



A G E N D A

**REGULAR MEETING OF THE
HIGHLAND VILLAGE CITY COUNCIL
HIGHLAND VILLAGE MUNICIPAL COMPLEX
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS
TUESDAY, MAY 26, 2020, at 6:00 P.M.**

Pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act and in an effort to protect the health and safety of the public, the public will not be allowed to attend the City Council meeting in person. Members of the public may view the City Council meeting live at no cost via the following Internet link: <https://www.highlandvillage.org/922/Highland-Village-Television>

Any person wishing to provide comments on any matter to be considered on this agenda should email such comments to the City Secretary at citysecretary@highlandvillage.org by 1:00 p.m. on Tuesday, May 26, 2020.

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

Convene Meeting in Open Session

1. Receive an Update on FY 2019-2020 Budget Projections
2. Receive an Update on Phase I of the Kids Kastle Rebuild Project
3. Clarification of Consent or Action Items listed on Today's City Council Meeting Agenda of May 26, 2020

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

CLOSED SESSION
City Council Chambers

4. Hold a closed meeting in accordance with the following sections of the Texas Government Code:
 - (a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)
 - (b) Section 551.074 – Personnel – Discuss the Employment or Appointment of City Manager

OPEN SESSION
City Council Chambers – 7:00 P.M.

5. **Call to Order**
6. **Prayer led by Mayor Pro Tem Lombardo**
7. **Pledge of Allegiance to the U.S. and Texas flags led by Mayor Pro Tem Lombardo:**
“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”
8. **Administration of Ceremonial Oaths of Office**
9. **Visitor Comments** *(Anyone wishing to address the City Council must complete a Speakers’ Request Form and return it to the City Secretary. In accordance with the Texas Open Meetings Act, the City Council is restricted in discussing or taking action on items not posted on the agenda. Action on your statement can only be taken at a future meeting. In order to expedite the flow of business and to provide all visitors the opportunity to speak, the Mayor may impose a three (3) minute limitation on any person addressing the City Council. A thirty (30) minute time allotment is set for this section, and the remaining speakers will be heard at the end of the Action Agenda.)*
10. **City Manager/Staff Reports**
 - **COVID-19 Update**
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**

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

CONSENT AGENDA

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

12. **Consider approval of Minutes of the Regular City Council Meeting held on May 12, 2020**

ACTION AGENDA

13. Take action, if any, on matters discussed in closed session in accordance with the following sections of the Texas Government Code:
 - (a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on a 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 – Personnel – Discuss the Employment or Appointment of City Manager
14. Consider approval of a Final Plat for 23.471 +/- acre tract of land out of the J. Edmonson Survey, Abstract No. 398 generally located at the Northeast Corner of Harlington Drive and Chinn Chapel Road (The Reserve at Chapel Hill Subdivision)
15. Consider Ordinance 2020-1274 amending Section 20.03.052 “Maximum Speed Limits on Specific Streets” to adopt and amend the Maximum Prima Facia Speed Limits for the Segment of FM 2499 located within the Corporate Limits of Highland Village (*2nd and final read – Staff recommendation is to table this item*)

LATE WORK SESSION

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

16. Discuss the Schedule for Summer City Council Meetings
17. 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.)
18. 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 22ND DAY OF MAY, 2020 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 _____, 2020 at _____ am / pm by _____.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 1	MEETING DATE: 05/26/2020
SUBJECT:	Receive an Update on FY 2019-2020 Budget Projections
PREPARED BY:	Ken Heerman, Assistant City Manager

COMMENTS

City staff will provide an update on Fiscal Year 2019-2020 Budget Projections.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 2

MEETING DATE: 05/26/2020

SUBJECT: Receive an Update on Phase I of the Kids Kastle Rebuild Project

PREPARED BY: Phil Lozano, Parks and Recreation Director

COMMENTS

Phase I of the Kids Kastle Rebuild Project started on May 18, 2020. City staff will provide an update on the project.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 11

MEETING DATE: 05/26/2020

SUBJECT: Mayor and Council Reports on Items of Community Interest

PREPARED BY: Karen McCoy, Executive Assistant

COMMENTS

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

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 12

MEETING DATE: 05/26/2020

SUBJECT: Consider Approval of Minutes of the Regular City Council Meeting held on May 12, 2020

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 May 12, 2020.



**MINUTES OF THE REGULAR MEETING OF THE
HIGHLAND VILLAGE CITY COUNCIL
HELD AT THE HIGHLAND VILLAGE MUNICIPAL COMPLEX
1000 HIGHLAND VILLAGE ROAD
TUESDAY, MAY 12, 2020**

EARLY WORK SESSION

Mayor Charlotte J. Wilcox called the meeting to order in open session at 6:00 p.m. and announced pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act and in an effort to protect the health and safety of the public, the meeting is being conducted using social distancing practices. Members of the public are not allowed to attend the City Council meeting in person, but may view the City Council meeting live at no cost via www.highlandvillage.org/HVTV.

In addition, she reported any person wishing to provide comments on any matter to be considered on this agenda were to have emailed such comments to the City Secretary by 1:00 p.m. on Tuesday, May 12, 2020. She asked if any public comments were received; City Secretary Angela Miller reported none were received.

Roll Call

Present:

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

Staff Members:

Michael Leavitt	City Manager
Ken Heerman	Assistant City Manager
Kevin Laughlin	City Attorney
Angela Miller	City Secretary
Michael Thomson	Fire Chief
Doug Reim	Chief of Police
Scott Kriston	Public Works Director
Phil Lozano	Parks & Recreation Director
Jana Onstead	Human Resources Director
Sunny Lindsey	Information Services Director
Laurie Mullens	Marketing & Communications Director
Andrew Boyd	Media Specialist

1. Discuss Selection of a Mayor Pro Tem and Deputy Mayor Pro Tem

Mayor Wilcox reported Mike Lombardo currently serves as Mayor Pro Tem and Barbara Fleming serves as Deputy Mayor Pro Tem. She asked members of Council if anyone was interested in serving. Deputy Mayor Pro Tem Fleming suggested Councilmember Lombardo continue serving as Mayor Pro Tem. Councilmember Kixmiller suggested Barbara Fleming continue serving as Deputy Mayor Pro Tem. Mayor Wilcox stated this agenda item is for discussion purposes only and that formal action could be taken later during the regular City Council meeting.

2. Clarification of Consent or Action Items listed on Today's City Council Meeting Agenda of May 12, 2020

Relating to Agenda Item #13, Mayor Pro Tem Lombardo asked for clarification regarding penalties and recent action taken by Governor Abbott. City Attorney Kevin Laughlin reported the penalty provision included within proposed Ordinance 2020-1273 is consistent with the Governor's order which provides for a penalty not to exceed \$500, which is a Class C offense and not a jailable offense.

Relating to Agenda Item #19, Mr. Laughlin stated Resolution 2020-2884 amends the Declaration of Local Disaster issued by the Mayor of Highland Village on March 16, 2020, and ratified and extended by the City Council on March 19, 2019, which is set to expire on May 13. Proposed Resolution 2020-2884 extends the declaration adopted by the Governor's executive order and is consistent with the provisions executed by Denton County and the State. This will extend the order for so long as the governor continues the statewide disaster declaration and provides for incorporating any future executive orders.

Relating to Agenda Item #21, Mayor Wilcox reported current representative Jim Carter's term will expire this year and Mr. Carter has expressed desire to serve another term. No one else has expressed a desire to serve.

Relating to Agenda Item #22, Mayor Wilcox reported Lewisville Mayor Rudy Durham has expressed his desire to serve again as the primary representative on the Regional Transportation Council (RTC), and Mayor Wilcox is willing to continue serving as the alternate. She stated the City of Lewisville and Town of Flower Mound have advised their respective City Councils are scheduled to adopt a similar resolution this month.

Mayor Wilcox read the items on the agenda for Closed Session and stated Council would meet in Closed Session.

CLOSED SESSION
City Council Chambers

Council convened into Closed Session at 6:10 p.m.

3. Hold a closed meeting in accordance with the following sections of the Texas Government Code:

- (a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)**
- (b) Section 551.074 – Personnel – Discuss the Employment or Appointment of City Manager**

Council concluded Closed Session at 7:15 p.m.

OPEN SESSION

4. Call to Order

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

Roll Call

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

5. Prayer to be led by Councilmember Jon Kixmiller

Councilmember Kixmiller gave the invocation.

6. Pledge of Allegiance to the U.S. and Texas flags to be led by Councilmember Jon Kixmiller

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

7. Selection of a Mayor Pro Tem and Deputy Mayor Pro Tem

Motion by Mayor Wilcox, seconded by Councilmember Kixmiller, selecting Mike Lombardo as Mayor Pro Tem and Barbara Fleming as Deputy Mayor Pro Tem. Motion carried 7-0.

8. Visitor Comments

Mayor Wilcox announced any person wishing to provide comments on any matter to be considered on this agenda were to email such comments to the City Secretary by 1:00 p.m. on Tuesday, May 12, 2020. She asked if any public comments were received. City Secretary Angela Miller reported none were received.

