



A G E N D A

**REGULAR MEETING OF THE
HIGHLAND VILLAGE CITY COUNCIL
HIGHLAND VILLAGE CITY COUNCIL CHAMBERS
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS
TUESDAY, SEPTEMBER 10, 2019, at 6:00 P.M.**

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

EARLY WORK SESSION

- 1. Receive Research Results from BrandEra regarding the Highland Village Business Association**
- 2. Receive an Update on the Kids Kastle Community Build Project**
- 3. Receive an Update on Annual Appointments to the City's Boards and Commissions**
- 4. Receive an Update regarding the City's Comprehensive Zoning Ordinance as it relates to HB 3167**
- 5. Clarification of Consent or Action Items listed on Today's City Council Regular Meeting Agenda of September 10, 2019**

(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**

- 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)
(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.

7. Call to Order
8. Prayer to be led by Mayor Pro Tem Mike Lombardo
9. Pledge of Allegiance to the U.S. and Texas flags to be led by Mayor Pro Tem Mike Lombardo: *“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”*
10. **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.)*
11. **City Manager/Staff Reports**
 - HVTV Update
12. **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 Live United Month

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 August 27, 2019
14. Consider Ordinance 2019-1263 amending the Comprehensive Zoning Ordinance and Zoning Map relating to the use and development of a 2.702± Acre Tract of Land located in the E. Clary Survey, Abstract No. 248, Generally Located at 1400 Highland Village Road and Presently Zoned SF-15 Single Family Residential by Creating Planned Development No. 2019-01 for Detached Single Family Residential Development and Adopting Development Regulations, a Concept Plan, and Landscape Plan (2nd and final read)

15. Consider Ordinance 2019-1264 amending the Comprehensive Zoning Ordinance and Zoning District Map Relating to the Development and Use of a 23.471± Acre Tract Out of the J. Edmonson Subdivision Survey, Abstract No. 398, Generally Located at 2601 Harlington Drive and Located In Planned Development District No. 8 (PD-8) By Amending the Development Plan Relating to Said Property (2nd and final read)
16. Consider Resolution 2019-2835 awarding the Bid and authorizing an Agreement for Employee Health Insurance with Blue Cross Blue Shield
17. Consider Resolution 2019-2836 awarding the Bids and authorizing Agreements for Employee Dental, Group Life and Long-Term Disability Insurance with Dearborn

ACTION AGENDA

18. 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
19. Conduct a Public Hearing on the Proposed Budget and Tax Rate for Fiscal Year 2019-2020
20. Consider Ordinance 2019-1266 approving and adopting the Fiscal Year 2019-2020 Annual Budget (1st of two reads)
21. Consider Ordinance 2019-1267 levying the Ad Valorem Taxes for the Year 2019 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, 2019 (1st of two reads)

LATE WORK SESSION

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

22. Status Reports on Current Projects and Discussion on Future Agenda Items (A Councilmember may inquire about a subject of which notice has not been given. A statement of specific 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.)
23. Adjournment

I HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT THE MUNICIPAL COMPLEX, 1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS IN ACCORDANCE WITH THE *TEXAS GOVERNMENT CODE, CHAPTER 551*, ON THE 6TH DAY OF SEPTEMBER, 2019 NOT LATER THAN 5:00 P.M.



Angela Miller, City Secretary

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

Removed from posting on the _____ day of _____, 2019 at
_____ am / pm by _____.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 1	MEETING DATE: 9/10/19
SUBJECT:	Highland Village Business Association Research Findings
PREPARED BY:	Michael Leavitt, City Manager Laurie Mullens, Director of Marketing & Communication

BACKGROUND:

The Highland Village Business Association (HVBA) was established in February 1996 as a way to keep Highland Village businesses informed of road construction projects. The HVBA began holding quarterly lunches and quarterly coffee events to provide City updates, networking opportunities and promotion of local businesses. The HVBA does not charge its members' dues and is open to all Highland Village, Flower Mound, and Lewisville brick and mortar and home-based businesses. Over the last 23 years the organization has grown significantly with approximately 1000 members.

Previous City Councils made the decision to fund the efforts of the HVBA as a business retention, customer connection and networking opportunity. Efforts of the HVBA are managed and performed by the marketing and communications department. Staff manages a website, thehvba.com, which includes an online business directory and upcoming events for the HVBA, the City and the local non-profits the City supports. Highland Village businesses also receive video promotion such as Foodie Friday, Shopping Saturday, Business Spotlights, and Virtual Ribbon Cuttings. In October the HVBA, in conjunction with the Highland Village Police Department and their TXFallenPD Tribute Event, solicits Highland Village restaurants to participate in Restaurant Week in support of the Fallen Officer Fund. The HVBA provides social media, print, digital and video promotion for the participating restaurants. All promotion material created for Highland Village businesses are shared on thehvba.com, the HVBA Facebook, and Instagram pages. Videos created are produced at no charge and provided to the business to use in their marketing efforts. Newsletters are sent to the membership weekly or as needed to inform of upcoming events and sponsorship opportunities. The annual budget for the HVBA is \$24,600.

Marketing TXFallenPD Tribute Event/Restaurant Week	\$5300.00
Community Coffee (March, June, October)	\$1500.00
Lunches/Salute Our Veterans Luncheon (Jan., April, August, Nov.) (Cost Recovery through attendee fees and sponsorships for Salute)	\$12,800.00
Promotional Items/Gifts for volunteers	\$3000.00
Newsletter Software annual fee	\$2000.00
Total:	\$24,600.00

IDENTIFIED NEED/S:

As we look to the future efforts of the HVBA we would like input from our local businesses as to how they would like the HVBA to help them succeed, what current programs or promotion efforts do they find useful, and how can the HVBA best support them. Additionally, we would like input from residents as to how they would like to receive business information, where they

go for this type of information and the best methods to encourage their patronage of Highland Village businesses.

PROGRESS TO DATE:

We contracted with BrandEra to conduct the research. A resident survey was created and shared on Nextdoor, the City Facebook page, City website, and sent in an email to the resident database. We received over 1300 survey responses. Two focus groups were conducted; one for business and retail owners/managers and the other for restaurant owners/managers.

OPTIONS & RESULTS:

BrandEra has provided a report of the survey and focus group results along with recommendations for the HVBA going forward.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

Receive the BrandEra report.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 2

MEETING DATE: 09/10/19

SUBJECT: Receive an Update on the Kids Kastle Community Build Project

**PREPARED BY: Phil Lozano, Parks and Recreation Director
Angela Miller, City Secretary**

COMMENTS

In 1994 a community build playground was constructed in Unity Park named Kids Kastle. This 20,000 square foot playground has become a favorite place for children and families to spend time together over the years. However, the structure has reached the end of its useful life and is in need of replacement.

A Special Joint Meeting of the Highland Village City Council and the Parks and Recreation Advisory Board was held on April 15, 2019, to discuss the replacement of Kids Kastle. During the touring portion of that meeting, staff showed and discussed problem areas associated with the playground equipment and surfacing. Staff sought the assistance of a professional design and construction services company relating to the rebuild and replacement of the Kids Kastle Playground and entered into a contract with Play by Design.

As part of the community design process, staff requested input from children and parents to help design the new play structure. In the meetings, our consultant provided information about their company and details of the community build process, including timeline, fundraising, recruitment of volunteers and the formation of committee coordinators for construction, special needs, public relations, materials, food for the volunteers and needed tools.

After compiling the ideas and results of the meetings, a preliminary conceptual plan will be presented during the update. The preliminary design is not intended to be the finished plan but rather a collection of popular playground ideas from children and parents. The finished plan will come at a later date and will be formally presented to the Council via Park Board recommendation for approval.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 3	MEETING DATE: 09/10/19
SUBJECT: Provide an Update on Annual Appointments to the City's Boards and Commissions	
PREPARED BY: Angela Miller, City Secretary	

BACKGROUND:

City ordinance states that citizens interested in volunteering their time by serving on a board, commission or committee may submit an application to the City Secretary's Office for consideration by Council.

Each appointment is for a term of two years, unless an individual is appointed to fill a vacancy. A "term year" shall be from October 1 until the following September 30. The terms of the board and commission members shall expire on the 1st day of October of the second year or when their successor has been duly appointed for office.

Citizens appointed by Council are only allowed to serve four consecutive terms, with the exception of the board of directors for the Highland Village Community Development Corporation (4B). Per their Articles of Incorporation, no member shall serve more than three consecutive terms.

IDENTIFIED NEED/S:

There are eighteen (18) positions with terms that expire on September 30, 2019.

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, HVTV News, and on the City's website.

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. The following is a list of the positions and current members with terms that will expire this year.

BOARD OF ETHICS		
<i>Board Member Name</i>	<i>Board Choice</i>	<i>Place</i>
Kevin McMahan	Same Board	N/A
James Burmeister	Same Board	N/A
Benjamin Somero	Same Board	N/A
HV COMMUNITY DEVELOPMENT CORPORATION (4B)		
Mike Lombardo	Same Board	City Representative
Tom Heslep	Same Board	City Representative
Dale Butler	Same Board	Citizen Representative
Barbara Fleming	Same Board	City Representative

PARKS AND RECREATION ADVISORY BOARD		
Gary Patz	Same Board	Place 4
Kenneth Koonsman	Same Board	Place 5
Kevan Fenderson	Same Board	Alternate Place 1
PLANNING AND ZONING COMMISSION		
Rick Turner	Same Board	Place 1
Deedee Ricketts	Has Reached Term Limit	Place 4
Angelina Robinson	Same Board	Place 5
Dee Leggett	Same Board	Alternate Place 1
ZONING BOARD OF ADJUSTMENT		
Christian Hart	Same Board	Place 1
Richard Holderby	Does Not Wish to Serve Again	Place 2
Thomas Peck	Same or Different Board	Place 3
Guy Skinner	Different Board	Alternate Place 1

OPTIONS & RESULTS:

During Early Work Session, Council will receive an update from staff and copies of all applications filed for their review and consideration. To provide an opportunity to meet face to face and to facilitate any questions, Council has hosted a “Meet and Greet” with the applicants in past years. Staff proposes September 24, 2019 for a “Meet and Greet” so that Council can make annual appointments at their October 8, 2019 meeting. Although terms expire the end of September, members will continue to serve until appointments have been made.

