



## 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, JUNE 23, 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](mailto:citysecretary@highlandvillage.org) by 1:00 p.m. on Tuesday, June 23, 2020.*

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

**Convene Meeting in Open Session**

1. Review the Capital Improvement Program (CIP) Budget for Fiscal Year 2020-2021
2. Clarification of Consent or Action Items listed on Today's City Council Meeting Agenda of June 23, 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 Manager's Conference Room

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

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

4. Call to Order
5. Prayer led by Deputy Mayor Pro Tem Barbara Fleming
6. Pledge of Allegiance to the U.S. and Texas flags led by Deputy Mayor Pro Tem Barbara Fleming: *“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”*
7. **Visitor Comments** *(Anyone wishing to address the City Council must complete a Speakers’ Request Form and return it to the City Secretary. In accordance with the Texas Open Meetings Act, the City Council is restricted in discussing or taking action on items not posted on the agenda. Action on your statement can only be taken at a future meeting. In order to expedite the flow of business and to provide all visitors the opportunity to speak, the Mayor may impose a three (3) minute limitation on any person addressing the City Council. A thirty (30) minute time allotment is set for this section, and the remaining speakers will be heard at the end of the Action Agenda.)*
8. **City Manager/Staff Reports**
  - COVID-19 Update
  - HVTV Update
9. **Mayor and Council Reports on Items of Community Interest** pursuant to Texas Government Code Section 551.0415 the City Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming City Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety

*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.

10. Consider approval of Minutes of the Regular City Council Meeting held on May 26, 2020
11. Consider authorizing action by the City of Highland Village, Texas, resulting from Proposed Auction by the Bureau of Land Management (BLM) of Parcel TX-2020-08-6679, comprising approximately 71.5 acres in Lake Lewisville

## ACTION AGENDA

12. 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
13. Consider Ordinance 2020-1275 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 (*1<sup>st</sup> of two reads*)
14. Consider Resolution 2020-2888 modifying the Declaration of Local Disaster adopted pursuant to Resolution 2020-2875

## LATE WORK SESSION

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

15. Receive an Update on Phase II of the Kids Kastle Rebuild Project
16. Receive an Update and Discuss an Interlocal Cooperation Agreement between Denton County and the City of Highland Village for a Grant of Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) Funds
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 19<sup>TH</sup> DAY OF JUNE, 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: 06/ 23/2020**

**SUBJECT: Receive Capital Improvement Program (CIP) for Fiscal Year 2020-2021**

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

**BACKGROUND**

The City Charter calls for submission to Council of a five-year capital budget. This provides an opportunity for Council to see a multi-year outlook for planning purposes. In essence, this should provide the framework for consideration of the current year’s budget and resulting tax rate.

**IDENTIFIED NEED/S:**

Capital improvements currently in process, as well as additional proposed programs have been identified by City Staff. The potential programs can come from various sources including City Council, boards/commissions, residents, and Staff members. These projects are non-operational, “big-ticket” items that typically require outside funding sources such as debt issuance, grant, or lease/purchase arrangements.

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

A summary of the identified programs follows – presented in context of a five-year window. With the City nearing build-out, there are limited capital programs anticipated in relation to primary City infrastructure.

In general, after years of substantial growth and approaching substantial build-out, the community is more settled. Capital improvements related to basic infrastructure are widely supported. Improvements related to amenities/improved services, while desired, are viewed in context of affordability. The primary emphasis in the five-year outlook for the past few years has been in controlling on-going operating costs in a context of sustainability within the anticipated revenue base. A focus on staffing has been to maintaining existing staffing levels if possible – with emphasis on efficiency and leveraging technology enhancements to not compromise the high level of service that currently exists, with new positions to be evaluated only if a demonstrated need warrants consideration.

The current year of the five-year outlook is being developed as part of the proposed FY 2021 Budget, and is preliminary at this point – to be updated during the budget process this summer. However, the outlook can provide a larger picture of the financial outlook over the next few years. Outstanding projects at this time are related to the Capital Projects Fund. A bond election in FY 2018 remains the primary focus of the capital program, with the various projects detailed following. The following tables depict a summary of the capital projects in process and anticipated in the subsequent five years.

## Current-Year Capital Projects

A \$7M general obligation bond was issued in 2018 to address targeted Parks and Public Works issues as follows:

Bond Election 2018	
Streets Projects	\$2,800,000
Parks Projects	4,105,000
Bond Discount / Premium	173,588
Issuance Costs	(70,907)
Total Bond Proceeds	\$7,007,681

## Parks Projects

### Unity Park - \$2.54M

Unity Park is Highland Village's only community park. This is a highly utilized park that includes multiple amenities for resident use. Improvements include:

- **Ponds** - The ponds require dredging to remove the accumulated silt as well as improvements to address drainage considerations. A study was conducted in 2017 which recommended making improvements to the ponds to accommodate a 50-year flood. However, bids received for this provided a cost that significantly exceeded the provision identified in the bond program. As a result, the project was scaled back to only include dredging of the ponds to remove sediment material to increase water holding capacity as well as replacement of a failed drainage pipe adjacent to the ponds. The dredging is complete, and construction to replace drainage pipe will commence immediately following completion of Kids Kastle.  
Original estimate: \$925,431  
Revised estimate: \$688,602
- **Kids Kastle Play Structure** – This playground was originally constructed in the 1990's as a community build project. Following a fire in the 2000's, it was rebuilt again as a community project. The play area is at the end of its useful life and in need of replacement, this time with new recycled plastic materials that will provide increased safety and reduced maintenance. The intent is to again approach as a community build project. As this is adjacent to the ponds, the playground was demolished in conjunction with the pond project to provide economies of scale with the design and required grading for the entire area. Reconstruction of Kids Kastle was to proceed immediately following completion of the pond improvements.

Play by Design, was the vendor selected to facilitate the community build, with a targeted date of March 2020 for the build. In addition, in the design process, a determination was made to create an all-inclusive playground. This prompted additional costs largely associated with surfacing that will facilitate access to the entire playground for those with disabilities. However, the shutdown associated with COVID-19 delayed the project, also prompting reconsideration of how to proceed with the build. A

determination was made to add additional oversight from Play by Design and proceed with two phases: Phase I would utilize City Staff to install vertical posts and other foundation elements of the playground. This was accomplished in May 2020. Phase II, targeted for August 2020 will solicit community involvement along with City Staff to finish the project.