9. City Manager/Staff Reports

- COVID-19 Update

Fire Chief Michael Thomson reported emergency management operations continue, with monitoring through daily calls with federal, state and county partners. He provided an update on cases in Highland Village, Denton County and the State.

Assistant City Manager Ken Heerman provided an update on projected sales tax. The March 2020 sales tax detail shows a variance of \$21,014 of our budgeted amount. Our sales tax revenue received prior to COVID-19 has helped to offset any losses so far. Mr. Heerman reported a potential shortfall of approximately \$219,786 to \$425,742.

Marketing and Communications Director Laurie Mullens reported how the city has supported our area businesses, which includes 32 short videos highlighting each restaurant in Highland Village, except for fast food restaurants. The HVBA website has been updated with a support local page to include all retailers and restaurants, and the type of services they are providing. Many national chains have remained closed, but most local retailers are open now.

Mr. Leavitt added that City staff has hosted multiple meetings with our restaurants and retailers to provide education on how to open while still remaining compliant with state, county and city orders. Ms. Mullens added that video conference calls have also been hosted with our retail center management companies to assist them in opening. City staff also prepared a one-page reference sheet that lists different business establishments along with minimum standard health protocols.

- **HVTV Update**

The Update informed residents of opening dates for City facilities, programs and amenities and of Phase I Water Conservation. A thank you to our community from Highland Village Public Safety was also included.

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

With the recent passing of Marcus High School Coach Steve Telaneus, Councilmember Jaworski sent condolences and asked everyone to keep his family in their prayers.

Mayor Wilcox reminded residents to complete the 2020 Census, which can be completed online.

- **Presentation of a Proclamation designating Emergency Medical Services (EMS) Week in Highland Village**

Mayor Wilcox read a proclamation designating May 17-23, 2020 as Emergency Medical Services Week.

CONSENT AGENDA

11. **Consider approval of Minutes of the Special City Council Meetings held on April 22, 2020; April 23, 2020 and April 27, 2020; and Regular City Council Meeting held on April 28, 2020**

12. Consider Ordinance 2020-1272 re-adopting in its Entirety Article 14.04 “Parks and Recreation” Division 7 “Youth Services Standards of Care” of the Code of Ordinances of the City of Highland Village, setting forth and adopting the Standards of Care for Youth Programs offered by the Parks and Recreation Department (2nd and final read)
13. Consider Ordinance 2020-1273 amending the Code of Ordinances, Chapter 1, “General Provisions,” Article 1.03 “Emergency Management”; by amending Section 1.03.009 “Prohibited Acts” to Create an Offense for Violating the Restrictions of an Emergency Order and Section 1.03.010 “Penalty” amending the Penalty for Violation of the Article (2nd and final read)
14. Consider Resolution 2020-2883 awarding and authorizing a Contract with H&H Electrical Contractors, Inc. for the Miscellaneous Motor Control Improvements Project at the Highland Shores Pump Station, Wastewater Lift Station No. 2 and Idlewild Booster Pump Station
15. Consider Resolution 2020-2887 authorizing a Professional Services Agreement with The Harbeck Company relating to the Recruitment and Selection of City Manager
16. Receive Investment Report for Quarter Ending March 31, 2020
17. Receive Budget Reports for Period Ending March 31, 2020

Motion by Mayor Pro Tem Lombardo, seconded by Councilmember Heslep, to approve Consent Agenda Items #11 through #17. Motion carried 7-0.

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 a 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
 - (b) Section 551.074 – Personnel – Discuss the Employment or Appointment of City Manager
NO ACTION TAKEN
19. Consider Resolution 2020-2884 amending the Declaration of Local Disaster issued by the Mayor of Highland Village on March 19, 2020 and Orders related Thereto
APPROVED (7 – 0)

City Manager Michael Leavitt reported this extends and keeps our Declaration active should assistance be needed, and is consistent with the provisions executed by Denton County and the State, with two special provisions included in the City’s declaration:

- Suspension of permits/licenses for peddlers and solicitors
- Suspension of delivery time restrictions

Motion by Deputy Mayor Pro Tem Fleming, seconded by Councilmember Fiester, to approve Resolution 2020-2884. Motion carried 7-0.

20. Consider Ordinance 2020-1274 amending Section 20.03.052 “Maximum Speed Limits on Specific Streets” to adopt and amend the Maximum Prima Facia Speed Limits for the Segment of FM 2499 located within the Corporate Limits of Highland Village (1st of two reads)

APPROVED 1ST READ (7 – 0)

Public Works Director Scott Kriston reported City staff received notice in March from the Texas Department of Transportation (TxDOT) that a speed zone study on FM 2499 from FM 2181 to the Tarrant County line was conducted, as requested by TxDOT’s Denton County area office. The study determined that several speed limit zones need to be changed. TxDOT recommends the following:

- The speed limit from the northern corporate limit line to the northern part of the intersection of FM 2499/Highland Shores/Castlewood be adjusted from 45 miles per hour (MPH) to 50 MPH
- The speed limit from the intersection of FM 2499/Highland Shores/Castlewood to the intersection of FM 2499/FM 407 (southern corporate limit line) be adjusted from 40 MPH to 45 MPH

Mr. Kriston added that TxDOT’s speed zone study results are in line with the City’s unofficial speed zone study results for the same area. Mr. Leavitt stated TxDOT is setting the new speed limit, which was not requested by the City. In order to enforce the new speed limit, passage of the proposed ordinance is required.

Councilmember Kixmiller clarified the City did not choose to change the speed limit, but would need passage of Ordinance 2020-1274 in order to enforce the speed limit change.

Motion by Mayor Pro Tem Lombardo, seconded by Councilmember Heslep, to approve Ordinance 2020-1274. Motion carried 7-0.

21. Consider Resolution 2020-2885 nominating One Candidate to a Slate of Nominees for the Board of Managers of the Denco Area 911 District

APPROVED (7 – 0)

Motion by Deputy Mayor Pro Tem Fleming, seconded by Councilmember Heslep, to approve Resolution 2020-2885 nominating Jim Carter for the Slate of Nominees for the Board of Managers of the Denco Area 911 District. Motion carried 7-0.

22. Consider Resolution 2020-2886 Joining in the Appointment of the Primary and Alternate Representatives for the Town of Flower Mound, City of Lewisville and City of Highland Village to the Regional Transportation Council (RTC) of the North Texas Council of Governments

APPROVED (7 – 0)

Motion by Councilmember Jaworski, seconded by Councilmember Fiester, to approve Resolution 2020-2886. Motion carried 7-0.

LATE WORK SESSION

23. Discuss Doubletree Ranch Park Splash Pad Operations

Parks and Recreation Director Phil Lozano stated the splash pad has become a popular summer destination and once county and State orders provide the opportunity, the plan is to open the splash pad. Mr. Lozano reported the splash pad is free for all users and has become very popular for daycare field trips, which has created challenges for families and smaller groups also enjoying the site as they are overwhelmed by the daycares.

Mr. Lozano reported the Parks and Recreation Advisory Board will discuss potentially creating a policy for daycare use at their next meeting and will work towards recommended options for Council to discuss and, if warranted, to take action.

24. Receive an Update on the Kids Kastle Rebuild Project

Mr. Lozano reported the community build, originally scheduled for March 23-26 and March 31-April 5, had to be postponed due to COVID-19 therefore leaving City staff to look at other opportunities for completion of the project. City staff secured Play by Design for May 18-21 to construct Phase I of the project. Current orders from the State and County, with compliance to CDC standards for construction projects, allow for Phase I to take place. Play by Design consultants, City staff, and contract labor will complete the work for Phase I, which will set the stage for a community build for Phase II to take place sometime late summer or early fall. Councilmember Kixmiller stated he would like to get as much of the project completed while Play by Design is onsite and would like to have the plans so City staff can continue moving the project ahead, rather than having to wait until they are available.

Since the project was postponed due to COVID-19, Mr. Leavitt reported City staff is tracking all project costs incurred as a result of COVID-19 as to hopefully be able to recoup those costs through possible funding offered through available program(s).

25. 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.)

Mayor Wilcox asked the status of the TxDOT project for the IH-35 northbound access from Highland Village Road. Mr. Leavitt stated our Regional Transportation Council (RTC) Representative Dianne Costa has verified the project is included in the State's 2021 Unified Transportation Program (UTP), which will be voted on by the Texas Transportation Commission's August 2020 meeting.

Because of COVID-19, Mr. Leavitt reported the Denton County Transportation Authority (DCTA) has received CARE funding. He has asked Ms. Costa about DCTA's local assistance program to help fund transportation projects within their member cities. He will update Council as he receives additional information.

Mr. Leavitt stated he and Mayor Wilcox were recently notified of action by the Bureau of Land Management regarding property in Highland Village located in the northern area of FM 2499. The property is owned by the Bishop family and includes an existing gas well. Mr. Leavitt reported the owners of the land and mineral rights under Lewisville Lake, by federal law, have the right to access those minerals.