PROGRESS TO DATE: (if appropriate)

To date, the City Secretary’s Office has received a total of twenty-five (25) applications, which include currently serving members who wish to be considered for reappointment.

Currently serving board/commission members were contacted and given the opportunity to notify the City Secretary’s Office if they were interested in being considered for reappointment.

- Fifteen (15) members would like to be considered for reappointment to their respective Board or Commission, with one (1) of those members also available for a different Board if needed.
- One (1) member would like to be considered for appointment to a different Board or Commission.
- One (1) member did not wish to be reappointed.
- One (1) member has reached their term limit.

In addition to the existing Board and Commission members, the City has eight (8) new applications on file for consideration by Council. A table listing all applicants (both current members & new) with their preferences is provided with this briefing.

RECOMMENDATION:

No action is required at this time. Staff is providing this information as an update for Council.

BOARD AND COMMISSION MEMBER PREFERENCES

Member Name	Current Service	Interest in Appointment	Ethics Board	HVCDC	Parks Board	P & Z	ZBA
ETHICS BOARD							
Kevin McMahan	Ethics Board	Same Board	1	4	5	2	3
James Burmeister	Ethics Board	Same Board	1	-	-	-	-
Benjamin Somero	Ethics Board	Same Board	1	2	3	4	5
HVCDC (4B)							
Mike Lombardo	City Representative	Same Board	-	1	-	-	-
Tom Heslep	City Representative	Same Board	-	1	-	-	-
Dale Butler	Citizen Representative	Same Board	4	1	5	2	3
Barbara Fleming	Council Representative	Same Board	-	1	-	-	-
PARKS & RECREATION ADVISORY BOARD							
Gary Patz	Place 4	Same Board	-	-	1	-	-
Kenneth Koonsman	Place 5	Same Board	-	2	1	-	-
Kevan Fenderson	Alternate Place 1	Same Board	-	-	1	-	-

BOARD AND COMMISSION MEMBER PREFERENCES

Member Name	Current Service	Interest in Appointment	Ethics Board	HVDC	Parks Board	P & Z	ZBA
PLANNING & ZONING COMMISSION							
Rick Turner	Place 1	Same Board	-	-	-	1	-
Deedee Ricketts	Place 4	Has Reached Term Limit	-	-	-	-	-
Angelina Robinson	Place 5	Same Board	-	3	-	1	2
Dee Leggett	Alternate Place 1	Same Board	5	4	3	1	2
ZONING BOARD of ADJUSTMENT							
Christian Hart	Place 1	Same Board	3	4	5	2	1
Richard Holderby	Place 2	Does Not Wish to Serve Again	-	-	-	-	-
Thomas Peck	Place 3	Same or Different Board	-	3	-	1	2
Guy Skinner	Alternate Place 3	Different Board	3	-	2	1	-

BOARD AND COMMISSION APPLICANT PREFERENCES

Applicant Name	Ethics Board	HVCDC	Parks Board	P & Z	ZBA
Susan Arthur	-	-	1	2	3
Daniel Blough	-	1	2	-	3
Jeremy Booker	-	-	-	-	1
Fred Busche	No Preference				
Melinda Camp	1	2	3	-	-
Eric Edwards	-	3	2	1	-
Jerry Jones	-	-	1	2	3
William Kumpf	1	-	-	-	-

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 4

MEETING DATE: 09/10/19

SUBJECT: Receive an Update regarding the City's Comprehensive Zoning Ordinance as it relates to HB 3167

PREPARED BY: Angela Miller, City Secretary

COMMENTS

City staff will provide an update regarding the City's Comprehensive Zoning Ordinance as it relates to HB 3167.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 12

MEETING DATE: 09/10/19

SUBJECT: Mayor and Council Reports on Items of Community Interest

PREPARED BY: Karen Bradley, Administrative Assistant to 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 Live United Month

Proclamation

The City of Highland Village

Whereas, United Way of Denton County empowers donors, volunteers, businesses, governments, nonprofits, and community groups to invest in their neighbors for a better Denton County community; and

Whereas, United Way of Denton County lives “UNITED 4 Denton County” to help children and families succeed, to guide and serve Veterans and their families, to advocate for overall mental health, and to make homelessness rare, brief and nonrecurring; and

Whereas, United Way of Denton County works with a network of nonprofits across the county to improve the quality of life for the most vulnerable among us; and

Whereas, United Way of Denton County seeks to increase efficiencies and eliminate redundancies to better meet people’s needs through collaborative programs to solve complex socioeconomic problems; and

Whereas, United Way of Denton County continues to improve and transform lives across Denton County.

NOW THEREFORE, I, Mike Lombardo, Mayor Pro Tem of the City of Highland Village, do hereby proclaim the month of September 2019 as:

“Live United Month”

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 10th day of September 2019.

Mike Lombardo, Mayor Pro Tem

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 13

MEETING DATE: 09/10/19

SUBJECT: Consider Approval of Minutes of the Regular City Council Meeting held on August 27, 2019

PREPARED BY: Angela Miller, City Secretary

BACKGROUND:

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

IDENTIFIED NEED/S:

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

OPTIONS & RESULTS:

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

PROGRESS TO DATE: (if appropriate)

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

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

To approve the minutes of the Regular City Council meeting held on August 27, 2019.



**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, AUGUST 27, 2019**

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

Roll Call

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

EARLY WORK SESSION

Mayor Wilcox reported Agenda Item #23 would be moved up on the agenda and discussed during Early Work Session.

23. Discuss Financial Support Opportunities for Kids Kastle, Title Sponsorship, Sponsorships, Grants, and Donations

Parks and Recreation Director Phil Lozano introduced Parks and Recreation Advisory Board Chair Dave Rush, who is also serving as the Fundraising Chair for the Kids Kastle Project. Mr. Rush presented a fundraising business plan with a goal of raising a minimum of \$200,000 for the project. He stated he had worked with staff and provided a list of potential donors/sponsors, including different tiers for sponsorship. He encouraged City

officials and staff to be involved in the process, and he also voiced the importance of community involvement.

Mr. Lozano stated City staff had presented the idea of seeking a title sponsor for the project to the Parks and Recreation Advisory Board and that the consensus was to seek sponsor(s). City Manager Michael Leavitt reported an update on the Unity Park project was presented during the recent Highland Village Business Association's luncheon and that several attendees voiced interest in being a sponsor. Mr. Leavitt added that this is a new opportunity for Highland Village and that Council would need to ultimately determine program elements, such as: do they want a title sponsor and, if so, how much funding would be required and how long the naming rights agreement would be in effect.

Councilmember Kixmiller asked what the sponsorship funds would be used for since funding for the project was approved by voters in the 2017 Bond election. Mr. Lozano reported the Kid's Kastle project was always planned as a community-build project, which typically includes a donation/sponsorship element. The funding approved in the Bond election will cover replacement of Kids Kastle, but with few enhancements. Mr. Leavitt added that funding received through sponsors would include items such as a cushioned zone mat for the fall zone, shade structures, or specialty playground equipment. Councilmember Kixmiller stated residents had voiced their concern to him regarding the need for additional funding for a project that was passed in the Bond election. He and Councilmember Jaworski stated there needed to be more clarity to residents regarding what was included in the Bond election and what is identified as extras that could be incorporated should sponsors come through. Councilmember Heslep stated there could also be a cost increase factor since the time of the Bond election. Mr. Rush stated adding the extra amenities would be nice so that Unity Park could also be a premier facility like Doubletree Ranch Park. Consensus of Council was to move forward with allowing naming rights for a monetary sponsor.

1. Update on Highland Village Business Association Research

Mr. Leavitt reported the City contracted with BrandEra to conduct research on the needs of businesses in Highland Village and how the Highland Village Business Association could better serve them. To learn the best method(s) of encouraging our residents to use Highland Village businesses, input from residents was also gathered. He reported there were 2 different focus groups, 75 businesses/restaurants, and 1,363 respondents that participated in the research. He added that BrandEra would provide their results in a presentation at a future City Council meeting.

2. Receive an Update regarding a Rate Increase Request from Community Waste Disposal (CWD)

Assistant City Manager Ken Heerman reported Community Waste Disposal (CWD) was awarded the contract for an exclusive franchise to provide solid waste collection services for the City commencing in September 2018. He added that CWD has submitted a request for consideration of a rate adjustment, as provided for in the contract. The contract with CWD provides for an annual rate adjustment in October of each year, starting with October 2019. The specified adjustment basis is structured with three components: CPI, Fuel, and Disposal (Landfill).

Mr. Heerman stated Waste Management recently notified CWD that the DFW Landfill (currently being used by CWD) located in Lewisville will be closing in December, 2019. Anticipating this change, CWD is requesting a rate increase to cover increased costs relating to distance and increased mileage. However, the agreement only allows for gate

rate of disposal for consideration and the rate is unchanged from last year. Distance and related increased mileage are not addressed in the agreement and are thus not a relevant factor. Mr. Heerman reported our agreement only provides for annual adjustments, thus the next window for addressing an increase would be in 2020.

Based on this, City staff recommends adhering to the agreement, resulting in no change in the disposal portion of rate adjustment calculation for 2019. With that, CWD could request a modification to the contract, which would require approval by Council. Mr. Leavitt stated staff needs to respond to CWD and is seeking direction from Council. Consensus of Council is to adhere to the contract, with no rate increase at this time.

3. Receive an Update on Proposed Amendments to the City of Highland Village Comprehensive Zoning Ordinance relating to Auto Storage or Auto Auction in Light Industrial and Commercial Zoning District

Mr. Kriston reported as the City has transitioned to a more proactive code enforcement model, staff has been reviewing our current ordinances and some are in need of updates. One item in need of an update relates to regulating the sale/distribution of vehicles on private property and in rights-of-way. An item regarding this topic was presented to the Planning and Zoning Commission recently. However, a public hearing needs to be conducted. This item serves as an update only and will be presented to Council in the near future.

4. Clarification of Consent or Action Items listed on Today's City Council Regular Meeting Agenda of August 27, 2019

No items were discussed.

With time remaining, discussion of Agenda Item #24 was started during Early Work Session.