Original estimate: \$600,250

Revised estimate: \$1,062,687 \*Note: Donations from the community will offset a portion of the cost increase.

- **Softball Field** - A section of the park was targeted to be redeveloped to add an additional softball field to complement the existing baseball fields. This project is substantially complete in June 2020.

Original estimate: \$1,021,250

Revised estimate: \$1,039,168

### ***Update Unity Park entry***

With upgrades to Unity Park being a key focus of the 2018 Bond Election, a need was identified to refresh the entry feature to Unity Park adjacent to Kids Kastle - to reflect consistency with the surrounding upgrades. The Parks Foundation provided a donation to the City of \$125,000 toward his project, with the City to provide funding for the remainder. Design for this project was previously completed, funded in the General Fund. The anticipated construction cost of the project, \$244,708, is anticipated to be funded with General Fund reserves. This project will be completed in conjunction with the rebuild of Kids Kastle.

### ***Brazos Park Parking Lot***

Several years ago a parking lot was built at Brazos Park to alleviate parking on adjacent streets. Popularity of the fields has prompted the need to increase the size of the parking area by an additional 50 spaces. This project was completed in February 2019.

Original estimate: \$353,000

Revised estimate: \$396,438

### ***Victoria Park***

The current walking track is badly cracked and uneven, causing a tripping hazard to patrons. The track will be resurfaced and replaced with a six foot concrete path. The project concept was to rehab the existing walking trail around the perimeter of the park. However, feedback from a resident prompted consideration of a redesign of the trail to traverse through the park to encourage the transition of elimination of organized soccer utilization in lieu of open space, as originally intended for this park. The park is located in an Oncor easement, thus prompting required approval of Oncor for any design changes to the park. Proposals have been submitted to Oncor, with discussions in progress to ensure sufficient safety for park patrons in consideration of the existing overhead power lines. Construction on this project is anticipated for Winter 2020.

Original estimate: \$198,000

Revised estimate: \$212,388

**Highland Village Road Sidewalk - \$922,300**

Construction of the sidewalk on Highland Village Road from the Municipal Complex to Sellmeyer Lane to increase pedestrian safety and connect residents to amenities along Highland Village Road. A large number of residents adjacent to this section have no access to the Inland Trail System to connect to Lions Club Park, Lakeside Community Park, and Doubletree Ranch Park. This presents a potential safety issue as people walk the two-lane Highland Village Road to access these amenities. Engineering for this project is nearing completion, with an anticipated bid date of Fall 2020.

Original estimate: \$922,300

Revised estimate: \$968,952

**Sunset Point Park - \$162,700**

Sunset Point Park is classified as a mini park and serves local residents as a neighborhood park site providing water access to Lewisville Lake. The development will address erosion issues and safety concerns along with enhanced roadway completion to facilitate emergency vehicle access and turn around capabilities. Public input was solicited on the design for the park in the spring of 2017 and was approved by Council. However, a reduced-scale project of roadway improvements only was implemented to provide the turn-around capability for emergency vehicles. Further development of the park is not anticipated.

Original estimate: \$162,700

Revised estimate: \$149,963

2018 Parks Bond Project Funding Status			
Parks Bond Projects	Original Budget	Anticipated Cost	Variance Under (Over)
<b>Unity Park</b>			
Softball field	1,021,250	\$ 1,039,168	\$ (17,918)
Pond improvements	925,431	688,602	236,829
Kids Kastle	600,250	1,062,687	(462,437)
Brazos Parking lot extension	353,000	396,438	(43,438)
Victoria Park Walking Trail	198,000	212,388	(14,388)
HV Rd (City Hall to Sellmeyer)	922,300	968,952	(46,652)
Sunset Point Park	162,700	149,963	12,737
Total	4,182,931	4,518,198	(335,267)
<b>Additional Project(s)</b>			
Chapel Hil Connection	-	194,258	(194,258)
Subtotal		4,712,456	(529,525)
Kids Kastle donations (anticipated)			250,000
Transfer Community Park Development Fees			104,209
Remaining			(175,316)
Applied Interest Earnings			250,000
Projected Balance			\$ 74,684

Related to Unity Park

## Streets Projects

The City of Highland Village conducts a Pavement Condition Inventory Survey to determine the priority of streets that need repairs, overlays, or full replacement. The streets to be addressed with this proposition have reached the end of their life cycle and are in need of full reconstruction.

<b>Total Proposed Street Bond Proposition (\$2.8M)</b>	
<u>Identified Streets for Reconstruction</u>	
Rosedale Street	Springway Drive
Ranier Court	Mockingbird Drive
Catesby Place	Post Oak Drive
Rockland Drive	Pecan
Hickory Ridge Drive	Raintree Drive
Oak Forest Drive	Greensprings Street
Winding Creek Drive	Duvall
Dickinson Drive	Baird Circle
S Clearwater Drive	Donna Circle
Scenic Drive	Savanna Drive

The project will be divided into four roughly equal segments over the next year.

**Engineering for project:** Status: In process Contract amount: \$261,500

**Phase 1:** Status: Complete (\$494,157)

Streets:

- Rosedale
- Ranier
- Snowdon Ct.
- Sheldon Ct.
- Catesby Pl.
- Shasta Ct. – Overlay added
- Sugar Loaf Ct. – Overlay added

**Phase 2** Status: Substantially complete \$584,267

Streets

- Baird Cir.
- Donna Cir.
- Oak Forest
- Winding Creek
- Dickinson
- East Whittier – Overlay added

Phase 3 Status: Current under construction Contract amount: \$522,800

Streets



- Park Lane
- Creek Place
- Arbor Ct.
- DuVall Blvd.
- Rain Tree
- Greensprings

Phase 4 Status: (In design)

Streets

- Rockland
- Hickory Ridge
- S. Clearwater
- N. Clearwater
- Scenic
- Springway
- Pecan