He reported the City had provided opposition in 2016 to a sale of mineral leases in the same area due to concerns regarding the Lewisville Lake dam. With additional concerns regarding the effects of the fracking process, Mr. Leavitt has contacted the Upper Trinity Regional Water District (UTRWD). The UTRWD will provide a joint jurisdiction response in opposition.

26. Adjournment

Mayor Wilcox adjourned the meeting at 8:50 p.m.

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

DRAFT

CITY OF HIGHLAND VILLAGE
CITY COUNCIL

AGENDA# 14

MEETING DATE: 05/26/2020

SUBJECT: Consider Approval of a Final Plat for 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 (The Reserve at Chapel Hill Subdivision)

PREPARED BY: Autumn Aman, Community Development Coordinator

BACKGROUND:

An application for review and consideration of the Final Plat and Tree Plan was submitted for The Reserve at Chapel Hill. The approximate total 23.471± acre tract is currently owned by the Lewisville Independent School District. The applicant, David Weekly Homes is under contract to purchase the property. David Weekly Homes desires to develop the property as a Residential Single Family Subdivision consisting of seventy-three (73) residential lots and (1) common area.

On September 10, 2019, the City Council approved Ordinance No. 2019-1264, amending the PD-8 Development/Concept Plan in order to establish the future proposed subdivision (lot layout).

The Final Plat features the following:

1. Seventy-three (73) lots for single-family residential construction.
2. One (1) common area lot that will be maintained by the Homeowners Association.
3. Trail connection with the existing Inland trail system to the east and the south.
4. Sidewalks.
5. Any trees proposed to be removed on the property are located within the dedicated Public right-of-ways, easements, retaining wall location, buildable lot area, and within close proximity to the building foundations. The builder will be responsible for planting a minimum of two (2) 4" caliper trees in the front yard of each house prior to certificate of occupancy being issued.

Other than amending the Planned Development site plan to include the subject property, neither LISD nor the applicant requested any changes in the development regulations applicable to the subject property. Therefore, the setbacks, lots sizes, and other development regulations to the remainder of the Chapel Hill subdivision will be applicable to the subject property.

IDENTIFIED NEED/S:

Act on request to approve the final plat.

OPTIONS & RESULTS:

Approve the Final Plat and tree plan as submitted, approve with conditions or disapprove with explanation. Because state law requires approval of subdivision plats that comply with all applicable state law and local ordinances, denial of a Final Plat would require a finding that the Final Plat failed to comply with state law or local ordinances.

PROGRESS TO DATE: (if appropriate)

City Staff and the City's Engineer have reviewed the application as it relates to drainage, utilities, and the tree mitigation plan and submitted comments back to the applicant. All comments were addressed. Based on review of the application, City Staff is of the opinion the plat drawing itself is found to comply with the current provisions of the City's subdivision regulations and is administratively complete.

Representatives from the engineer and developer will be available to answer any questions from the Commission.

At the April 21, 2020, Planning and Zoning Commission meeting, the Commission voted unanimously to recommend the City Council approve the Preliminary Plat and Preliminary Tree Plan.

At the April 28, 2020, City Council meeting, the Council approved the Preliminary Plat with a vote of 7-0.

At the May 19, 2020, Planning and Zoning Commission meeting, the Commission voted unanimously to recommend the City Council approve the Final Plat and Final Tree Plan.

In consultation with the City Attorney, notwithstanding the recommendation of the Commission, City staff is recommending that the Final Plat be conditionally approved. As of the date of this briefing, LISD continues to own the property. The City's subdivision regulations require that, at the time of approval of the final plat, the owner/developer also record a declaration of covenants, conditions, and restrictions (DCCR's) in a form approved by the City Attorney governing the property and, in particular establishing a homeowner's association that will levy assessments on lot owners within the subdivision and be obligated to maintain all common areas. Because LISD will continue to own the property at the time the City Council votes on the final plat application, and because LISD, a governmental entity, cannot execute the required property restrictions and place such restrictions on the use of school district property, the final plat application is, technically, not in compliance with the City's subdivision regulations. To resolve this conundrum, the City Attorney is recommending that the approval of the final plat be conditioned on the approved form of DCCR's be executed and placed in escrow with the title company where the sale of the property will close and be recorded immediately following conveyance of the property to David Weekly Homes. Further, because LISD is shown on the plat as the owner of the property, the plat will need to be recorded prior to closing on the sale of the property in order for the various right-of-way and public easement dedications to be valid. It should be noted that the second condition has already been satisfied. However, the City Attorney recommends it be made part of the motion for approval since the prior acts of the developer were not mandated.

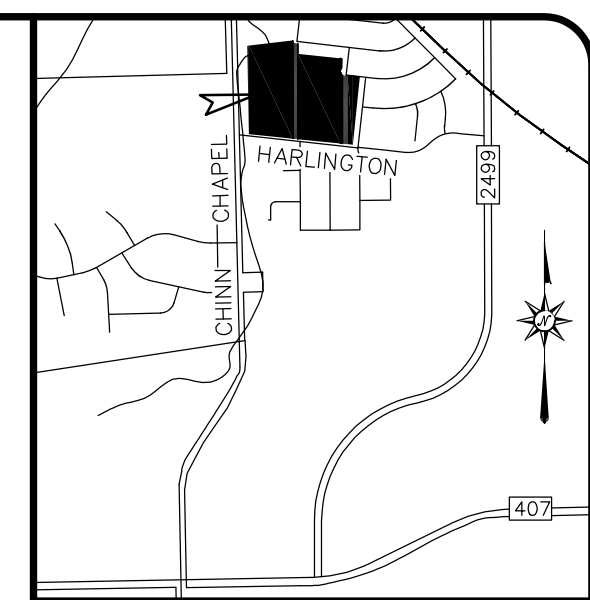
BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

No ordinance change is required.

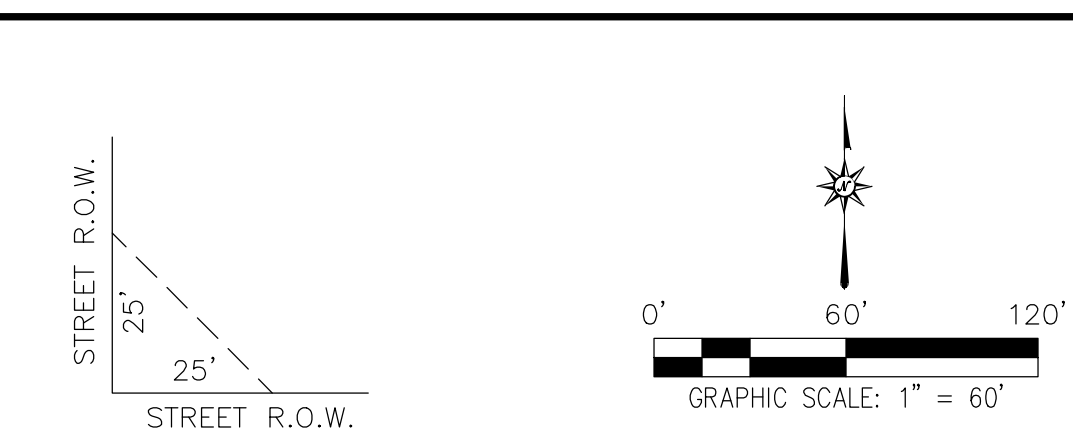
RECOMMENDATION:

City Staff recommends the City Council, based on the recommendation by Planning and Zoning, approve the Final Plat subject to the following conditions:

1. The final plat, with all required signatures affixed, shall be delivered to the title company where the sale of the property by LISD to David Weekly Homes or its affiliated entity is closing to be held in escrow and recorded by the title company prior to the closing of such sale; and
2. In accordance with Section 2.4 of the Highland Village Subdivision Ordinance, the declaration of covenants, conditions, and restrictions previously approved as to form by the City Attorney be signed by David Weekly Homes or its affiliated entity and delivered to the title company to be held in escrow and recorded immediately following the recording of the deed conveying the property out of LISD.



VICINITY MAP
NOT TO SCALE



25'x25' VISIBILITY & SIDEWALK EASEMENT TYPICAL AT ALL INTERSECTION (UNLESS OTHERWISE NOTED)

GENERAL NOTES

1. BASIS OF BEARING – City of Highland Village Subdivision Ordinance Section 2.3.H.19, State Plane Coordinate System, North Central Texas, Zone 5351, Datum NAD83.
2. All easements on lot lines are centered unless otherwise noted.
3. A 7.5-foot utility easement adjoining all right-of-ways is hereby dedicated, unless otherwise shown.
4. A 5-foot drainage easement is hereby dedicated to all side and rear lot lines that is maintained by the private property owner.
5. All lot corners are 5/8" CAPPED IRON ROD SET WITH YELLOW CAP STAMPED "ADAMS SURVEYING COMPANY LLC" unless otherwise noted. Lot corners to be set upon completion of subdivision construction.
6. Existing Zoning: SF-8, PD-8
7. Drainage easement recorded in Volume 4815, Page 678, Deed Records, Denton County, Texas will be abandoned by separate instrument.
8. 20-foot slope and drainage easement recorded in Instrument Number 2012-105210, Deed Records, Denton County, Texas will be abandoned by separate instrument.
9. ** Area of Deerhurst Drive will be abandoned by separate instrument. See detail on Sheet 2 of 2.
10. Areas:
 - Residential – 650,655 square feet / 14.937 acres
 - Streets – 153,307 square feet / 3.519 acres
 - Open Space – 178,460 square feet / 4.097 acres
 - Apparent R.O.W. – 36,148 square feet / 0.830 acre
11. Per Sec 24.04.072 (1) Residential construction. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to two (2) feet above the base floor elevation. Lots 1 and 2, Block A and Lots 1 through 9, Block F may be subject to FF revisions based on a concurrent flood study establishing "pre" and "post" conditions to be reviewed and approved by the City of Highland Village.