24. Discuss September 1, 2019 Effective Date for Key Bills from the Texas 86th Legislative Session

City Attorney Kevin Laughlin presented information relating to bills passed during the 86th Legislative Session. The following were included in his presentation:

- HB 2439 – prohibits a city from adopting/enforcing a rule, charter provision, ordinance, building code or other regulation prohibiting or limiting the use of a building product that is allowed by a national model code published within the last three code cycles
- HB 2840 – amends the Texas Open Meetings Act to provide that a governmental body shall allow each member of the public who desires to address the body regarding an item on an agenda for an open meeting of the body, to address the body *before or during* the body's consideration of the item

Council concluded Early Work Session at 7:17 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 to Order

Mayor Charlotte J. Wilcox called the meeting to order at 7:30 p.m. and introduced Brady Cox who is serving as “Mayor for the Day.”

Roll Call

Present:	Charlotte J. Wilcox	Mayor
	Jon Kixmiller	Councilmember
	Barbara Fleming	Deputy Mayor Pro Tem
	Tom Heslep	Councilmember
	Robert A. Fiester	Councilmember
	Daniel Jaworski	Councilmember
Absent:	Michael Lombardo	Mayor Pro Tem
Staff Members:	Michael Leavitt	City Manager
	Ken Heerman	Assistant City Manager
	Kevin Laughlin	City Attorney
	Angela Miller	City Secretary
	Doug Reim	Chief of Police
	Michael Thomson	Fire Chief
	Travis Nokes	Assistant Fire Chief
	Jason Collier	Assistant Fire Chief
	Scott Kriston	Public Works Director
	Phil Lozano	Parks and Recreation Director
	Jana Onstead	Human Resources Director
	Laurie Mullens	Marketing & Communications Director
	Andrew Boyd	Media Specialist

7. Prayer to be led by Councilmember Daniel Jaworski

Councilmember Jaworski gave the invocation.

8. Pledge of Allegiance to the U.S. and Texas flags to be led by Councilmember Daniel Jaworski

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

9. Visitor Comments

No one wished to speak.

10. City Manager/Staff Reports

- **HVTV Update**

The HVTV Update featured the Foodie Friday segment highlighting A La Sweet Desserts and Coffee Shoppe located in the Marketplace at Highland Village.

11. **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 Fleming reported receiving a message asking to formally thank Officer McKelvey for assisting someone in Highland Village with an inoperable vehicle.

Mayor Wilcox thanked staff for the recent Concert in the Park, which she estimated having approximately 1,200 in attendance. She encouraged everyone to come to the September event featuring Blaze of Glory.

- **Swearing In Ceremony of Firefighter/Paramedic Joshua Mabry**

Mayor Wilcox conducted the ceremonial swearing in of new Firefighter/Paramedic Joshua Mabry.

- **Presentation of a Proclamation for National Preparedness Month**

Mayor Wilcox presented a proclamation to Chief Thomson and members of the Fire Department declaring September as National Preparedness Month in Highland Village.

- **Presentation of a Capital Credit Check from CoServ**

CoServ presented Mayor Wilcox with a Capital Credit Check in the amount of \$46,038.82. Capital Credits are funds the CoServ Board of Directors retires and returns to its customers based on their allocated share.

- **Presentation of a Proclamation Celebrating Mayor for the Day**

Mayor Wilcox also presented a proclamation to Brady Cox as Mayor for the Day. He assisted Mayor Wilcox in conducting the City Council meeting.

CONSENT AGENDA

12. **Consider approval of Minutes of the Regular City Council Meeting held on August 13, 2019**
13. **Consider Ordinance 2019-1262 adopting Amendments to the Fiscal Year 2018-2019 Budget (2nd and final read)**
14. **Consider Resolution 2019-2833 authorizing a Contract with American Underwater Services, Inc. for Pond Dredging Services at Unity Park**
15. **Receive Budget Reports for Period Ending June 30, 2019**

Motion by Deputy Mayor Pro Tem Fleming, seconded by Councilmember Kixmiller, to approve Consent Agenda Items #12 and #15. Motion carried 6-0.

ACTION AGENDA

16. 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

17. Conduct a Public Hearing and Consider Ordinance 2019-1263 amending the Comprehensive Zoning Ordinance and Zoning Map relating to the use and development of a 2.702± Acre Tract of Land located in the E. Clary Survey, Abstract No. 248, Generally Located at 1400 Highland Village Road and Presently Zoned SF-15 Single Family Residential by Creating Planned Development No. 2019-01 for Detached Single Family Residential Development and Adopting Development Regulations, a Concept Plan, and Landscape Plan: (1st of two reads)

PUBLIC HEARING CONDUCTED

APPROVED 1ST READ (6 – 0)

Public Works Director Scott Kriston reported staff received an application requesting a zoning change for 1400 Highland Village Road from SF-15 to a Residential Planned Development consisting of eleven (11) lots. Mr. Kriston stated the application was presented to the Planning and Zoning Commission at its meeting on August 20, 2019, and the Commission recommend sending the ordinance forward to City Council for approval, with a vote of 4 to 1, with the following modifications:

1. Landscape Exhibit L-3 – Change the four (4) trees that are to be planted along Highland Village Road to a 4” caliper diameter
2. Recommended changes to the Ordinance:
 - Section 2. E. Screening – add “minimum” to all verbiage for fencing – all shall be a minimum of 6’ tall
 - Section 2.I. Homeowner’s/Property Owners’ Association – last word of this sentence remove “first”

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

Mayor Wilcox and Councilmember Fiester voiced concern regarding drainage issues. Mr. Kriston reported a public ROW is being sought and that the detention pond will still have to go through an approval process. Concerns were also discussed regarding a proposed roadway in the subdivision that will connect to Highland Village Road. Councilmember Fiester also asked how HB 2439 would affect the homes to be built in this subdivision. Mr. Leavitt reported City staff had discussed this with the developer and the developer stated intent to voluntarily meet the 80% masonry requirements and include such in the Homeowner/Property Association covenants.

Motion by Councilmember Jaworski, seconded by Deputy Mayor Pro Tem Fleming, to approve the first read of Ordinance 2019-1263, as presented. Motion carried 6-0.

18. Conduct a Public Hearing and Consider Ordinance 2019-1264 amending the Comprehensive Zoning Ordinance and Zoning District Map Relating to the Development and Use of a 23.471± Acre Tract Out of the J. Edmonson Subdivision Survey, Abstract No. 398, Generally Located and 2601 Harlington Drive and Located

In Planned Development District No. 8 (PD-8) By Amending the Development Plan Relating to Said Property (1st of two reads)

PUBLIC HEARING CONDUCTED
APPROVED 1ST READ (6 – 0)

Mr. Kriston reported staff received an application from ECM Development, on behalf of David Weekly Homes, to amend the Development/Concept plan for the property located at 2601 Harlington Drive. The property is owned by the Lewisville Independent School District (LISD) and is currently under contract to be sold to David Weekly Homes. David Weekly Homes would like to construct approximately seventy-two (72) single-family residential dwelling units on the property. The applicant is not requesting a change in the base zoning regulations of Planned Development No. 8 (PD-8). The request is limited to an amendment to the PD-8 Development/Concept Plan in order to establish the future proposed subdivision (lot layout). Chapel Hill Estates Phase I and Phase II are also located within PD-8. Mr. Kriston reported the property was originally part of the Chapel Hill Estates Subdivision, but was removed when the property was sold to LISD, although the zoning on the property did not change.

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

Councilmember Fiester inquired about a sizeable tract that is not being developed. Mr. Kriston reported it is an existing drainage area.

Motion by Deputy Mayor Pro Tem Fleming, seconded by Councilmember Jaworski, to approve the first read of Ordinance 2019-1264, as presented. Motion carried 6-0.

19. **Conduct a Public Hearing and Consider Ordinance 2019-1265 amending the City of Highland Village Comprehensive Zoning Ordinance by Amending Article IV “Use Regulations” Section 29.6 “Automobile, Transportation, Utility, Communication, and Related Uses” by Adding the Use “Vehicle Storage Or Vehicle Auction” and Establishing the Zoning Districts In Which Such Use Is Permitted or Permitted Following Adoption of a Conditional Use Permit; by Amending Article VI “Definitions” Section 39 “Definitions” by Deleting the Definition for “Auto Storage or Auto Auction” and Adding a Definition for the Phrases “Vehicle Storage or Vehicle Auction”**

**** THIS ITEM HAS BEEN POSTPONED PENDING ACTION BY THE PLANNING AND ZONING COMMISSION ****

20. **Presentation of City Manager Recommended Budget for Fiscal Year 2019-2020**
FY 2019-2020 BUDGET PRESENTED

Mr. Leavitt presented a video format for the recommended FY 2019-2020 Budget. The proposed base General Fund Budget expenditures total is \$18,260,005, with \$ \$424,986 identified as supplemental requests. Therefore, the total budgeted amount is \$18,715,616. The ending Fund Balance of \$5,199,314 represents 28% of Fiscal Year 2020 projected General Fund expenditures. The current tax rate is \$0.56302, which is also recommended for the upcoming year.

Mr. Leavitt reported the recommended budget and program of services for FY 2019-2020 is available for review and comment on the City’s website and a copy has also been filed with the city secretary. He thanked Mr. Heerman, each of the department heads, Mayor and Council for their hard work on the budget.

21. Conduct a Public Hearing on the Proposed Budget and Tax Rate for Fiscal Year 2019-2020

PUBLIC HEARING CONDUCTED

Assistant City Manager Ken Heerman reported Truth in Taxation requires two public hearings before implementing a tax rate if a rate is **considered** which will exceed the lower of the rollback or effective rate. The effective rate is generally equal to the prior year's taxes divided by the current taxable value of properties that were also on the tax roll in the prior year. At its August 12th meeting, the City Council voted to consider the current rate of \$.56302. While this is below the rollback rate of \$.585103, it does exceed the effective rate of \$.541706, thus public hearings are required. Mr. Heerman stated this is the first public hearing, with the second scheduled for the September 10th Council meeting.