### **Projects In –Process**

Description	Funding Source	Anticipated Cost	Status
<b>Capital Projects Fund</b>			
<b>Parks Projects</b>	<b>2018 GO Bond</b> <b>Parks Project Cost – \$4.2M</b> Projects listed below to be primarily funded with this bond issue		
Brazos Parking Lot	Budgeted Project Cost - \$353,000	\$396,438	Complete
Sunset Point Park	Budgeted Project Cost - \$162,700	\$149,963	Substantially complete
Victoria Park Walking Trail re-surface	Budgeted Project Cost - \$198,000	\$212,388	Re-design considerations are still in progress. Anticipated to bid in Fall 2020 in conjunction with Highland Village Road Trail and Chapel Hill Trail connection.
Highland Village Road trail (City Hall to Service Center)	Budgeted Project Cost - \$922,300	\$968,952	Project currently in design. Anticipated to bid in Fall 2020 in conjunction with Victoria Park Trail and Chapel Hill Trail connection.
Chapel Hill Trail Connection (This project was subsequently added to original list of identified bond program projects).	Engineering (\$24,200) previously funded by General Fund. Construction to be funded by 2018 GO Bond proceeds if available or General Fund	\$194,258	Project currently in design. Anticipated to bid in Fall 2020 in conjunction with Victoria Park Trail and Highland Village Road Trail.
<b>Unity Park</b>			

Softball Field	Budgeted Project Cost - \$1,021,250	\$1,039,168	Substantially complete
Pond improvements	Budgeted Project Cost - \$925,431	\$688,602	Project reconfigured to two components: Dredging of ponds (complete) and replacement of failed drainage pipe (waiting for completion of Kids Kastle to initiate this component).
Kids Kastle	Budgeted Project Cost - \$600,250 Supplemented with Community Park Fees and received donations	\$1,062,687	Project scope increased with desire to make playground all-inclusive. COVID-19 forced changes that increased cost, but will remain at least a partial community-build project. Anticipated completion in Summer 2020.
Streets Projects	2018 GO Bond - Streets (\$2.8M)	Eng - \$261,500 Ph 1 - \$494,157 Ph 2 - \$584,267 Ph 3 - \$522,860 Ph 4 - \$937,216 (est)	Project divided into four phases: Phase 1I - complete. Phase 2 - Substantially complete. Phase 3 - under construction. Phase 4 - In design, with anticipated completion in Winter 2020.

### **Projects In Process**

#### **Projected Operating Costs**

Dept	Description	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Capital Projects Fund</b>						
Parks	Unity Park (Pond improvements, softball field, Kids Kastle)	\$710	\$710	\$710	\$710	\$710
	Highland Village Road sidewalk		2,000	2,000	2,000	2,000
	Brazos Parking	-0-	1,200	-0-	-0-	1,200
	Sunset Point	-0-	-0-	500	-0-	-0-
	Victoria Park Walking Track	-0-	-0-	-0-	-0-	-0-
	Chapel Hill Trail connection					
Streets	Street Reconstruction	-0-	-0-	-0-	-0-	-0-
	<b>Total</b>	\$710	\$3,910	\$3,210	\$2,710	\$3,910

Unity Park reflects annual increased costs of \$1,400 related to supplies / materials for softball fields (above current cost for maintaining soccer fields that are replaced). There will be a net decrease of \$690 annually related to Kids Kastle, as current structure of treated wood requires frequent sealing to maintain safety standards. New equipment will be plastic, thus requiring less maintenance.

Highland Village Rd sidewalk and Chapel Hill Trail connection anticipates annual increase in mowing contracted maintenance combined of \$2,000 annually.

Sunset Point only expected increase will be associated with striping of parking lot every three years..

Street reconstruction does not have additional associated maintenance costs as they do not add additional infrastructure than what currently exists in the City.

## **Anticipated Future Projects**

### ***Parks – Chapel Hill Trail Connection***

An identified top priority for the trail system is to provide connection to the City Trail for a major subdivision – Chapel Hill. The anticipated cost for this trail segment is \$220,908. This would typically be addressed in the Highland Village Community Development Corporation (4B) budget as a trail project. However, this fund is not anticipated to have sufficient funding ability for a few years. With desire to accelerate this project, associated engineering was funded previously in the General Fund. For the construction, this project is to be included in a bid with Highland Village Road trail and Victoria Park with hope a favorable bid will allow this to be funded with remaining 2018 bond proceeds. The estimated cost for this project is \$194,258.

### ***Animal Care Facility***

The City has contracted with Animal Medical Center of Highland Village since 2002 for animal care services, leasing 769 square feet along with provided services by Animal Medical Center employees. The agreement has a term of 20 years, set to expire in May 2022. This agreement has served the City well, with the desire to continue this relationship. However, the growth of the City has also expanded service needs. Additional space is required, as well as a review of the service provided. A proposal was developed and presented to Animal Medical Center owners regarding a long-term extension for consideration. The proposal includes a provision of the City providing building improvements that would add an additional 1,070 square feet (the current lease providing 769 square feet) at a projected cost of \$500,000. The offer was considered by the owners, however deciding it was not in their best interest to continue this arrangement.

The identified alternative is for the City to construct a 1,500 - 2,000 square feet. stand-alone facility at property adjacent to the Municipal Complex. This would require additional staffing of at least one position and provision for services. Anticipated cost would be \$1M to \$1.5M for the facility. These options will be discussed and considered in the FY 2021 Budget process, with funding likely to be provided by a tax note or bond issuance.

### ***Participation in joint Fire Training Center***

In mid-2019, the Highland Village Fire Department was approached by the Lewisville Fire Department to gauge interest in partnering with Lewisville and Flower Mound to build a joint regional fire training facility. The regional approach has been used successfully

by many area fire departments. The regional model is recognized as the best use of tax payer funds as all capital and operating costs are shared between the partner cities. It also provides enhanced ability for interagency and multi-company training.

Using the three city regional model, Highland Village's share of the \$5,000,000 capital project would be \$357,000 for Fiscal Year 2021. This investment would give Highland Village a 7.2% ownership stake in the joint regional fire training facility. It is estimated that the cost of construction will increase by 5% every year, which would increase Highland Village's initial capital cost by the same percentage.

### **Participation with Denton County and DCTA for major street projects**

Initial discussions have taken place with Denton County regarding funding of a major street reconstruction project in Highland Village that serves as a major collector for the City. This is estimated to be a \$5 M project and would potentially be identified in the next bond program for Denton County. The City would participate by funding the related engineering at an estimated cost of \$500,000. There is not yet an established time frame, but the City will tentatively earmark the engineering for FY 22.

DCTA is considering re-establishment of a program to return a portion of collected sales tax from participating cities to be used for transportation related projects. For Highland Village this would principally entail street maintenance / reconstruction projects. There is not yet anything established – or even stated parameters that might be considered. However, anticipating further development of this concept, Highland Village has identified reconstruction of Highland Village Road, a major collector for the City, as a prime candidate. In light of this, an amount of \$250,000 is tentatively earmarked for FY 2023 for engineering.