FLOOD STATEMENT

According to Map No. 48121C0530G, dated April 18, 2011 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Denton County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, the subject tract lies in an area designated as an unshaded Zone "X" and has been determined to be outside the 0.2% floodplain. This flood statement shall not create liability on the part of the surveyor.

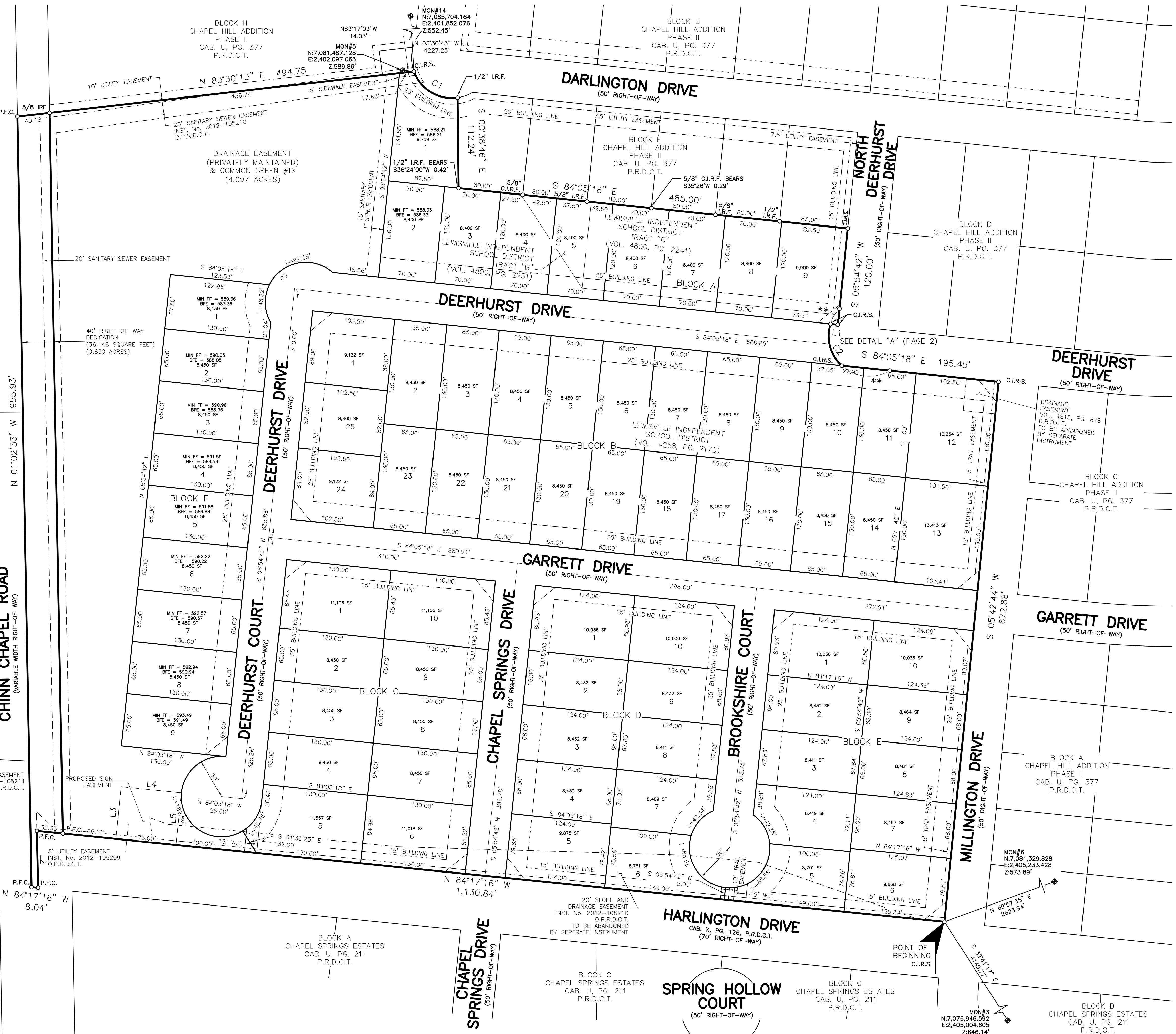
CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	78°28'55"	50.00'	68.49'	S 58°56'53" E	63.26'
C2	64°40'02"	50.00'	56.43'	S 14°53'06" E	53.48'
C3	161°48'29"	50.00'	141.20'	S 50°54'42" W	98.74'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 84°05'18" W	8.99'
L2	S 01°07'19" E	70.50'
L3	N 05°54'42" E	65.00'
L4	S 84°17'16" E	75.00'
L5	S 05°54'42" W	65.00'

FINAL PLAT OF
RESERVE AT CHAPEL HILL
LOTS 1-9, BLOCK A, LOTS 1-25, BLOCK B,
LOTS 1-10, BLOCK C, LOTS 1-10, BLOCK D,
LOTS 1-10, BLOCK E, LOTS 1-9, BLOCK F & #1X
23.383 ACRES – 74 LOTS
JAMES EDMONSON SURVEY, ABSTRACT No. 398
CITY OF HIGHLAND VILLAGE, DENTON COUNTY, TEXAS

MAY 2020

SHEET 1 OF 2



OWNER
Lewisville Independent School District
1565 W Main Street
Lewisville, Texas 75067
Contact: Craig Martin
Phone: (972) 350-4743

ENGINEER
Cage Civil Engineering
4849 Greenville Avenue, Suite 1460
Dallas, Texas 75206
Contact: Fred Thøete
Phone: (630) 598-0007

SURVEYOR
Adams Surveying Company, LLC
1475 Richardson Drive, Suite 255
Richardson, Texas 75080.
Contact: Paul Hubert
Phone: (469) 317-0250

Adams
Surveying
Company, LLC

TBPELS Firm Registration No. 10177500

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STATE OF TEXAS §
COUNTY OF DENTON §

OWNER'S CERTIFICATE

WHEREAS Lewisville Independent School District is the owner of a 23.383 acre tract of land situated in the Edmonson Survey, Abstract Number 398, City of Highland Village, Denton County, Texas, said tract being part of that certain tract of land described in a Special Warranty Deed to Lewisville Independent School District as recorded in Volume 4258, Page 2170, all of that certain tract of land described as "Tract B" in a Special Warranty Deed to Lewisville Independent School District as recorded in Volume 4800, Page 2251, and all of that certain tract of land described as "Tract C" in a Special Warranty Deed to Lewisville Independent School District as recorded in Volume 4800, Page 2241 of the Deed Records, Denton County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with yellow cap stamped "ADAMS SURVEYING COMPANY LLC" (CIRS) set at the intersection of the westerly right-of-way line of Millington Drive (a 50-foot right-of-way) and the northerly right-of-way line of Harlington Drive (a 70-foot right-of-way), same point being the northeast corner of Harlington Drive Right-of-Way, an addition to the City of Highland Village, Texas according to the plat recorded in Cabinet X, Page 126 of the Plat Records, Denton County, Texas;

THENCE North 84 degrees 17 minutes 16 seconds West, along the northerly right-of-way line of said Harlington Drive, a distance of 1,130.84 feet to a point for corner (PFC) at the northwest corner of said Harlington Drive;

THENCE South 01 degree 07 minutes 19 seconds East, along the westerly right-of-way line of said Harlington Drive, a distance of 70.50 feet to a PFC in the southerly line of said Lewisville Independent School District tract (Vol. 4258, Pg. 2170);

THENCE North 84 degrees 17 minutes 16 seconds West, a distance of 8.04 feet to a PFC at the southwest corner of said Lewisville Independent School District tract;

THENCE North 01 degree 02 minutes 53 seconds West, along the west line of said Lewisville Independent School District tract, a distance of 955.93 feet to a PFC at the northwest corner of said Lewisville Independent School District tract;

THENCE North 83 degrees 30 minutes 13 seconds East, south line of Block H of Chapel Hill Addition Phase II, an addition to the City of Highland Village, Texas as recorded in Cabinet U, Page 377 of the Plat Records, Denton County, Texas, passing a 5/8-inch iron rod found for the east corner of said Terminus and for the southwest corner of said Block H at a distance of 40.18 feet, continuing in all for a total distance of 494.75 feet to a CIRS in the southerly right-of-way line of Darlington Drive (a 50-foot right-of-way), same point also being the beginning of a non-tangent curve to the left;