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

22. Consider Resolution 2019-2834 approving a Negotiated Settlement Agreement between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corporation, Mid-Tex Division regarding the 2019 Rate Review Mechanism Filings
APPROVED (6 – 0)

Mr. Heerman reported Highland Village, along with 171 other cities served by Atmos Energy Corporation, is a member of the Atmos Cities Steering Committee ("ACSC" or "Steering Committee"). In April 2019, Atmos Mid-Tex filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-service in a test year ending December 31, 2018, entitled it to additional system-wide revenues of \$70 million. In applying the standards set forth in ACSC's RRM Tariff required Atmos to reduce its request to \$54 million, \$39.3 million of which would be applicable to ACSC members. ACSC's consultants concluded that the system-wide deficiency under the RRM regime should be \$38.7 million instead of the claimed \$54 million. The amount of the \$38.7 million deficiency applicable to ACSC members would be \$28.2 million. After the Company reviewed ACSC's consultants' report, ACSC's Executive Committee and the Company negotiated a settlement whereby the Company would receive an increase of \$35.4 million from ACSC Cities.

Motion by Deputy Mayor Pro Tem Fleming, seconded by Councilmember Jaworski, to approve Resolution 2019-2834. Motion carried 6-0.

LATE WORK SESSION

23. Discuss Financial Support Opportunities for Kids Kastle, Title Sponsorship, Sponsorships, Grants, and Donations

Mayor Wilcox moved this item up on the agenda and it was discussed at the beginning of the Early Work Session.

24. Discuss September 1, 2019 Effective Date for Key Bills from the Texas 86th Legislative Session

Discussion relating to Agenda Item #24 was started during Early Work Session, with the remaining items discussed during Late Work Session. City Attorney Kevin Laughlin presented information relating to the following bills:

- HB 3167 – relates to the municipal procedure for the approval of development plans/subdivision plats by requiring “initial approval” of a plan or plat *within 30-days after the date the plan/plat is filed*
- SB 944 – makes various changes to the Public Information Act by addressing information held by a “temporary custodian” on a privately owned device

25. Status Reports on Current Projects and Discussion on Future Agenda Items

With the start of school this year, residents were reminded to contact the Police Department if they witnessed safety issues regarding the use of golf carts.

26. Adjournment

Mayor Wilcox adjourned the meeting at 9:30 p.m.

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

CITY OF HIGHLAND VILLAGE
CITY COUNCIL

AGENDA# 14

MEETING DATE: 09/10/19

SUBJECT: Consider Ordinance 2019-1263 amending the Comprehensive Zoning Ordinance and Zoning Map relating to the use and development of a 2.702± Acre Tract of Land located in the E. Clary Survey, Abstract No. 248, Generally Located at 1400 Highland Village Road and Presently Zoned SF-15 Single Family Residential by Creating Planned Development No. 2019-01 for Detached Single Family Residential Development and Adopting Development Regulations, a Concept Plan, and Landscape Plan (2nd and final read)

PREPARED BY: Autumn Aman, Community Development Coordinator

BACKGROUND:

The City has received an application from Mr. Bill Davidson, Foremost Investments, property owner, requesting to change the current zoning on his property from SF-15 to a Residential Planned Development consisting of eleven (11) lots.

This application was presented to the Planning and Zoning Commission on June 18, 2019. Action on the application was postponed by the Commission until the applicant could address some of the concerns expressed by Commissioners and residents speaking at the Public Hearing.

The City has received a revised application which addressed the following:

- The Front Yard Setback is now fifteen feet (15') and not ten feet (10') as originally proposed.
- A sidewalk will be constructed within the development.
- Lot 6 will be restricted to allow construction of only a single story residential structure.
- Required trees in the front yard are to be protected by a root barrier.
- Fencing around the detention pond will be six feet (6') tall.
- Fencing along the eastern property line will be six feet (6') tall.
- Fencing on each individual lot will be six feet (6') tall so that the development remains uniform and will be installed by the home builder.

IDENTIFIED NEED/S:

To request the change of zoning on the property, public hearings are required to be conducted by both the Planning and Zoning Commission and City Council. All public hearing notification requirements have been satisfied, notices had been reissued to all residents within 200' of the said property.

OPTIONS & RESULTS:

Options are that the application be (1) approved as submitted, (2) approve with modification,

or (3) deny the request. The City Council may also postpone any action in order to receive any additional information which it requests be presented.

PROGRESS TO DATE: (if appropriate)

On November 15, 2016, Mr. Davidson gave a presentation to the Planning and Zoning Commission on the proposed residential development to be called "Tequesta".

On September 18, 2018, and October 16, 2018, Mr. Davidson presented to the Planning and Zoning Commission the request to amend the City of Highland Village Comprehensive Zoning Ordinance (CZO) to reduce the minimum required area for establishment of a Planned Development District from three (3) acres to two (2) acres. On November 13, 2018, the City Council approved an ordinance amending the CZO in the manner requested.

On June 18, 2019, the Planning and Zoning Commission moved to postpone action on the application to allow the applicant an opportunity to address some of the concerns of the Commission with respect to the application, such as the proposed front yard setback, no sidewalk, drainage, the ability to construct a two-story house on Lot 6, and the proposed fencing. Motion passed (5-0).

Because the public hearing conducted on June 18, 2019, was continued but not reopened at the Commission's July meeting, which meeting was cancelled, it was necessary to provide public hearing notices again for this case for the Commission's August 20, 2019, regular meeting.

At its August 20, 2019 meeting, the Commission moved to recommend sending the Ordinance forward to City Council for approval, with a vote of 4 to 1 with the following modifications:

1. Landscape Exhibit L-3 – Change the four (4) trees that are to be planted along Highland Village Rd. to 4" Caliper diameter.
2. Recommended changes to the Ordinance
 - Section 2. E. Screening – add "minimum" to all verbiage for fencing – all shall be a minimum of 6' tall.
 - Section 2.I. Homeowner's/Property owners' Association – last word of this sentence remove "first".

Council approved the first read of Ordinance 2019-1263 at its meeting on August 27, 2019. Since the August 27th Council meeting, one email was received in opposition.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

An Ordinance is required; a copy of the draft ordinance prepared by the City Attorney is attached.

RECOMMENDATION:

Staff recommends that City Council approve the final read of Ordinance 2019-1263.

**CITY OF HIGHLAND VILLAGE, TEXAS
ORDINANCE NO. 2019-1263**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING THE HIGHLAND VILLAGE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP RELATING TO THE USE AND DEVELOPMENT OF A 2.702±_ACRE TRACT OF LAND LOCATED IN THE E. CLARY SURVEY, ABSTRACT NO. 248, CITY OF HIGHLAND VILLAGE, DENTON COUNTY, TEXAS, PRESENTLY ZONED SF-15 SINGLE FAMILY RESIDENTIAL BY CREATING PLANNED DEVELOPMENT NO. 2019-01 FOR DETACHED SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND ADOPTING DEVELOPMENT REGULATIONS, A CONCEPT PLAN, AND LANDSCAPE PLAN: PROVIDING A SEVERABILITY CLAUSE: PROVIDING A SAVINGS CLAUSE: PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE: AND PROVIDING 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, have concluded that the Comprehensive Zoning Ordinance and Zoning Map of the City of Highland Village, Texas, as previously amended, should be further amended.

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

SECTION 1. The Comprehensive Zoning Ordinance (“CZO”) and the Zoning Map of the City of Highland Village, Denton County, Texas, as previously amended, be further amended relating to the use and development of a 2.702±_acre tract of land located in the E. Clary Survey, Abstract No. 248, City of Highland Village, Denton County, Texas, being more particularly described in Exhibit “A” attached hereto and incorporated herein by reference (“the Property”), which is presently zoned as “SF-15” Single Family Residential, by establishing Planned Development No. 2019-01 for Single Family Residential Development to be used and developed in accordance with the use and development regulations as set forth in Section 2 of this Ordinance.

SECTION 2. The Property shall be developed and used in accordance with the applicable provisions of the CZO, as amended, except to the extent modified by the Development Regulations as set forth below:

- A. BASE ZONING DISTRICT:** The Property shall be developed and used only in accordance with the standards of the CZO for the SF-15 Single Family Residential District 15000 except as modified in this Section 2.
- B. CONCEPT PLAN:** The Property shall be developed in general conformance with the Concept Plan attached hereto as Exhibit “B” and incorporated herein by reference (“the Concept Plan”).
- C. DEVELOPMENT STANDARDS:** The following standards shall apply to the use and

development of the Property:

Minimum Dwelling Unit Area	2000 square feet of air conditioned space
Maximum Density	4.09 dwelling units per acre
Maximum Height	<ul style="list-style-type: none"> a. Thirty-five feet (35') for the main building. b. One story for accessory buildings without garages.
Minimum Lot Area	6300 square feet
Minimum Lot Width	Sixty feet (60')
Minimum Lot Depth	One hundred feet (100').
Minimum Front Yard	Fifteen feet (15') for main structure; except the entry face of the garage, which shall be twenty feet (20').
Minimum Side Yard	Aggregate twelve feet (12') with not less than five feet (5') on a side and not less than seven feet (7') on the opposite side.
Corner Lot Side Yard	The corner lot side yard setbacks shall be twenty feet (20') adjacent to Highland Village Road.
Minimum Rear Yard	Fifteen feet (15') with no alleys
Maximum Lot Coverage	Fifty percent (50%) by main structure and accessory buildings
Parking	A minimum of two (2) enclosed spaces behind the front building line. Front entry garages shall be setback at least twenty feet (20') from front property line.
Garage Doors	Garage Doors shall have a wood or aluminum carriage-style or barn-door style that complement the color of the front facade of the dwelling unit

D. LANDSCAPING: The Property shall be landscaped substantially in accordance with the Landscape Concept Plan attached hereto as Exhibit "D" and incorporated herein by reference ("Landscape Plan").

E. SCREENING:

- (1) A six foot (6.0') tall cedar board on board wood screening fence with masonry columns equally spaced, along the western boundary along Highland Village Road as shown on the Landscape Plan.
- (2) A six foot (6.0') tall cedar board on board wood screening shall be constructed around the Detention Pond area as shown on Exhibit "C", attached hereto and incorporated herein by reference ("Screening Plan"). Construction of the screening fences required by Sections 2.E.(1) and (2) above must be completed prior to issuance of any building permits for construction of a dwelling unit on the Property.