### **Potential 2023 Bond Issuance**

#### *Public Works - Streets*

The City has a program to evaluate and maintain street infrastructure. Generally, needed street overlays are addressed each year in the annual budget, while bonds are issued periodically to fund street reconstruction projects as needed. Streets currently in need of reconstruction are being addressed with the FY 2018 Bond Issue. Streets that have been identified in need of reconstruction within a 5 -7 year window total \$2.75M based on current costs. These will likely be addressed with a bond issuance in FY 2023, with debt issuance corresponding with reductions in existing debt service – with intent to provide consistent debt service levels.

#### *Parks*

Playground equipment and structures in the neighborhood parks are regularly evaluated to ensure adherence to safety standards as well as functionality of meeting needs of residents.

These accordingly are periodically changed out or updated as needed. Parks anticipated with need to be addressed in the five-year window are Lower Sellmeyer, Lions Club, and Turpin.

**Identified Future Projects for Consideration**

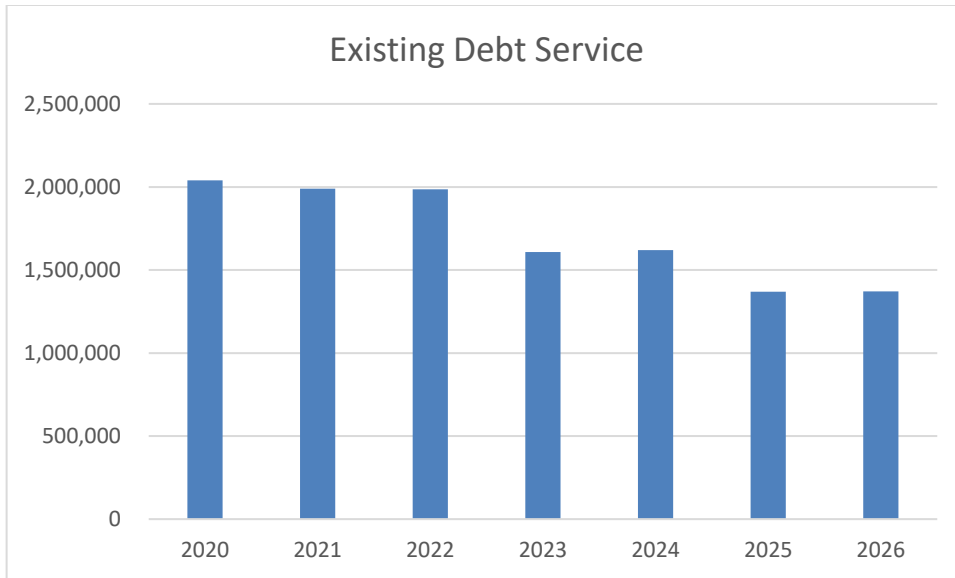
Dept	Description	Funding Source	Total Project Cost	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Capital Projects Fund</b>								
Parks	Update Unity Park entry	Contribution from Parks Foundation \$125,000 Remaining – GF/ available bond proceeds	\$244,708	<input checked="" type="checkbox"/>				
Parks	Chapel Hill Trail Connection	Utilize 2018 bond proceeds if available	194,258	<input checked="" type="checkbox"/>				
Police	Animal Care Facility	Potential Tax Note or bond issue	1,500,000	<input checked="" type="checkbox"/>				
Fire	Joint Fire Training Facility	Potential Tax Note or bond issue	357,000	<input checked="" type="checkbox"/>				
Streets	Highland Shore Blvd reconstruction	Engineering (\$500K) – GF, Construction – Denton County	5,500,000		<input checked="" type="checkbox"/>			
Streets	Highland Village Rd reconstruction	Engineering (\$250K) – GF, Construction – DCTA	2,750,000			<input checked="" type="checkbox"/>		
Streets	Street Reconstruction Projects	Proposed Bond	2,750,000			<input checked="" type="checkbox"/>		
Parks	Lower Sellmeyer Park improvements	Proposed Bond	30,400			<input checked="" type="checkbox"/>		
Parks	Lions Club Park improvements	Proposed Bond	41,250			<input checked="" type="checkbox"/>		
Parks	Turpin Park improvements	Proposed Bond	22,000			<input checked="" type="checkbox"/>		

<b>Future Projects</b>						
<b>Projected Operating Costs</b>						
<b>Dept</b>	<b>Description</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Capital Projects Fund</b>						
Parks	Update Unity Park entry	-0-	-0-	-0-	-0-	-0-
Police	Animal Care Facility		50,000	166,000	172,640	179,545
Fire	Joint Fire Training Facility			4,800	4,800	4,800
Streets	Highland Shores Blvd reconstruction	-0-	1,200	-0-	-0-	1,200
Streets	Highland Village Rd reconstruction			-0-	-0-	-0-
Parks	Lower Sellmeyer Park improvements					
Parks	Lions Club Park improvements					
Parks	Turpin Park improvements					
Streets	Street Reconstruction	-0-	-0-	-0-	-0-	-0-
	<b>Total</b>		\$51,200	\$170,800	\$177,440	\$185,545
The Animal Care Facility would have ongoing operations costs associated with: Staffing (\$130,000), Utilities (\$6,000), Service (\$30,000). Highland Village Rd sidewalk anticipates annual increase in mowing contracted maintenance. The Joint Fire Training facility will result in proportional maintenance costs estimated at \$4,800 per year. The identified park improvements will each have roughly shade protection replacements of \$1,500 each every 7 to 10 years.						
Street reconstruction does not have additional associated maintenance costs as they do not add additional infrastructure than what currently exists in the City.						

## Five Year Outlook

In general, the focus of the CIP five-year outlook is to evaluate funding **ability** with suggested capital improvement programs – in regard to issued debt and associated debt service, as well as related ongoing operations costs. Maintaining sufficient fund balance levels is a key measure of evaluation. Financial policies require a minimum 20% fund balance with a targeted range of 20 - 25%.

Preliminary projections, which will be refined during the budget process through the summer months, does provide capacity to consider debt issues within the five-year outlook. Property values have experienced significant increases the past few years. However, increases in valuation seem to be leveling off, and coupled with State legislative action the past session to limit property tax revenue growth in cities, will prompt a more conservative future outlook. This necessitates a disciplined approach to manage growth in operations cost and reduction in overall debt-service load. In the ten years prior to FY 2015, debt service represented about 20% of the tax rate. Current debt service now reflects roughly 15% of the tax rate. As revenues flatten with build-out, a continued focus on managing debt service is critical – both in terms of avoiding spikes, but also reducing to a lower, more manageable level for the future.



