>Communities in Schools of North Texas</u>	\$ _____
<u>Journey to Dream</u>	\$ _____
<u>PediPlace</u>	\$ _____
<u>Lewisville ISD Education Foundation (LEF)</u>	\$ _____

SECTION 3. The City Manager is authorized to negotiate and sign service agreements on behalf of the City of Highland Village with the following Community Service Organizations for Fiscal Year 2023-2024 in the following designated amounts:

<u>Organization</u>	<u>Funding Amount</u>
<u>Chisolm Trail Retired Senior Volunteer Program (RSVP)</u>	\$ _____
<u>Friends of the Flower Mound Public Library</u>	\$ _____
<u>Lewisville Lake Symphony Association, Inc.</u>	\$ _____
<u>Studio B Performing Arts</u>	\$ _____
<u>MLK of North Texas</u>	\$ _____

SECTION 4. This Resolution shall take effect immediately upon passage.

PASSED AND APPROVED this the 14th day of November 2023

APPROVED:

Daniel Jaworski, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:11/8/2023:4857-6320-3983 v1)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 21

MEETING DATE: 11/14/2023

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

PREPARED BY: Paul Stevens, City Manager

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 MEETINGS

November 14, 2023	Regular City Council Meeting - 7:30 pm
November 20, 2023	Parks & Recreation Advisory Board Meeting – 6:00 pm
November 21, 2023	Planning & Zoning Commission Meeting – 7:00 pm
November 23-24, 2023	City Offices Closed for the Thanksgiving Holiday
November 28, 2023	Regular City Council Meeting - 7:00 pm CANCELLED
December 7, 2023	Zoning Board of Adjust Meeting – 7:00 pm
December 12, 2023	Regular City Council Meeting - 7:00 pm
December 18, 2023	Parks & Recreation Advisory Board Meeting – 6:00 pm
December 26, 2023	Planning & Zoning Commission Meeting – 7:00 pm
December 26, 2023	Regular City Council Meeting - 7:00 pm - CANCELLED
December 25-26, 2023	City Offices Closed for the Christmas Holiday
January 1, 2024	City Offices Closed for the New Year Holiday
January 4, 2024	Zoning Board of Adjustment Meeting – 7:00 pm
January 9 2024	Regular City Council Meeting Minutes – 7:00 pm

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