- (3) Construction of a six foot (6.0') tall board on board wood fence matching the wood screening along Highland Village Road as shown on the Screening Plan – Entrance must be constructed on each respective lot along the outside boundaries of the Property adjoining other properties prior to issuance of a certificate of occupancy or approval of a final inspection for the dwelling unit constructed on said lot.
- F. TREES:** No fewer than two (2) canopy trees not less than four inches (4") caliper at the time of planting selecting from the approved plant list set forth in the CZO or as shown on exhibit "D" shall be planted in the front yard of each lot prior to the issuance of a certificate of occupancy or approval of a final inspection for the dwelling unit constructed on the lot.
- G. SIDEWALK:** Construction of a sidewalk not less than five feet (5') wide along Highland Village Road as shown on the Concept Plan must be completed prior to issuance of a building permit for any dwelling unit to be constructed on the Property.
- H. ENTRY FEATURE:** Construction of an entry feature designed and as show on Exhibit "E" attached hereto and incorporated herein by reference and located in a dedicated common area easement outside of any public street right-of-way shall be completed prior to issuance of a building permit for any dwelling unit to be constructed on the Property.
- I. HOMEOWNERS'/PROPERTY OWNERS' ASSOCIATION:** Prior to approval of the final plat for the Property, a homeowners' association shall be established and created to assume and be responsible for the continuous and perpetual operation, maintenance and supervision of landscape systems, screening walls and fences, features or elements located in parkways, common areas between screening walls or living screens and adjacent curbs or street pavement edges, adjacent to drainage ways or drainage structures or at subdivision entryways, open space common areas or properties, including but not limited to: landscape features and irrigation systems, subdivision entryway features and monuments, playgrounds, pavilions, detention ponds, trail, private neighborhood park and related amenities within the Property subject to the following:
- (1) All open space and common properties or areas, facilities, structures, improvements systems, or other property that are to be operated, maintained and/or supervised by the homeowners' association shall be dedicated by easement or deeded in fee simple ownership interest to the homeowners' association after construction and installation as applicable by the owner and shall be clearly identified on the recorded final plat of the Property or portion thereof;
 - (2) A copy of the agreements, covenants and restrictions establishing and creating the homeowners' association must be approved by the city attorney prior to the approval of the final plat of the portion of the Property to be platted and must be recorded prior to or concurrently with the recording of the final plat in the map and plat records of the Denton County. The recorded final plat shall clearly identify all facilities, structures, improvements systems, areas or grounds that are to be operated, maintained and/or supervised by the homeowners' association;
 - (3) At a minimum, the agreements, covenants and restrictions establishing and creating the homeowners' association required herein shall contain and/or provide for the following:

- (a) Definitions of terms contained therein;
- (b) Provisions for the establishment and organization of the homeowners' association and the adoption of bylaws for said homeowners' association, including provisions requiring that the owner(s) of any lot or lots within the applicable subdivision and any successive purchase(s) shall automatically and mandatorily become a member of the homeowners' association;
- (c) The initial term of the agreement, covenants and restrictions establishing and creating the homeowners' association shall be for a period of not less than 25 years and, if not established to be perpetual, shall automatically renew for successive periods of not less than 10 years thereafter;
- (d) The homeowners' association may not be dissolved without the prior written consent of the City;
- (e) Provisions ensuring the continuous and perpetual use, operation, maintenance and/or supervision of all facilities, structures, improvements, systems, open space or common areas that are the responsibility of the homeowners' association and to establish a reserve fund for such purposes;
- (f) Provisions prohibiting the amendment of any portion of the homeowners' association's agreements, covenants or restrictions pertaining to the use, operation, maintenance and/or supervision of any facilities, structures, improvements, systems, area or grounds that are the responsibility of the homeowners' association without the prior written consent of the City;
- (g) The right and ability of the City or its lawful agents, after due notice to the homeowners' association, to remove any landscape systems, features or elements that cease to be maintained by the homeowners' association; to perform the responsibilities of the homeowners' association and its board of directors if the homeowners' association fails to do so in compliance with any provisions of the agreements, covenants or restrictions of the homeowners' association or of any applicable City ordinances or regulations; to assess the homeowners' association for all costs incurred by the City in performing said responsibilities if the homeowners' association fails to do so; and/or to avail itself of any other enforcement actions available to the City pursuant to state law or City ordinances or regulations; and
- (h) Provisions indemnifying and holding the City harmless from any and all costs, expenses, suits, demands, liabilities or damages including attorney's fees and costs of suit, incurred or resulting from the City's removal of any landscape systems, features or elements that cease to be maintained by the homeowners' association or from the City's performance of the aforementioned operation, maintenance or supervision responsibilities of the homeowners' association due to the homeowners' association's failure to perform said responsibilities.

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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THE 27TH DAY OF AUGUST 2019.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 10TH DAY OF SEPTEMBER 2019.

APPROVED:

Mike Lombardo, Mayor Pro Tem

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:8/21/19:108457)

Ordinance No. 2019-1263
EXHIBIT "A" - Description of the Property

All that certain lot, tract or parcel of land lying and being situated in Denton County, Texas and being a part of the E. Clary Survey, Abstract number 248 and also being all of that called 2.702 acre tract of land described in deed to Foremost Investments, L.T.D. recorded in Instrument number 2004-42586, Real Property Records, Denton County, Texas and being more fully described by metes and bounds as follows;

BEGINNING at a capped iron rod found in the East line of Highland Village Road, same being the Northwest corner of that called tract II described in deed to Abdo Daoud and spouse, Rosie Daoud, recorded in Instrument number 2015-52955, Real Property Records, Denton County, Texas;

THENCE along said East line, North 08 degrees 27 minutes 43 seconds East, 245.13 feet to a Mag nail set in said Highland Village Road;

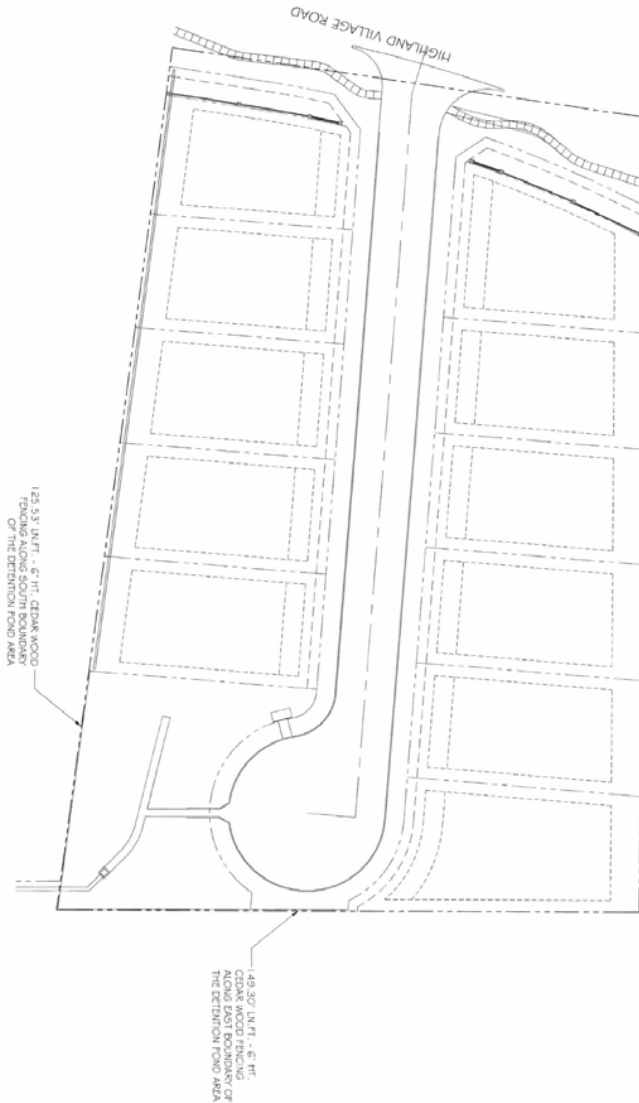
THENCE South 89 degrees 37 minutes 00 seconds East, 412.81 feet to a 5/8 inch iron rod found;

THENCE South 00 degrees 02 minutes 05 seconds East, 299.73 feet to a 3/8 inch iron rod found at the Northeast corner of said Tract II;

THENCE along the common line of said Tract II and this tract, North 82 degrees 23 minutes 07 seconds West, 453.05 feet to the PLACE OF BEGINNING and containing 2.69 acres of land more or less;



Ordinance No. 2019-1263 EXHIBIT "C" - Screening Plan



GAYLA
B
PLICHTA
LANDSCAPE
1305 S. Orange Ave. #100
Orlando, FL 32806
321.477.4444
Gayla@plichta.com

Tequesta Development Inc
1801 S. Orange Ave.
Orlando, FL 32806
Tel: 407.886.1111

NOTICE TO SUBMITTAL
This plan is to be used in accordance with the provisions of Ordinance No. 2019-1263.

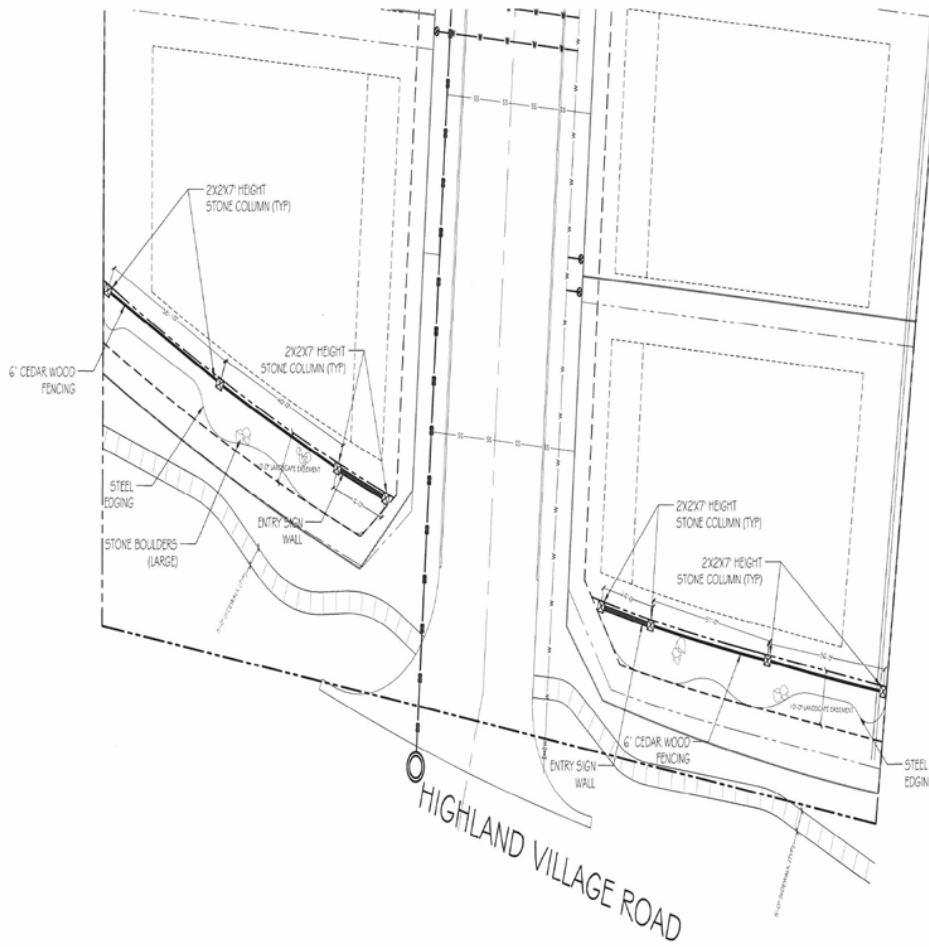
TEQUESTA
Highland Village Road, Highland Village, Texas