The identified future projects shown above will be grouped into bond packages that will result in related debt service. There is capacity of additional debt service within the current tax rate in two windows: FY 23 / 24 and FY 25 / 26. This will be included in a projected five-year outlook to provide a context in discussion of development of the current-year budget.

A Five-Year Outlook will be presented during the budget discussions.

**RECOMMENDATION:**

Council to receive the FY 2021 Capital Improvement Budget.

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

**AGENDA# 9**

**MEETING DATE: 06/23/2020**

**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# 10**

**MEETING DATE: 06/23/2020**

**SUBJECT: Consider Approval of Minutes of the Regular City Council Meeting held on May 26, 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 26, 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 26, 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](http://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 email such comments to the City Secretary by 1:00 p.m. on Tuesday, May 26, 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
	Daniel Jaworski	Councilmember
Absent:	Robert A. Fiester	Councilmember
Staff Members:	Michael Leavitt	City Manager
	Ken Heerman	Assistant City Manager
	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
	Jessica Brinkley	Marketing & Communications Specialist

**1. Receive an Update on FY 2019-2020 Budget Projections**

Assistant City Manager Ken Heerman provided an update on the current fiscal year budget. Projected revenues are only slightly less than originally budgeted. Mr. Heerman reviewed several budgeted supplemental projects that have been put on hold until June sales tax information is received. He added that City staff would still proceed with soliciting bids for the FY 2020 street overlay program project.

In looking ahead into next fiscal year, Mr. Heerman security modifications at municipal facilities, a determination relating to the animal shelter and the City's participation in a regional fire training facility will need to be addressed. Relating to the tax rate, Mr. Heerman reported this would be the first year of SB 2 requirements. He also reported:

- Preliminary values are lower than in recent years
- Need to fully evaluate the installment of a ½-cent tax rate decrease, which was identified in the FY 2018-2019 budget
- Initial base budget assumption will be flat
- Supplemental items will be included for the purpose of identifying needs for future consideration

**2. Receive an Update on Phase I of the Kids Kastle Rebuild Project**

Parks and Recreation Director Phil Lozano reported the community build, originally scheduled for March 23-26 and March 31-April 5, was postponed due to COVID-19. With that, City staff was able to secure May 18-21 with Play by Design, LLC to construct Phase I of the project. Approximately forty (40) City employees, Play by Design consultants, and contract construction workers were able to complete Phase I of the project. Phase II will continue as a community build project on July 20-25.

**3. Clarification of Consent or Action Items listed on Today's City Council Meeting Agenda of May 26, 2020**

Relating to Agenda Item #14, Mayor Pro Tem Lombardo asked about for clarification on the naming of several streets located within the new subdivision. Information Services Director Sunny Lindsay provided information on requirements of street naming as it relates to routing directions for 911 purposes. City Manager Michael Leavitt advised the plat could be approved and that the street names could be addressed administratively.

Mayor Wilcox read the items on the agenda for #4(a) and #4(B) and stated Council would meet in Closed Session to discuss Agenda Item 4(b).

**CLOSED SESSION**

Council convened into Closed Session at 6:38 p.m.

**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**

Council concluded Closed Session at 6:53 p.m.

## OPEN SESSION

### 5. Call to Order

Mayor Charlotte J. Wilcox called the meeting to order at 7:00 p.m.

#### Roll Call

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

### 6. Prayer led by Mayor Pro Tem Lombardo

Mayor Pro Tem Lombardo gave the invocation.

### 7. Pledge of Allegiance to the U.S. and Texas flags led by Mayor Pro Tem Lombardo

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

### 8. Administration of Ceremonial Oaths of Office

Mayor Wilcox announced the ceremonial oaths of office were administered last week for returning councilmembers. Due to COVID-19, this year's ceremonial oaths were pre-recorded in order to allow family and friends to participate while still maintaining social distancing.

Mayor Wilcox was joined by her family and her brother, Clifford Howard, administered her oath of office; City Secretary Angela Miller administered the oath of office for Councilmember Jon Kixmiller; Deputy Mayor Pro Tem Barbara Fleming was joined by her family and her granddaughter Anna Ribb administered her oath of office; Mayor Wilcox administered the oath of office for Councilmember Robert A. Fiester.

### 9. 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 26, 2020. She asked if any public comments were received. City Secretary Angela Miller reported none were received.

**10. City Manager/Staff Reports**

- **COVID-19 Update**

Fire Chief Michael Thomson reported on preparedness and education efforts relating to COVID-19, with monitoring through daily calls with federal, state and county partners.

City Manager Michael Leavitt reported Denton County has received federal funding under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), which allows the County to grant money to municipalities to assist with expenditures incurred due to the effects of COVID-19 and to potentially fund a local grant program. Funding is based on population, thereby resulting in approximately \$800,000 for Highland Village. Mr. Leavitt stated City staff is reviewing our expenditures to determine eligibility.

**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**

With graduations taking place, Councilmember Jaworski offered congratulations to our area seniors. He also reported longtime Briarhill Middle School Principal Chris Mattingly has announced his retirement at the school year's end following 26 years of service in LISD. Deputy Mayor Pro Tem Barbara Fleming also congratulated recent graduates and thanked County Judge Andy Eads for his role in the use of Texas Motor Speedway for graduation ceremonies.

**CONSENT AGENDA**

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

*Motion by Deputy Mayor Pro Tem Fleming, seconded by Councilmember Heslep, to approve Consent Agenda Item #12. Motion carried 6-0.*

**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)**

**NO ACTION TAKEN**

**(b) Section 551.074 – Personnel – Discuss the Employment or Appointment of City Manager**

**NO ACTION TAKEN**

**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)**

**FINAL PLAT APPROVED (6 – 0)**

Public Works Director Scott Kriston reported an application for review and consideration of the final plat and tree plan was submitted for The Reserve at Chapel Hill. The Lewisville Independent School District (LISD) currently owns the approximate total 23.471+ acre tract. The applicant, David Weekly Homes, is under contract to purchase the property and desires to develop the property as a Residential Single Family Subdivision consisting of seventy-three (73) residential lots and (1) common area.

Mr. Kriston added that City staff and the City's Engineer have reviewed the application as it relates to drainage, utilities, and tree mitigation, and have submitted comments back to the applicant. All comments were addressed, and 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. At their May 19, 2020 meeting, the Planning and Zoning Commission voted unanimously to recommend the City Council approve the final plat and final tree plan.