THENCE southeasterly, along the southerly right-of-way line of said Darlington Drive and along said non-tangent curve to the left, having a radius of 50.00 feet, a central angle of 78 degrees 28 minutes 55 seconds, a chord bearing and distance of South 58 degrees 56 minutes 53 seconds East - 63.26 feet, and an arc length of 68.49 feet to a 1/2-inch iron rod found, same point being the northwest corner of Lot 5, Block F of said Chapel Hill Addition Phase II;

THENCE South 00 degrees 38 minutes 46 seconds East, departing the southerly right-of-way line of said Darlington Drive and along the westerly line of said Lot 5, a distance of 112.24 feet to a point for the southwest corner of said Lot 5, from which a 1/2-inch iron rod found bears South 36 degrees 24 minutes 00 seconds West, at a distance of 0.42 feet;

THENCE South 84 degrees 05 minutes 18 seconds East, along the southerly line of said Block F, a distance of 485.00 feet to a CIRS in the westerly line of Deerhurst Drive (a 50-foot right-of-way);

THENCE along the westerly and northerly right-of-way line of said Deerhurst Drive, the following four (4) calls:

- South 05 degrees 54 minutes 42 seconds West, a distance of 120.00 feet to a CIRS;
- North 84 degrees 05 minutes 18 seconds West, a distance of 8.99 feet to a CIRS, same point being the beginning of a non-tangent curve to the left;
- Southeasterly, along said non-tangent curve to the left, having a radius of 50.00 feet, a central angle of 64 degrees 40 minutes 02 seconds, a chord bearing and distance of South 14 degrees 53 minutes 06 seconds East - 53.49 feet, and an arc length of 56.43 feet to a CIRS;
- South 84 degrees 05 minutes 18 seconds East, a distance of 195.45 feet to a CIRS at the intersection of the southerly right-of-way line of said Deerhurst Drive and the westerly right-of-way line of said Millington Drive;

THENCE South 05 degrees 42 minutes 44 seconds West, along the westerly right-of-way line of said Millington Drive, a distance of 872.85 feet to the POINT OF BEGINNING, and containing 23.383 acres (or 1,018,570 square feet) of land, more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL BY THESE PRESENTS:

That LEWISVILLE INDEPENDENT SCHOOL DISTRICT, the owner of the property described in this plat, acting by and through its duly authorized agent, does hereby adopt this plat, designating the property as RESERVE AT CHAPEL HILL, an addition to the City of Highland Village, Denton County, Texas and do hereby dedicate in fee simple, to the public use forever, the streets and alleys shown thereon. The easements shown thereon are hereby reserved for the purposes as indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed, or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements and all public utilities shall at all times have the full right of ingress and egress to or from the said utility easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance and service required or ordinarily performed by that utility.)

The easements shown thereon are hereby dedicated to the Public for the purposes indicated.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Highland Village, Texas.

WITNESS, my hand, this the _____ day of _____, 2020.

BY: _____
Agent

STATE OF §
COUNTY OF §

BEFORE ME, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration and under the authority therein expressed.

GIVEN under my hand and seal of office this _____ day of _____, 2020.

Notary Public for and in the State of _____
My commission expires: _____

SURVEYOR'S STATEMENT

KNOW ALL MEN BY THESE PRESENTS

THAT I, John Truong, a Registered Professional Land Surveyor, in the State of Texas, do hereby declare that this plat was prepared from an actual and accurate survey made on the ground and that the corner markers shown hereon were found or placed under my direction and supervision in accordance with the Ordinances of the City of Highland Village, Texas.

Dated this the _____ day of _____, 2020.

John Truong, R.P.L.S. No. 6514

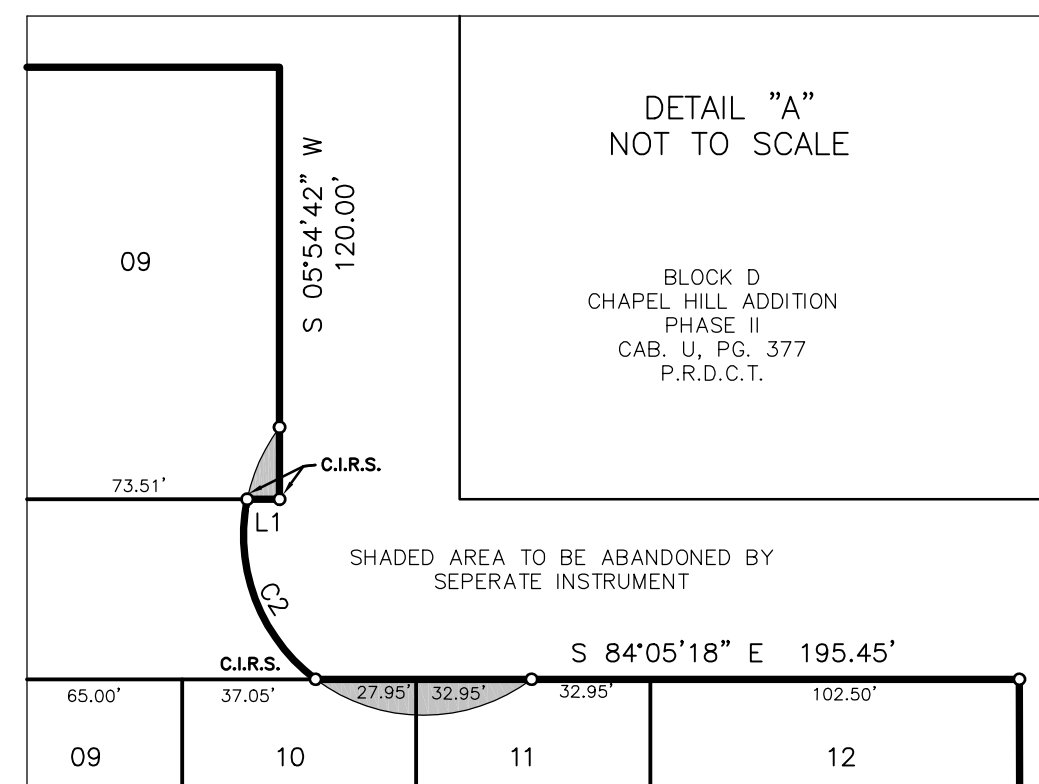
Adams Surveying Company, LLC.
TBPELS Firm No. 10177500

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared Paul Hubert, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein stated.

GIVEN under my hand and seal of office this _____ day of _____, 2020.

Notary Public for and in the State of Texas
My commission expires: _____



FINAL PLAT
CERTIFICATE OF APPROVAL

Approved by the planning and zoning commission this _____ day of _____, 2020.

Name, Title _____

Approved by the city council this _____ day of _____, 2020.

Name, Title _____

Approved by the city secretary this _____ day of _____, 2020.

Name, Title _____

FINAL PLAT OF
RESERVE AT CHAPEL HILL
LOTS 1-9, BLOCK A, LOTS 1-25, BLOCK B,
LOTS 1-10, BLOCK C, LOTS 1-10, BLOCK D,
LOTS 1-10, BLOCK E, LOTS 1-9, BLOCK F & #1X
23.383 ACRES - 74 LOTS
JAMES EDMONSON SURVEY, ABSTRACT No. 398
CITY OF HIGHLAND VILLAGE, DENTON COUNTY, TEXAS

MAY 2020

SHEET 2 OF 2



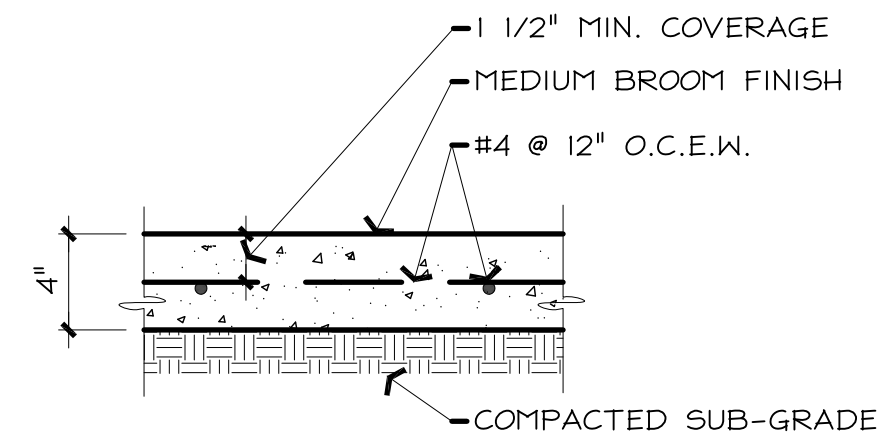
TBPELS Firm Registration No. 10177500

OWNER
Lewisville Independent
School District
1565 W Main Street
Lewisville, Texas 75067
Contact: Craig Martin
Phone: (972) 350-4743