REVISIONS:

Revision No.	Date	Author
001	10/22/2019	KAREN/STL

SCALE 1" = 20'-0"
OVERALL PLAN
SHEET NUMBER 1-1

**Ordinance No. 2019-1263
EXHIBIT "D" - Landscape Plan**



**GAYLA
PLICHTA**
LANDSCAPE
ARCHITECT
135 Pinarja Ave
San Antonio, Texas 78210
T: 214.236.7160
Gayla@plichta.com

client name
Tequesta Development Inc
881 Davidson
2019 Austin Road, Box 200
Lawrenceville, Texas 76177
Ph: 817.966.1111

NOT FOR SUBMITTAL
This plan is for review purpose
and estimating takeoffs only. It
is not intended for submittal to
the city for permitting.

TEQUESTA
Highland Village Road, Highland Village, Texas

REVISIONS:

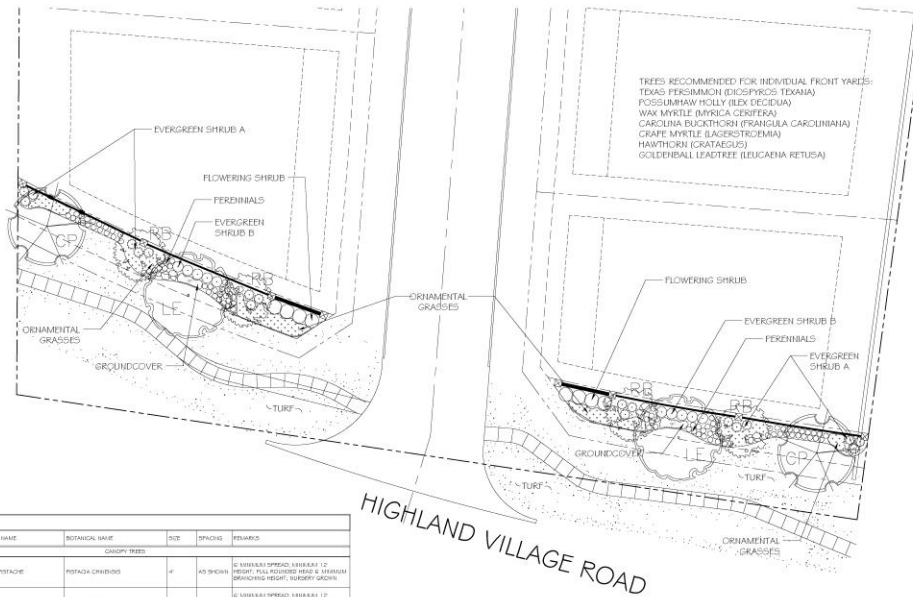
Drawn By	Date
CBP	3/29/2019
CBP	6/14/2019



SCALE 1" = 10'-0"
HARDSCAPE PLAN
SHEET NUMBER

L-2

Ordinance No. 2019-1263 EXHIBIT "D" - Landscape Plan (cont.)



PLANT LEGEND						
QTY	KEY	COMMON NAME	BOTANICAL NAME	SIZE	SPACING	REMARKS
CROPPY TREES						
2	CP	CHINESE PISTACHE	PISTACHIA CHINENSIS	4'	AS SHOWN	1/2 MINIMAL SPREAD, MINIMUM 4' HEIGHT, FULL POTTED TREES & STRAINS, BRANCHING HEIGHT, NURSERY-GROWN
2	LE	LACINIAE PALM	CHAMAEDORHUS PALM	4'	AS SHOWN	1/2 MINIMAL SPREAD, MINIMUM 4' HEIGHT, FULL POTTED TREES & STRAINS, BRANCHING HEIGHT, NURSERY-GROWN
ORNAMENTAL TREES						
4	FB	REDBUD	CERISIA CANADENSIS	2"	AS SHOWN	1/4 MINIMAL SPREAD, MINIMUM 4' HEIGHT, FULL POTTED TREES, MINIMUM 2' STRAIN, NURSERY-GROWN
SHRUBS						
8	F	SHRUB A	PERENNIALS	12" GAL	4' @ 4' O.C.	FULL GROWN
15	A	SHRUB B	EVERGREEN	375 GAL	2' @ 2' O.C.	FULL GROWN
10	B	SHRUB B	EVERGREEN	375 GAL	2' @ 2' O.C.	FULL GROWN
GROUNDCOVERS						
30	GC	GRASS/COVER	PERENNIALS, PERNS, & GRASSES	4" POT	2' @ 2' O.C.	FULL GROWN
45	V	PERENNIAL A		3" GAL	7" @ 2' O.C.	FULL GROWN
30	W	PERENNIAL B		3" GAL	7" @ 2' O.C.	FULL GROWN
20	C	PERENNIAL C		3" GAL	7" @ 2' O.C.	FULL GROWN
80	VB	ORNAMENTAL GRASS	SMALLER HEIGHT	3" GAL	2' @ 2' O.C.	FULL GROWN

NOTE: QUANTITIES LISTED ARE FOR BIDDING PURPOSES ONLY. CONTRACTOR SHALL OBTAIN THE DATA REQUIRED TO VERIFY THE FINAL PLANT QUANTITIES. USE PLANT SPACING INDICATED TO DETERMINE GROUNDCOVER QUANTITIES. DRAINER, IRRIGATOR, AND LANDSCAPE ARCHITECT RESERVE THE RIGHT TO MODIFY ANY UNDESIRABLE OR UNWARRANTED MATERIALS AT ANY TIME. CALL THE CITY AT THE COMPLETION OF THE PROJECT FOR A LANDSCAPE INSPECTION.

BED PREP

- REGULAR - USE THIS FOR ALL NEW BEDS. DIGGATE SOIL AS REC. ADD 2" LAYER OF 1/4" SAND. QUANTITIES OF TOP COVERING AND SOIL PROVIDED SHALL BE BASED ON A DEPTH OF 6" BENCH. FINAL PRODUCT SHALL BE 90% BENCH OF 1/4" SAND AND NATIVE SOIL.
- RAVINE - AFTER PLANTING OPERATIONS ARE COMPLETE, TOP DRESS ALL BEDS. EXCEPT SAND SOILS, WITH A 2" LAYER OF PERENNIAL WINTERKILLER. SOIL SHALL BE 100% SAND. QUANTITIES OF TOP COVERING SHALL BE 2" @ 2' O.C.

ANY TOLLS APPLICABLE AT SOIL SAMPLING WITHIN 10' OF USING GATE TECHNOLOGIES ANY OTHER TOLLS TO BE APPROVED BY LANDSCAPE ARCHITECT



**GAYLA
PLICHTA**
LANDSCAPE
ARCHITECT
1105 Farnham Ave.
San Antonio, Texas 78210
Tel: 214.225.7000
Gayla@plichta.com

Tequesta Development Inc
801 Chestnut
2010 Austin Road, Ste 100
Lubbock, Texas 79407
Ph: 806-866-1111

NOT FOR SUBMITTAL
This plan is for review purposes
and estimating intent only. It
is not intended for submittal
to the city for permitting.

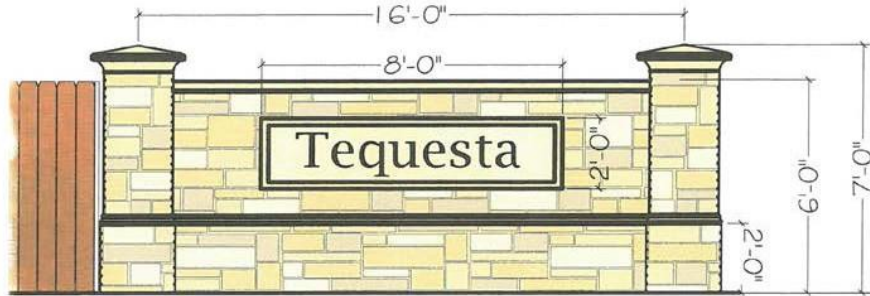
TEQUESTA
Highland Village Road, Highland Village, Texas

REVISIONS:

Drawn By	Date
SSP	3/21/2018
SSP	5/23/2018
SSP	8/08/2018
SSP	8/08/2018

SCALE 1" = 10'-0"
LANDSCAPE PLAN
SHEET NUMBER
L-3

Ordinance No. 2019-1263
EXHIBIT "E" - Entry Feature



Entry Sign Stone Wall
Elevation - N.T.S

**Tequesta Development,
Inc**

2016 Justin Road, Ste 300
Lewisville, Texas 75077

Bill Davidson
PH: 972-966-1111

GAYLA
P
PLICHTA

LANDSCAPE
ARCHITECT
P.O. BOX 1471
Copper, Texas 77305
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Gayla@Plichta@gmail.com

CITY OF HIGHLAND VILLAGE
CITY COUNCIL

AGENDA# 15

MEETING DATE: 09/10/19

SUBJECT: Consider an Ordinance 2019-1264 Amending the Comprehensive Zoning Ordinance and Zoning District Map Relating to the Development and Use of a 23.471± Acre Tract Out of the J. Edmonson Survey, Abstract No. 398, generally located at the Northeast corner of Harlington Drive and Chinn Chapel Road and located In Planned Development District No. 8 (PD-8) by Amending the Development Plan Relating to Said Property (2nd and final read)

PREPARED BY: Autumn Aman, Community Development Coordinator

BACKGROUND:

The City has received an application from ECM Development, on behalf of David Weekly Homes, to amend the Development/Concept plan for the property located at 2601 Harlington Drive. The property is currently owned by the Lewisville Independent School District (LISD) and is currently under contract to be sold to David Weekly Homes. David Weekly Homes would like to construct approximately seventy-two (72) single-family residential dwelling units on the property. The applicant is not requesting a change in the base zoning regulations of Planned Development No. 8 (PD-8). The request is limited to an amendment to the PD-8 Development/Concept Plan in order to establish the future proposed subdivision (lot layout). Chapel Hill Estates, Phase I and Phase II are also located within PD-8.