Mr. Kriston also reported that in consulting with the City Attorney, notwithstanding the recommendation of the Commission, City staff is recommending that the final plat be conditionally approved. As of now, 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 records 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. He stated that 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 recommended 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. The second condition has already been satisfied; however, the City Attorney recommended it be made part of the motion for approval since the prior acts of the developer were not mandated.

***Motion by Councilmember Jaworski, seconded by Councilmember Heslep, to approve the Final Plat for The Reserve at Chapel Hill Subdivision, subject to the following conditions:***

- (a) 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**
- (b) 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.**

***Motion carried 6-0.***

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 (2<sup>nd</sup> and final read – Staff recommendation is to table this item)**

**ORDINANCE 2020-1274 TABLED (6 – 0)**

Mr. Leavitt reported the first read of proposed Ordinance 2020-1274 resulted in residents contacting the City opposing the change. As a result, City staff met with Texas Department of Transportation’s (TxDOT) Denton Area Engineer along with a representative from Denton County. City staff was 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 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, Mr. Leavitt stated 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, he recommended the City Council table any further action on Ordinance 2020-1274

***Motion by Deputy Mayor Pro Tem Fleming, seconded by Councilmember Kixmiller, to table Ordinance 2020-1274. Motion carried 6-0.***

**LATE WORK SESSION**

16. **Discuss the Schedule for Summer City Council Meetings**

Mayor Wilcox suggested cancelling the Regular City Council meeting scheduled for June 9, 2020, which would allow Council and City staff the opportunity to enjoy this free time with their families. Mr. Leavitt reported City staff has reviewed pending and anticipated business items that would require City Council approval and have determined that no project or other matter would be negatively impacted or delayed if the June 9 meeting were cancelled. Consensus was to cancel the June 9 meeting.

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.)**

Mr. Leavitt reported the Denton County Transportation Authority (DCTA) needs the use of a larger meeting room to allow for social distancing, therefore they will hold their next monthly board meeting at the Municipal Complex.

18. **Adjournment**

Mayor Wilcox adjourned the meeting at 7:46 p.m.

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Charlotte J. Wilcox, Mayor

**ATTEST:**

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Angela Miller, City Secretary

DRAFT



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

**AGENDA# 11**

**MEETING DATE: 06/23/2020**

**SUBJECT: Considering authorizing action by the City of Highland Village, Texas, resulting from Proposed Auction by the Bureau of Land Management of Parcel TX-2020-08-6679, comprising approximately 71.5 acres in Lake Lewisville**

**PREPARED BY: Michael Leavitt, City Manager**

**BACKGROUND:**

The U.S. Department of Interior Bureau of Land Management issued notice that it will sell a mineral rights lease for a section of Lake Lewisville in an upcoming auction. The parcel at Lake Lewisville consists of approximately 71.5 acres located in the Hickory Creek arm of the lake, which is inundated, therefore access for the minerals would require drilling on land adjacent to the lake.

**IDENTIFIED NEED/S:**

The 43 C.F.R. Section 3120.1-3 provides an opportunity to file a Letter of Protest regarding the lease sale during the protest filing period for this parcel, which is currently designated as June 22 to July 1.

**RECOMMENDATION:**

Staff recommends approval authoring the Mayor to file a Letter of Protest. A Letter or Protest supports concerns submitted to the BLM by the City of Dallas Water Utilities, which include induced seismicity, health and human safety, and dam integrity. In addition, a Letter of Protest expresses additional concerns regarding surface water quality, reserve pits and similar uncontained fluids, risks for inundation, and floodplain protection.

Staff also recommends includes a request to receive direct notification for future lease sales.

June 23, 2020

Mr. Tim Spisak  
State Director  
Bureau of Land Management  
301 Dinosaur Trail  
Santa Fe, New Mexico 87508

**Re: Protest by the City of Highland Village, Texas pursuant to 43 C.F.R. § 3120.1-3 of proposed auction by the Bureau of Land Management ("Bureau") of Parcel TX-2020-08-6679, comprising approximately 71.5 acres in Lewisville Lake, Denton County, Texas (the "Lewisville Lake Property")**

Dear Mr. Spisak:

On behalf of the City of Highland Village, Texas and pursuant to City Council action at their June 23, 2020 meeting, I am authorized as Mayor of the City of Highland Village to file this Letter of Protest, pursuant to 43 C.F.R. section 3120.1-3, regarding the proposed auction by the Bureau of Land Management ("Bureau") of Parcel TX-2020-08-6679, comprising approximately 71.5 acres in Lewisville Lake, Denton County, Texas (the "Lake Lewisville Property"), for purposes of oil and gas development. The City of Highland Village recognizes that Gas Well Drilling and Production Activities can create externalities that potentially threaten health, safety and general welfare. These externalities can include accidental releases of chemicals and fluids from the site, fire hazards, sediment and other contaminant discharges, and similar deleterious effects. Further, the City of Highland Village joins the concerns of other North Texas cities in their protests to the proposed lease sale of this property.

As an initial matter, there appear to be some discrepancies in the Environmental Assessment (**DOI-BLM-NM-0040-2020-0031-EA; the "EA"**) regarding the location of Parcel 6679. On page 23 of the document, for example parcel 6679 is indicated as being in Lee County. On page 28, parcel 6679 is listed as being adjacent to Somerville Lake, which is in Washington County, Texas. These errors create confusion to protestors of the lease of the referenced lands. We ask that this proposed lease be withdrawn, and these errors corrected prior to any further proceedings in this matter.

The City appreciates that the comment period has closed on the EA related to the proposed activity from the Oil and Gas Lease Sale. However, given the impacts that proceeding with the

sale auction of Parcel 6679 could have on surface water quality in Lewisville Lake, which is Highland Village's and many surrounding community's primary source of drinking water, the City is compelled to submit the following comments and respectfully requests Bureau's consideration of them.