ENGINEER
Cage Civil Engineering
4849 Greenville Avenue, Suite 1460
Dallas, Texas 75206
Contact: Fred Thaele
Phone: (630) 598-0007

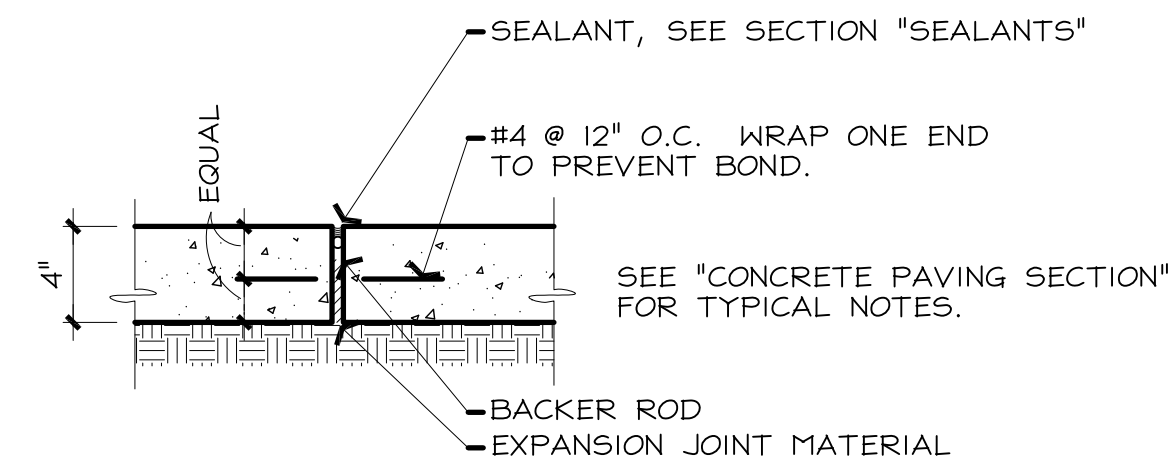
SURVEYOR
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1475 Richardson Drive, Suite 255
Richardson, Texas 75080.
Contact: Paul Hubert
Phone: (469) 317-0250

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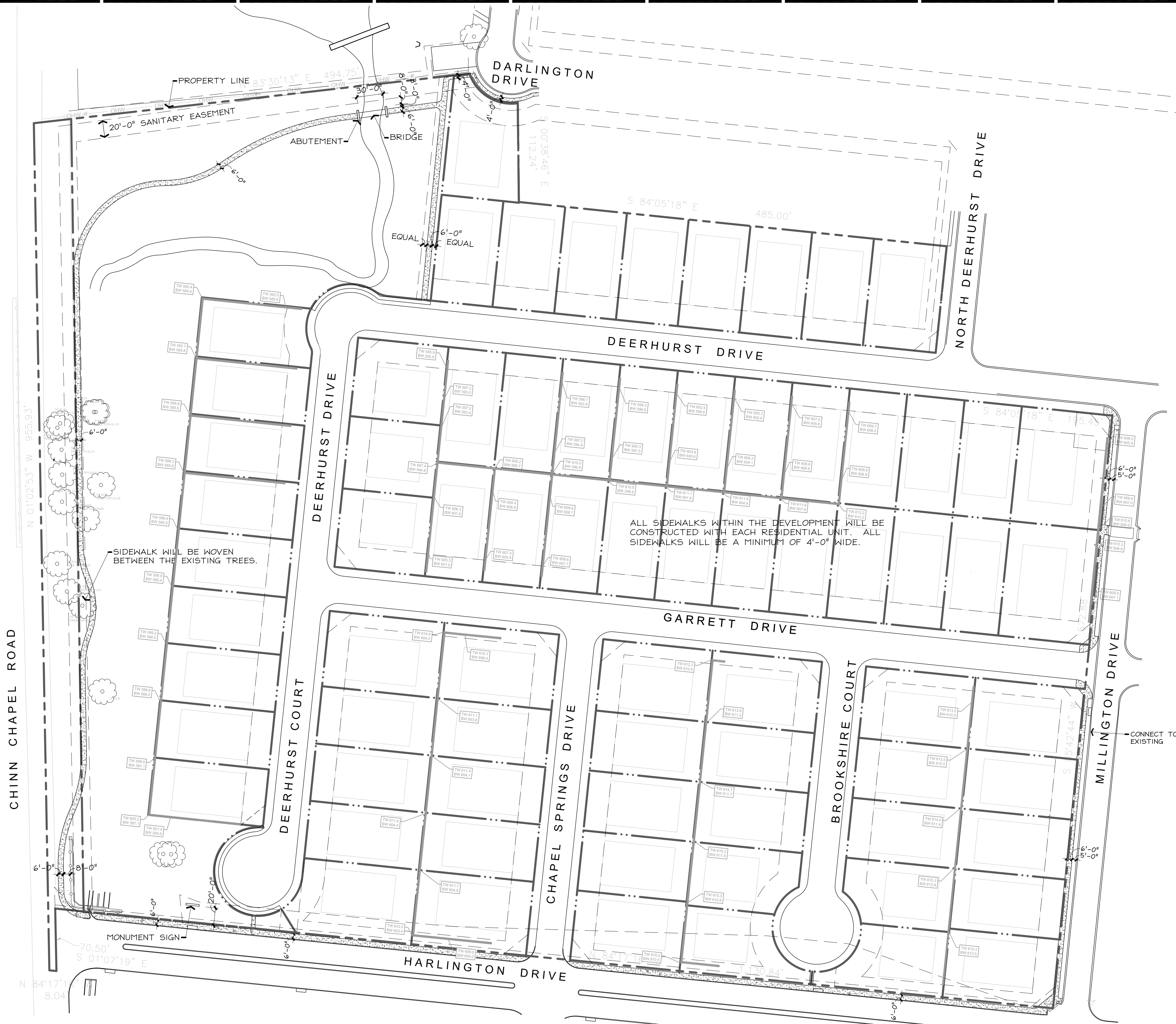
B CONCRETE SIDEWALK PAVING SECTION

1 1/2" = 1'-0" 0 1'



C SIDEWALK EXPANSION JOINT SECTION

1 1/2" = 1'-0" 0 1'



A SITE PLAN

scale: 1" = 60'-0" 0 30' 60' 120'