HISTORY:

1998 – Property was originally part of the Chapel Hill Estates Subdivision.

1999 – Property was removed from Chapel Hill Estates due to it being sold to LISD for possible future Elementary and Middle School, however, the zoning on the property did not change.

City of Highland Village has a lease agreement with LISD to use the property as practice soccer fields. LISD had notified the City of termination of the lease agreement effective February 23, 2020.

2019 – LISD decides to sell this property along with ten (10) other tracts within the LISD.

2019 – David Weekly Homes contracts with LISD to purchase the property to construct approximately (72) single-family residential dwelling units, staying within the existing zoning on the property.

IDENTIFIED NEED/S:

To request an amendment to the Planned Development, public hearings are required to be conducted by both the Planning and Zoning Commission and City Council. All public hearing

notification requirements have been satisfied.

OPTIONS & RESULTS:

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

PROGRESS TO DATE: (if appropriate)

As of the date of this briefing, August 21, 2019, staff has received one (1) email regarding the request from the public hearing notices sent. The resident who submitted the email spoke at the Public Hearing at the Planning and Zoning Commission meeting held on August 20, 2019.

At the August 20, 2019, Planning and Zoning Commission meeting, the Commission recommended the City Council approve the Ordinance as presented with a vote of (5-0) in favor. Council approved the first read of Ordinance 2019-1264 at its meeting held on August 27, 2019.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

An Ordinance adopting an amended development plan is required.

RECOMMENDATION:

City staff recommends the City Council approve the final read of Ordinance No. 2019-1264.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2019-1264

AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING DISTRICT MAP OF THE CITY OF HIGHLAND VILLAGE AS PREVIOUSLY AMENDED, RELATING TO THE DEVELOPMENT AND USE OF A 23.471± ACRE TRACT OUT OF THE J. EDMONSON SUBDIVISION SURVEY, ABSTRACT NO. 398, DESCRIBED IN EXHIBIT "A" HERETO AND LOCATED IN PLANNED DEVELOPMENT DISTRICT NO. 8 (PD-8); BY AMENDING THE DEVELOPMENT PLAN RELATING TO SAID PROPERTY; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR NO VESTED INTEREST; 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, 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 and Zoning District Map of the City of Highland Village, Texas, as amended, relating to the use and development of a 23.471± acre tract out of the J. Edmonson Subdivision Survey, Abstract No. 398, City of Highland Village, Denton County, Texas depicted in Exhibit "A", attached hereto and incorporated herein by reference ("the Property"), which is located in and subject to the regulations of Planned Development District No. 8 (PD #8) established by Ordinance No. 98-789, and amended by Ordinance No. 99-793, by amending the portion of the PD-8 Development Plan relating to the Property to read as set forth in Exhibit "A", hereto.

SECTION 2. 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 3. 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 4. 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 5. 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 6. No person or entity shall acquire any vested interest in this Ordinance or any specific regulations contained herein. This Ordinance and any regulations may be amended or repealed by the City Council of the City of Highland Village, Texas, in the manner provided by law.

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 27TH DAY OF AUGUST 2019, 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 10TH DAY OF SEPTEMBER 2019.

APPROVED:

Mike Lombardo, Mayor Pro Tem

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:8/13/19:110070)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 16

MEETING DATE: 09/10/19

SUBJECT: Consider Resolution 2019-2835 Awarding the Bid to and Authorizing an Agreement for Employee Health Insurance with Blue Cross Blue Shield Effective October 1, 2019

PREPARED BY: Jana Onstead, Human Resources Director

BACKGROUND:

The City of Highland Village requests the City's benefits consultant, Higginbotham and Associates, to assess group health coverage options each year to better ensure the City is maintaining the best plan available in the marketplace that meets annual budget restraints. Throughout the summer, City Staff has worked with Higginbotham and Associates on reviewing options for the City's employee health benefit plan for the 2019-20 Fiscal Year.

The City has maintained the current self-insured plan with Cigna for the past 6 years. This year, Cigna offered a 40% renewal increase with no change in plan design. No further rate relief was offered from Cigna throughout the negotiation process.

IDENTIFIED NEED/S:

Medical Insurance is an integral component of the employee benefit package. To stay competitive in the municipal job market, the City strives to provide a competitive salary and benefit package. It is the goal of the City to offer benefit options that meet the needs of employees while ensuring premiums remain within budgetary constraints and compliant with current legislation.

OPTIONS & RESULTS:

The City received bids from Blue Cross Blue Shield and Texas Municipal League (TML) Health Benefits Pool. Although the plan design offered through TML did not match the current plan design, we were able to leverage the offer to lower Blue Cross' offer from an increase of 26% to 16%. Further negotiations provided additional billing credits, resulting in a net increase of 10% in premium costs.

The proposed Blue Cross Blue Shield plan design matches current plans, and the City will go from a partially self-insured plan to a fully insured plan. Impact of premium increases to employees maintaining the same plan and coverage level at Open Enrollment is as follows:

Coverage	PPO Employee Impact/paycheck	H.S.A. Employee Impact/paycheck
Employee Only	\$3.69	\$0
Employee + Spouse	\$16.23	\$11.54
Employee + Child(ren)	\$13.63	\$9.71
Employee + Family	\$17.70	\$12.85

All employees continue to have the opportunity for a \$25/month premium discount if they participate in wellness activities throughout the year.

PROGRESS TO DATE: (if appropriate)

After careful consideration, City staff has determined the offer from Blue Cross Blue Shield is the best option for both the City budget and City employees.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Premium amounts are already factored into the Fiscal Year 2019/2020 budget, including the wellness discount option.

RECOMMENDATION:

To approve Resolution 2019-2835.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2019-2835

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AWARDED THE BID TO AND AUTHORIZING AN AGREEMENT FOR EMPLOYEE HEALTH INSURANCE WITH BLUE CROSS BLUE SHIELD; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, providing a competitive benefits package is an important component of attracting and retaining highly qualified City employees; and

WHEREAS, City Administration has solicited and obtained bids for the City Employee Medical Insurance Benefit Plan and finds that the bid submitted by Blue Cross Blue Shield provides the most advantageous benefits to the City and its employees; and

WHEREAS, the City Council of the City of Highland Village concurs in the above findings and finds it to be in the public interest to award the bid for employee health insurance to Blue Cross Blue Shield.

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 award the bid for employee health insurance to Blue Cross Blue Shield, negotiate and sign the necessary contract documents, and take such additional actions reasonable and necessary to comply with the intent of this resolution.

SECTION 2. This Resolution shall take effect immediately upon final approval and upon passage of the City's 2019/2020 fiscal year budget.

PASSED AND APPROVED this the 10th day of September 2019.

APPROVED:

Michael Lombardo, Mayor Pro Tem

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:9/3/19:110580)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 17

MEETING DATE: 09/10/19

SUBJECT: Consider Resolution 2019-2836 Award the Bids to and Authorizing Agreements for Employee Group Dental, Life, and Long Term Disability Insurance with Dearborn, Effective October 1, 2019

PREPARED BY: Jana Onstead, Human Resources Director

BACKGROUND:

Request for Proposals were solicited from insurance providers and reviewed by Higginbotham and Associates, the City's benefit broker and consultant. Higginbotham and Associates has been in business for over 50 years serving the insurance and investment needs of thousands of individuals and businesses across Texas and beyond, and has been providing services for the City for over 20 years. Higginbotham and Associates is one of the nation's 100 largest insurance brokers.

IDENTIFIED NEED/S:

Dental insurance and Group Life and Long-Term Disability insurance are important components of the City's employee benefit package. In order to stay competitive in the municipal job market, the City strives to provide a competitive salary and benefit package. It is the goal of the City to offer an option that meets the needs of the employees and minimizes administrative costs.

OPTIONS & RESULTS:

Three insurance carriers submitted bids for dental insurance this year, including the City's current dental provider, Cigna. Cigna's renewal proposal for the current benefit plan reflected a 10% increase in premiums. Two other carriers offered the same plan; Dearborn and SunLife.

For FY 2019-2020, the City would begin year 2 of a 2-year rate guarantee for Group Life and Long-Term Disability insurance through Cigna. Dearborn, a Blue Cross Blue Shield-owned subsidiary, submitted a bid that matched benefit levels and closely matched rates (overall annual difference was \$183).

Blue Cross Blue Shield offered rate relief to the Employee Health Insurance Plan if the City agreed to accept their bids for Dental, Life, and Long-Term Disability coverage. Along with the leverage utilized from TML's bid, we were able to negotiate a 10% reduction in health insurance proposed rates. When considering the full impact of total insurance cost, staff determined the offer from Blue Cross Blue Shield (and Dearborn) was the best option for both the City and employees.

PROGRESS TO DATE: (if appropriate)

The City of Highland Village evaluates proposals for Group Dental Insurance and Group Life and Long-Term Disability each year in conjunction with its benefits consultant Higginbotham and Associates. This ensures the City is maintaining the best plan available in the marketplace that meets annual budget constraints. The proposal from Dearborn results in no change in plan design and no premium increase for City employees.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Premium amounts are already factored into the Fiscal Year 2019-2020 budget.