In general, the City of Highland Village endorses the comments concerning the EA submitted by City of Dallas Water Utilities related to surface water quality, induced seismicity, and health and human safety in their letter to you dated May 15, 2020. The City of Highland Village's position regarding the concerns raised by Dallas Water Utilities are as follows:

### **Health and Human Safety**

As outlined in the letter from Dallas Water Utilities, the EA fails to take into account that the public health and safety risks associated with oil and gas development – “occasional fire starts; spills of hazardous materials, hydrocarbons, produced water, or hydraulic fracturing fluid and corresponding potential contamination of air, soil, or water” and “increases levels of fugitive dust” – would, in the case of Parcel 6679, all occur adjacent to Lewisville Lake. This area, as noted in the EA, is surrounded by high density residential development. Parcel 6679 appears to be the only parcel within the EA that is associated with high density residential development, yet the EA does not provide any additional assessments concerning the impacts mineral extraction will have on these developments, other than to state that the setback regulations required in the lease sale should be sufficient to minimize impacts. Local regulations concerning gas well setbacks and reverse setbacks represent substantially more separation distance than contemplated in the EA and could represent economic impacts to surface property owners due to land in proximity to mineral extraction sites not being developable. In summary, the EA fails to consider that any such impacts will not be limited to Parcel 6679 and its immediate proximity, but has the potential to impact the entire lake, as well as those that live in proximity to the lake.

### **Surface Water Quality**

The City of Highland Village is especially concerned about the EA's failure to adequately address potential threats to surface water quality. Parcel 6679 is located directly within Lewisville Lake and its floodplain. Mineral extraction from Parcel 6679 would require surface activities near the lake, which has the potential to pose a significant risk to the surface water quality. Any spills or releases of oil and gas waste and their hazardous components would directly impact the surface water quality of the entire lake, which serves as a primary source of drinking water for millions of people. However, the EA barely addresses the risks to water quality in Lewisville Lake from oil and gas production on Parcel 6679. Indeed, the City would point out that the words “drinking water” appear only twice in the 96-page EA (with one of those two occurrences in a footnote). Section AIB-2 of the EA does specifically address impacts to surface water quality. However, the EA discounts these impacts for Parcel 6679 by stating that the actual activities associated with mineral extraction would occur outside of the lease area (since the lease area is inundated by the lake), and therefore the all surface water impacts for the parcel would be avoided. The position fails to consider that the mineral extraction will occur in proximity to the lake and has the potential to impact the entire lake, including parcel 6679. This statement is also misaligned with text within the same section of the EA that states “*Surface disturbance associated with future potential development of the lease parcels may also cause sedimentation*”

*from stormwater runoff that can travel downslope to nearby wetlands or waterbodies. Furthermore, if the stormwater has been in contact with contaminants on the well pad, those contaminants could be carried to nearby wetlands and waterbodies."*

### **Risks for inundation and associated site releases and safety concerns.**

In previous lease sale documents (parcel NM-206-04-43, for example), the US Army Corps of Engineers required a minimum setback of 3000 feet from prime facilities critical to the operation of Lewisville lake, no surface occupancy at the 522 foot National Geodetic Vertical Datum (NGVD) conservation pool elevation of the lake, and no surface occupancy of any lands lying at or below the elevation of the spillway crest elevation of 532 feet NGVD. To minimize risks of inundation, the City of Highland Village requests that a "no surface occupancy" stipulation should be added to the lease sale that specifies that the mineral extraction site should be located at a minimum of 537 feet NGVD, plus an additional 2 feet of freeboard. Analyses of historical elevations of Lake Lewisville indicates that the daily maximum surface water elevation of the lake has exceeded 532 feet for a total of 109 days since January 6, 1988. The longest consecutive number of days the surface elevation of the lake was above 532 feet was from May 24, 2015 to July 10, 2015, a span of 48 days. There are additional mutually exclusive events where the lake surface elevation exceeded 532 feet for 28 consecutive days, 21 consecutive days, and 12 consecutive days. In summary, past data on lake elevation levels indicates that restricting surface development to only the 532-foot elevation creates a substantial risk for inundation of the surface gas well sites, which could result in surface water contamination and safety risks.

### **Floodplain Protection**

The City of Highland Village is concerned about development of gas well pad sites within floodplain areas without substantial additional safety and protection measures. While the EA recognizes this concern for other parcels, there is no stipulation for floodplain protection for parcel 6679. Presumably, this is due to the fact that 6679 is inundated by the lake. However, the surface development that will be needed to extract minerals from this parcel will be in close proximity to the lake, possibly within a floodplain. To protect floodplains and water courses, the City of Highland Village, at a minimum, requests the addition of theOFO-4-NSO and OFO-1-NSO stipulations, which prohibit surface disturbance within riparian-wetland areas and waterbodies, and floodplains, respectively, to the Lease Sale agreement for parcel TX-2020-08-6679.

The City would point out that this proposed lease on Lewisville Lake is the second in less than 5 years. In both cases, the City learned about the proposed lease through third party sources. As a non-federal partner that contributes significant financial resources to the operation and maintenance of Lewisville Lake, the City believes that Bureau should, as a matter of courtesy, directly inform the City of any proposed leases at Lewisville Lake. The City should not have to regularly monitor the Bureau regional office website to learn about activities at a project it financially supports in partnership with a federal agency.

In conclusion, the City of Highland Village urges withdrawal of the Lake Lewisville parcel from the lease sale auction. However, if Bureau chooses to proceed, the City requests that Bureau use its authority to impose stipulations as herein specified to mitigate our concerns. These actions are intended to protect Lake Lewisville and thus assure the health, safety and general

welfare of the City of Highland Village's residents and businesses, as well as residents and business in adjacent communities and in the region. Thank you for your attention to our concerns. We look forward to an improved relationship with Bureau as we strive to ensure Lewisville Lake can continue to serve the people of our region.

Respectfully,

Charlotte Wilcox,  
Mayor, City of Highland Village

cc: The Honorable John Cornyn  
The Honorable Ted Cruz  
The Honorable Michael Burgess  
COL Kenneth N. Reed, Commander, USACE, Fort Worth District  
Terry Lowery, Director, Dallas Water Utilities  
Larry Patterson, Executive Director, UTRWD

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

**AGENDA# 13**

**MEETING DATE: 06/23/2020**

**SUBJECT: Consider Ordinance 2020-1275 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 (1<sup>st</sup> of two reads)**

**PREPARED BY: Scott Kriston, Director of Public Works**

**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. The TxDOT recommended speeds were reevaluated after the City objected to the recommendations.

City staff received a revised TxDOT speed study and proposed speed limit recommendation as follows: (1) the speed limit from the northern corporate limit line to the northern part of the intersection of FM 2499/Northwood/Castlewood be adjusted from 45 miles per hour (MPH) to 50 MPH and (2) the existing speed limit from the intersection of FM 2499/Northwood/Castlewood to the intersection of FM 2499/FM407 (southern corporate limit line) will remain as currently posted. 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 June 23, 2020.