05.12.2020

Revisions

REVISION 1	03.11.2020
REVISION 2	03.18.2020
REVISION 3	04.13.2020
REVISION 4	05.12.2020

Issue Date
21 January 2020

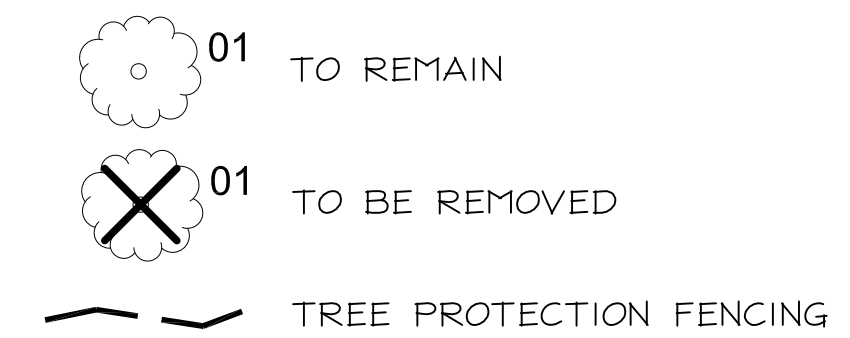
Sheet Name
SITE PLAN

Sheet Number
L2.1

C EXISTING TREE REMOVAL LEGEND

1.	POST OAK - SPECIMEN	23" CALIPER	TO BE REMOVED	30' HEIGHT	REMOVED BY EASEMENT
2.	POST OAK - SPECIMEN	30" CALIPER	TO BE REMOVED	36' HEIGHT	REMOVED BY ROADWAY
3.	LIVE OAK	7" CALIPER	TO BE REMOVED	10' HEIGHT	REMOVED BY BUILDING PAD
4.	POST OAK	16" CALIPER	TO BE REMOVED	14' HEIGHT	REMOVED BY BUILDING PAD
5.	POST OAK	16" CALIPER	TO BE REMOVED	14' HEIGHT	REMOVED BY BUILDING PAD
6.	LIVE OAK	6" CALIPER	TO BE REMOVED	8' HEIGHT	REMOVED BY GRADING
7.	HACKBERRY	8" CALIPER	TO BE REMOVED	8' HEIGHT	REMOVED BY ROADWAY
8.	LIVE OAK	6" CALIPER	TO BE REMOVED	8' HEIGHT	REMOVED BY BUILDING PAD
9.	LIVE OAK	6" CALIPER	TO BE REMOVED	8' HEIGHT	REMOVED BY ROADWAY
10.	LIVE OAK	9" CALIPER	TO BE REMOVED	8' HEIGHT	REMOVED BY ROADWAY
11.	LIVE OAK	9" CALIPER	TO BE REMOVED	8' HEIGHT	REMOVED BY ROADWAY
12.	LIVE OAK	9" CALIPER	TO BE REMOVED	8' HEIGHT	REMOVED BY ROADWAY
13.	LIVE OAK	7" CALIPER	TO BE REMOVED	8' HEIGHT	REMOVED BY ROADWAY
14.	LIVE OAK	7" CALIPER	TO BE REMOVED	8' HEIGHT	REMOVED BY BUILDING PAD
15.	LIVE OAK	10" CALIPER	TO BE REMOVED	12' HEIGHT	REMOVED BY BUILDING PAD
16.	LIVE OAK	8" CALIPER	TO BE REMOVED	8' HEIGHT	REMOVED BY GRADING
17.	LIVE OAK	9" CALIPER	TO BE REMOVED	8' HEIGHT	REMOVED BY GRADING
18.	POST OAK	7" CALIPER	TO BE REMOVED	8' HEIGHT	REMOVED BY ROADWAY
19.	LIVE OAK	10" CALIPER	TO BE REMOVED	12' HEIGHT	REMOVED BY ROADWAY
20.	LIVE OAK	9" CALIPER	TO BE REMOVED	10' HEIGHT	REMOVED BY ROADWAY
21.	LIVE OAK	18" CALIPER	TO BE REMOVED	16' HEIGHT	REMOVED BY GRADING
22.	LIVE OAK	24" CALIPER	TO BE REMOVED	24' HEIGHT	REMOVED BY BUILDING PAD
23.	LIVE OAK	18" CALIPER	TO BE REMOVED	20' HEIGHT	REMOVED BY ROADWAY
24.	LIVE OAK	6" CALIPER	TO BE REMOVED	6' HEIGHT	REMOVED BY GRADING
25.	LIVE OAK	6" CALIPER	TO BE REMOVED	6' HEIGHT	REMOVED BY GRADING
26.	LIVE OAK	6" CALIPER	TO BE REMOVED	6' HEIGHT	REMOVED BY GRADING
27.	LIVE OAK	9" CALIPER	TO BE REMOVED	6' HEIGHT	REMOVED BY GRADING
28.	LIVE OAK	7" CALIPER	TO BE REMOVED	6' HEIGHT	REMOVED BY BUILDING PAD
29.	LIVE OAK	6" CALIPER	TO BE REMOVED	6' HEIGHT	REMOVED BY BUILDING PAD
30.	ELM	30" CALIPER	TO BE REMOVED	30' HEIGHT	REMOVED BY ROADWAY
31.	EASTERN RED CEDAR	8" CALIPER	TO BE REMOVED	8' HEIGHT	REMOVED BY ROADWAY
32.	ELM	32" CALIPER	TO BE REMOVED	35' HEIGHT	REMOVED BY ROADWAY
33.	ELM	27" CALIPER	TO BE REMOVED	30' HEIGHT	REMOVED BY ROADWAY
34.	PECAN	16" CALIPER	TO BE REMOVED	20' HEIGHT	REMOVED BY GRADING
35.	EASTERN RED CEDAR	6" CALIPER	TO BE REMOVED	6' HEIGHT	REMOVED BY GRADING
36.	EASTERN RED CEDAR	6" CALIPER	TO REMAIN AND PROTECT	6' HEIGHT	REMOVED BY GRADING
37.	EASTERN RED CEDAR	6" CALIPER	TO REMAIN AND PROTECT	6' HEIGHT	REMOVED BY GRADING
38.	ELM	18" CALIPER	TO BE REMOVED	30' HEIGHT	REMOVED BY GRADING
39.	EASTERN RED CEDAR	6" CALIPER	TO BE REMOVED	10' HEIGHT	REMOVED BY GRADING
40.	PECAN	12" CALIPER	TO BE REMOVED	20' HEIGHT	REMOVED BY BUILDING PAD
41.	PECAN	6" CALIPER	TO BE REMOVED	6' HEIGHT	REMOVED BY BUILDING PAD
42.	ELM	12" CALIPER	TO BE REMOVED	20' HEIGHT	REMOVED BY BUILDING PAD
43.	MESQUITE	10" CALIPER	TO BE REMOVED	12' HEIGHT	REMOVED BY GRADING
44.	ELM	10" CALIPER	TO REMAIN AND PROTECT	23' HEIGHT	REMOVED BY GRADING
45.	ELM	8" CALIPER	TO REMAIN AND PROTECT	31' HEIGHT	REMOVED BY GRADING
46.	ELM	14" CALIPER	TO REMAIN AND PROTECT	33' HEIGHT	REMOVED BY GRADING
47.	ELM	8" CALIPER	TO REMAIN AND PROTECT	23' HEIGHT	REMOVED BY GRADING
48.	ELM	16" CALIPER	TO REMAIN AND PROTECT	33' HEIGHT	REMOVED BY GRADING
49.	ELM	8" CALIPER	TO REMAIN AND PROTECT	32' HEIGHT	REMOVED BY GRADING
50.	ELM	10" CALIPER	TO REMAIN AND PROTECT	31' HEIGHT	REMOVED BY GRADING
51.	ELM	16" CALIPER	TO REMAIN AND PROTECT	31' HEIGHT	REMOVED BY GRADING
52.	OAK	30" CALIPER	TO REMAIN AND PROTECT	40' HEIGHT	REMOVED BY GRADING
53.	ELM	12" CALIPER	TO REMAIN AND PROTECT	42' HEIGHT	REMOVED BY GRADING
54.	OAK	6" CALIPER	TO REMAIN AND PROTECT	21' HEIGHT	REMOVED BY GRADING
55.	ELM	10" CALIPER	TO REMAIN AND PROTECT	36' HEIGHT	REMOVED BY GRADING
56.	ELM	12" CALIPER	TO REMAIN AND PROTECT	30' HEIGHT	REMOVED BY GRADING

C LEGEND

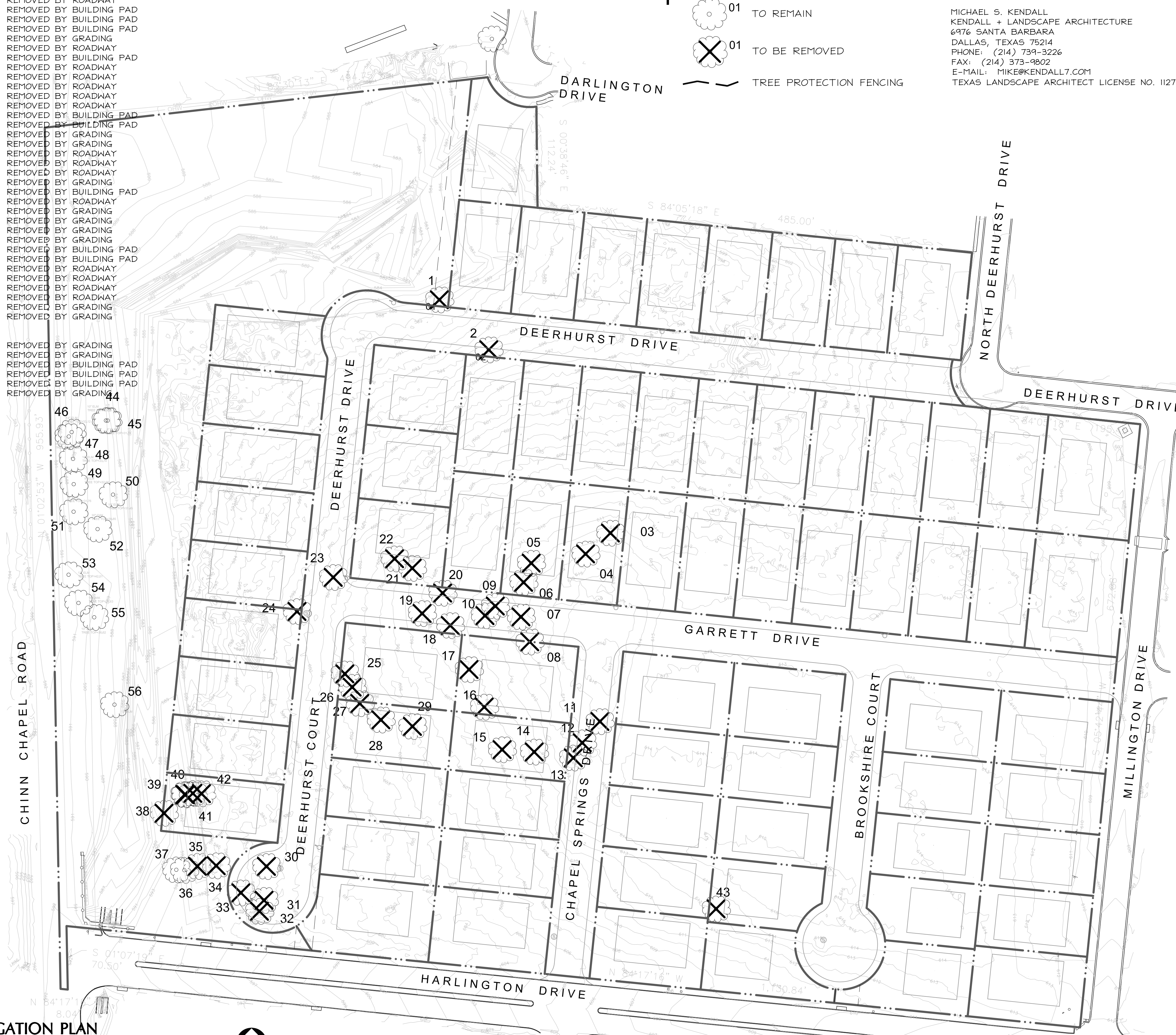


B PREPARATION GENERAL NOTES

PLAN PREPARED BY:
 MICHAEL S. KENDALL
 KENDALL + LANDSCAPE ARCHITECTURE
 6976 SANTA BARBARA
 DALLAS, TEXAS 75214
 PHONE: (214) 739-3226
 FAX: (214) 373-9802
 E-MAIL: MIKE@KENDALL7.COM
 TEXAS LANDSCAPE ARCHITECT LICENSE NO. 1127