RECOMMENDATION:

To approve Resolution No. 2019-2836.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2019-2836

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AWARDED THE BIDS TO AND AUTHORIZING AGREEMENTS FOR EMPLOYEE DENTAL, GROUP LIFE, AND LONG-TERM DISABILITY INSURANCE WITH DEARBORN; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, providing a competitive benefits package is an important component of attracting and retaining highly qualified City employees; and

WHEREAS, City Administration has obtained bids for City employee dental insurance, group life insurance, and group long-term disability insurance and finds that the proposals submitted by Dearborn provide the best benefits to the City and its employees; and

WHEREAS, the City Council of the City of Highland Village concurs in the above findings and finds it to be in the public interest to award the bids for employee dental, life, and long-term disability insurance to Dearborn.

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 award the bids for employee dental, life, and long-term disability insurance to Dearborn, negotiate and sign the necessary contract documents, and take such additional actions reasonable and necessary to comply with the intent of this resolution.

SECTION 2. This Resolution shall take effect immediately upon final approval and upon passage of the City's 2019/2020 fiscal year budget.

PASSED AND APPROVED this the 10th day of September 2019.

APPROVED:

Mike Lombardo, Mayor Pro Tem

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(KBL9/4/19:110580)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 19

MEETING DATE: 09/10/19

SUBJECT: Conduct Public Hearing on the Proposed Budget and Tax Rate for Fiscal Year 2019-2020

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

Truth in Taxation requires two public hearings before implementing a tax rate if a rate is **considered** which will exceed the lower of the rollback or effective rate. The effective rate is generally equal to the prior year's taxes divided by the current taxable value of properties that were also on the tax roll in the prior year. At the August 12th Meeting, Council voted to consider the current rate of \$.56302. While this is below the rollback rate of \$.585103, it does exceed the effective rate of \$.541706, thus public hearings are required. This is the second of two public hearings.

IDENTIFIED NEED/S:

The proposed tax rate of \$.56302 is unchanged from last year.

The proposed budget can be viewed on the City website at:

<https://tx-highlandvillage2.civicplus.com/DocumentCenter/View/7619/FY-2020-CM-Recommended-Budget>

OPTIONS & RESULTS:

Budget calendar:

- August 23rd
 - City Manager Recommended Budget posted on City Website
- August 27th (Regular Council Meeting)
 - Public Hearing on tax rate and budget
- September 10th (Regular Council Meeting)
 - Public Hearing on tax rate and budget
 - 1st read on tax rate and budget
- September 24th (Regular Council Meeting)
 - 2nd read on tax rate and budget

RECOMMENDATION:

Council to conduct a public hearing on the proposed tax rate and budget for FY 2020.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 20

MEETING DATE: 09/10/19

SUBJECT: Consider Ordinance 2019-1266 (First Reading) Adopting the FY 2019-2020 Annual Budget

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

City staff initiated the FY 2020 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. The second of two public hearings will be conducted at this meeting (the previous public hearing having been conducted at the August 27th meeting).

IDENTIFIED NEED/S:

The FY 2019-20 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/7619/FY-2020-CM-Recommended-Budget>

PROGRESS TO DATE: (if appropriate)

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 2019-1266 adopting the FY 2019-2020 Budget on first reading.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2019-1266

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, 2019, AND ENDING SEPTEMBER 30, 2020, 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, 2019, and ending September 30, 2020 (“the FY 2019-2020 Budget”), and

WHEREAS, the proposed FY 2019-2020 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 2019-19 Budget have been duly and legally posted or published as required by law; and,

WHEREAS, said public hearings were held on August 27, 2019, and September 10, 2019, and whereon full and final consideration was given the proposed FY 2019-2020 Budget; and

WHEREAS, the City Council of the City of Highland Village, Texas, has determined that the proposed FY 2019-2020 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, 2019 and ending September 30, 2020, the FY 2019-2020 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	\$18,715,616
Debt Service Fund	\$2,848,582
Corps Leased Parks Fund	\$470,853
HV Drainage Utility Fund	\$638,002
Capital Projects Fund	\$4,033,523
Public Safety Special Revenue Fund	\$3,600
Park Development Fee Fund	\$0
PEG Fee Fund	\$73,195
Municipal Court Technology Fee Fund	\$17,640
Municipal Court Building Security Fund	\$0

Utility Fund	\$12,145,127
HV Community Development Fund	\$600,756
Total Funds	\$39,546,894

The above said budget is hereby approved for a total of \$39,546,894, 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 2019-2020 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 2019-2020 Budget. Amendments to the FY 2019-2020 Budget, including appropriations and expenditures which deviate from this FY 2019-2020 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 2019-2020 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, 2019, and ending September 30, 2020, approved herein, is on file in the City Secretary Office.

Section 3. The expenditures during the fiscal year beginning October 1, 2019, and ending September 30, 2020, shall be made in accordance with the FY 2019-2020 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, 2019 and ending September 30, 2020 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	Absent	
Jon Kixmiller, Councilmember-Place 2		
Mike Lombardo, Councilmember – Place 3		
Barbara Fleming, Councilmember – Place 4		
Tom Heslep, Councilmember – Place 5		
Robert Fiester, Councilmember – Place 6	Absent	
Daniel Jaworski – Councilmember – Place 7		

WITH ___ VOTING “AYE” AND ___ VOTING “NAY,” AND TWO ABSENT, THIS ORDINANCE NO. 2019-1266 WAS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THE 10th DAY OF SEPTEMBER 2019.

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		
Tom Heslep, Councilmember – Place 5		
Robert Fiester, Councilmember – Place 6		
Daniel Jaworski – Councilmember – Place 7		

WITH ___ VOTING “AYE” AND ___ VOTING “NAY,” THIS ORDINANCE NO. 2019-1266 WAS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE _____ DAY OF _____, 2019.

APPROVED:

Mike Lombardo, Mayor Pro Tem

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:9/4/19:110585)

**ORDINANCE NO. 2019-1266
EXHIBIT A**

**Budget Amendment Request Worksheet
Expenditure Line Item for Proposed Change:**

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

Reason for Request

FUND BALANCE
<input type="checkbox"/> GENERAL FUND BALANCE
Details: Net Change \$ -

<input type="checkbox"/> UTILITY FUND WORKING CAPITAL BALANCE
Details: Net Change \$

<input checked="" type="checkbox"/> COUNCIL APPROVAL REQUIRED	Inter-Departmental, offset by equal decrease or offset by increase in revenue item.
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CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 21

MEETING DATE: 09/10/19

SUBJECT: Consider Ordinance 2019-1267 Levying the Ad Valorem Taxes for the Year 2019 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, 2019 (1st of two reads)

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 unchanged from last year. However, because the current M&O rate, if adopted for FY 2018-19 will result in raising more funds from property taxes than the current fiscal year, 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. 2019-1267 provides for the adoption of the City's official budget for Fiscal Year 2019-20. Pursuant to the direction of the City Council, the City Manager has prepared the FY 2019-20 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 2019-20 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. 2019-1267 which provides for the adoption of a total tax rate of \$.56302 per \$100 valuation (composed of a Maintenance and Operation rate of \$.476486 per \$100 valuation and a debt service rate of \$.086534 per \$100 valuation) to fund the FY 2019-2020 budget. Because the proposed tax rate will exceed the effective tax rate of \$.541706 per \$100 valuation (which is the rate that would provide the same amount of funds raised from property taxes for the current fiscal 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. 2019-1267). In addition, as the proposed tax rate exceeds the effective tax rate, at least 60 percent of the governing body must vote in favor of the ordinance by a record vote. State law also requires that the motion approving an ordinance adopting a tax rate that is greater than the effective tax rate include specific language (see **Recommendation** section below).

PROGRESS TO DATE: (if appropriate)

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

The ordinance adopting the tax rate follows this briefing.

RECOMMENDATION:

Staff recommends approval of Ordinance No. 2019-1267 on first reading. State law requires the motion to approve Ordinance No. 2019-1267 on first 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 3.9 percent increase in the tax rate and, therefore, I further move that Ordinance No. 2019-1267 be approved on first reading.”

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2019-1267

AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2019 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, 2019; 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 2019 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 2019 by the Denton Central Appraisal District; and

WHEREAS, the City Council has approved Ordinance No. 2019-1266 adopting the City's annual budget for fiscal year 2019-2020; 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 2019 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 \$0.476486 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 \$0.086534 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, 2019, and all ad valorem taxes for the year shall become delinquent if not paid prior to February 1, 2020. There shall be no discount for payment of taxes prior to February 1, 2020. 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, 2020, 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 2019 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 2019-2020 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	Absent	
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	Absent	
Daniel Jaworski – Councilmember – Place 7		

WITH ___ VOTING “AYE” AND ___ VOTING “NAY,” AND TWO ABSENT, THIS ORDINANCE NO. 2019-1267 WAS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THE 10th DAY OF SEPTEMBER 2019.

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. 2019-1267 WAS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 24th DAY OF SEPTEMBER 2019.

APPROVED:

Mike Lombardo, Mayor Pro Tem

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:9/4/19:110586)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 22

MEETING DATE: 09/10/19

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

PREPARED BY: Karen Bradley, Administrative Assistant to 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

Expected Absences:

Mayor Wilcox (Council Meeting September 10, 2019)
Councilmember Robert Fiester (Council Meeting September 10, 2019)

September 10, 2019 Regular City Council Mtg. 7:30 pm

September 16, 2019 Park Board Mtg. 6:00 pm (if needed)

September 17, 2019 Planning & Zoning Commission Mtg. 7:00 pm (if needed)

September 24, 2019 Regular City Council Mtg. 7:30 pm

October 3, 2019 Zoning Board of Adjustment Mtg. 7:00 pm (if needed)

October 8, 2019 Regular City Council Mtg. 7:30 pm

October 15, 2019 Planning & Zoning Commission Mtg. 7:00 pm (if needed)

October 21, 2019 Park Board Mtg. 6:00 pm (if needed)

October 22, 2019 Regular City Council Mtg. 7:30 pm

November 7, 2019 Zoning Board of Adjustment Mtg. 7:00 pm (if needed)

November 12, 2019 Regular City Council Mtg. 7:30 pm

November 18, 2019 Park Board Mtg. 6:00 pm (if needed)

November 19, 2019 Planning & Zoning Commission Mtg. 7:00 pm (if needed)

November 26, 2019 Regular City Council Mtg. 7:30 pm

November 28- 29, 2019 City Offices Closed for the Thanksgiving Holiday

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