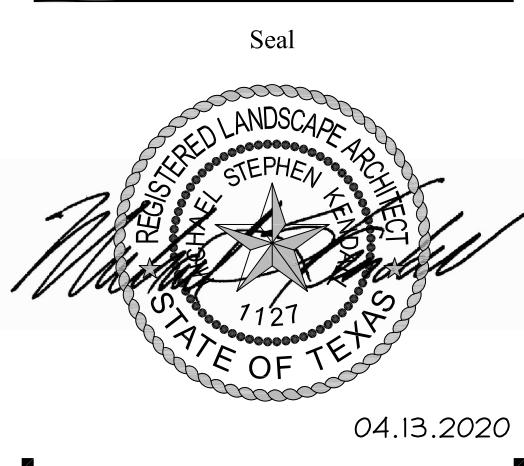
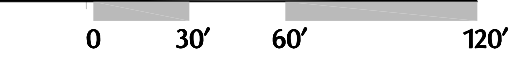


**RESERVE AT
 CHAPEL HILL
 2601 HARLINGTON DRIVE
 HIGHLAND VILLAGE, TEXAS**



A FINAL TREE MITIGATION PLAN

scale: 1" = 60'-0"



Revisions

REVISION. 1	03.11.2020
REVISION. 2	03.18.2020
REVISION. 3	04.13.2020

Issue Date
21 January 2020

Sheet Name
FINAL TREE MITIGATION PLAN

Sheet Number
L11

CITY OF HIGHLAND VILLAGE
CITY COUNCIL

AGENDA# 15

MEETING DATE: 05/26/2020

SUBJECT: Consider Ordinance 2020-1274 amending Section 20.03.052 “Maximum Speed Limits on Specific Streets” to adopt and amend the Maximum Prima Facia Speed Limits for the Segment of FM 2499 located within the Corporate Limits of Highland Village (2nd and final read – Staff recommendation is to table this item)

PREPARED BY: Michael Leavitt, City Manager

BACKGROUND:

City staff received a letter from the Texas Department of Transportation (TXDOT) dated March 30, 2020. TXDOT performed a speed zone study on FM 2499 from FM 2181 to the Tarrant County line as requested by TXDOT’s Denton County area office and has determined that several speed limit zones need to be changed. TXDOT recommends that (1) the speed limit from the northern corporate limit line to the northern part of the intersection of FM 2499/Highland Shores/Castlewood be adjusted from 45 miles per hour (MPH) to 50 MPH and (2) the speed limit from the intersection of FM 2499/Highland Shores/Castlewood to the intersection of FM 2499/FM 407 (southern corporate limit line) be adjusted from 40 MPH to 45 MPH. TXDOT’s speed zone study results are in line with the City’s unofficial speed zone study results for the same area. The appeals process is for both TXDOT and the City to submit proposals to the Transportation Commission located in Austin. TXDOT desires to install the new speed limit signage shortly after May 29, 2020.

IDENTIFIED NEED/S:

Adopt the speed limit by Ordinance for the section of FM2499 located within the corporate limits of Highland Village as recommended by TXDOT.

OPTIONS & RESULTS:

To enforce a new speed limit that TXDOT recommends on a State highway, the City is required to adopt the speed limit by Ordinance.

PROGRESS TO DATE: (if appropriate)

On Thursday, May 21st, City staff met with TXDOT’s Denton Area Engineer along with a representative from Denton County. We were advised TXDOT was going to modify its speed limit study on which the previous ordinance request was based and resubmit to the City a revised study document and ordinance request, with the following speed limit changes: (1) From FM 407 to Highland Shores/Castlewood intersection – maintain the current 40 mph posted

speed; (2) From Highland Shores/Castlewood intersection to Castlewood/Northwood – maintain the current 45 mph posted speed; and (3) From Castlewood/Northwood to FM 2181 – increase the speed limit from 45 MPH to 50 mph .

TXDOT will need to submit to the City of Highland Village a revised speed study and a request for an ordinance based on the revised study. In light of the notification from TXDOT of its intent to revise the prior speed limit study, the City Attorney has advised an amended ordinance will be required, which can only be considered after completion of the amended study from TXDOT, and, therefore, has recommend the City Council table any further action on Ordinance 2020-1274.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

Move to table Ordinance 2020-1274.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2020-1274

AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING CHAPTER 20 "TRANSPORTATION AND TRAFFIC", ARTICLE 20.03 "OPERATION OF MOTOR VEHICLES" OF THE CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE BY AMENDING SECTION 20.03.052 "MAXIMUM SPEED LIMITS ON SPECIFIC STREETS" TO ADOPT AND AMEND THE MAXIMUM PRIMA FACIA SPEED LIMITS FOR THE SEGMENT OF FM 2499 LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF HIGHLAND VILLAGE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 545.356 of the Texas Transportation Code provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway; and,

WHEREAS, the City Council of the City of Highland Village, Texas, upon the basis of an engineering and traffic investigation conducted by the Texas Department of Transportation, the results of which are graphically shown in Exhibit "A", attached hereto and incorporated herein by reference, and which study the City Council adopts and accepts, finds it necessary and in the public interest to alter prima facie maximum speed limits established by Section 545.356 of the Transportation Code, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe, and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof.

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

SECTION 1. Chapter 20 "Transportation and Traffic", Article 20.03 "Operation of Motor Vehicles" of the Code of Ordinances of the City of Highland Village, Texas, is amended by amending Section 20.03.052 "Maximum Speed Limits on Specific Streets" to amend and adopt the maximum prima facie speed limits on the segment of Farm-to-Market Road 2499 located within the City's incorporated limits as follows:

Street	Portion of Street	Speed (Miles per Hour)
FM 2499	From its intersection with the north right-of-way line of Castlewood/Highland Shores Boulevard north to the City limits	50
FM 2499	From the common City limits line with the Town of Flower Mound north its intersection with the north right-of-way line of Castlewood/Highland Shores Boulevard	45

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

SECTION 3. All provisions of the ordinances of the City of Highland Village, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. This ordinance shall take effect immediately from and after its passage on second reading and publication in accordance with the provisions of the state law and the Charter of the City of Highland Village.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 12th DAY OF MAY 2020.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 26TH DAY OF MAY 2020.

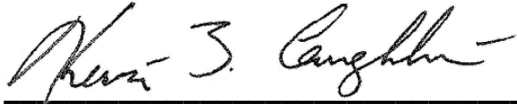
APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, reading "Kevin B. Laughlin". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Kevin B. Laughlin, City Attorney

(kbl:4/29/2020:115371)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 17

MEETING DATE: 05/26/2020

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

PREPARED BY: Karen McCoy, Executive Assistant

COMMENTS

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



UPCOMING MEETINGS

May 26, 2020	Regular City Council Meeting - 7:00 pm
June 4, 2020	Zoning Board of Adjustment Meeting - 6:00 pm
June 9, 2020	Regular City Council Meeting - 7:00 pm
June 15, 2020	Parks & Recreation Advisory Board Meeting - 6:00 pm
June 16, 2020	Planning & Zoning Commission Meeting – 7:00 pm
June 23, 2020	Regular City Council Meeting - 7:00 pm
July 2, 2020	Zoning Board of Adjustment Meeting - 6:00 pm
July 3, 2020	City Offices Closed for the Independence Day Holiday
July 14, 2020	Regular City Council Meeting - 7:00 pm
July 20, 2020	Parks & Recreation Advisory Board Meeting - 6:00 pm
July 21, 2020	Planning & Zoning Commission Meeting – 7:00 pm
July 28, 2020	Regular City Council Meeting - 7:00 pm
August 6, 2020	Zoning Board of Adjustment Meeting - 6:00 pm
August 11, 2020	Regular City Council Meeting - 7:00 pm
August 17, 2020	Parks & Recreation Advisory Board Meeting - 6:00 pm
August 18, 2020	Planning & Zoning Commission Meeting – 7:00 pm
August 25, 2020	Regular City Council Meeting - 7:00 pm

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

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