**IDENTIFIED NEED/S:**

Adopt the speed limit by ordinance for the section of FM 2499 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)**

The City has received the TxDOT speed study with recommended speed limits to be posted on the segment of FM 2499 within the corporate limits of Highland Village. The City Attorney has drafted the proposed ordinance amendment for review and consideration.

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

N/A

**RECOMMENDATION:**

To approve the first read of Ordinance 2020-1275.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**ORDINANCE NO. 2020-1275**

**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 facia 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/Northwood Boulevard north to the City limits	50
FM 2499	From its intersection with the north right-of-way line of Castlewood/Highland Shores Boulevard north to its intersection with the north right-of-way line of Castlewood/Northwood.	45
FM 2499	From the common City limits line with the Town of Flower Mound north to its intersection with the north right-of-way line of Castlewood/Highland Shores Boulevard	40

**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 23<sup>RD</sup> DAY OF JUNE 2020.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.**

**APPROVED:**

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**Charlotte J. Wilcox, Mayor**

**ATTEST:**

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**Angela Miller, City Secretary**

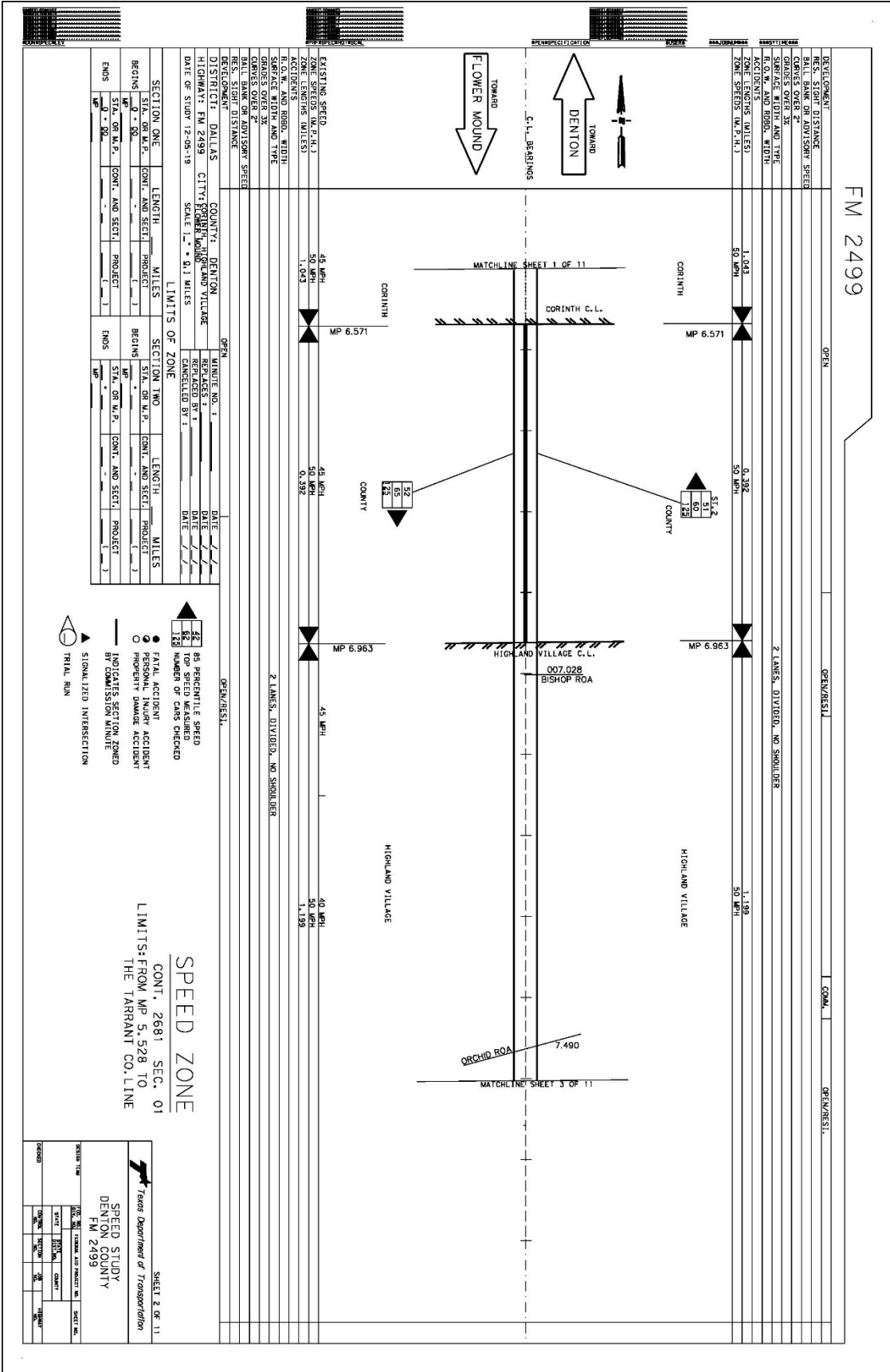
**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**

(kbl:6/8/2020:115370)

# Ordinance No. 2020-1275 Exhibit "A"









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

**AGENDA# 14**

**MEETING DATE: 06/23/2020**

**SUBJECT: Consider Resolution 2020-2888 repealing the Local Orders adopted in Association with the Declaration of Local Disaster adopted pursuant to Resolution 2020-2875 as extended and modified by Resolution 2020-2884**

**PREPARED BY: Michael Leavitt, City Manager**

**BACKGROUND:**

The novel coronavirus, now designated SARS-CoV2 that causes the disease COVID-19, has spread throughout the world and has been declared a global pandemic. With National Emergency and State of Disaster declarations issued by the President and Governor of Texas, the Mayor of Highland Village issued a state of local disaster for the City of Highland Village on March 16, 2020 that continued until March 23, 2020.

On March 19, 2020, the Highland Village City Council adopted Resolution 2020-2875, renewing, extending and amending the declaration and orders issued previously by the Mayor on March 16, 2020. Resolution 2020-2875 remained in effect until May 13, 2020. On May 5, 2020, Governor Abbott issued Executive Order GA-21, which was effective until May 19, 2020.

To remain consistent with the declarations of the Texas Department of State Health Services, the Executive Orders issued by Texas Governor Abbott, and to harmonize, to the extent possible, with the provisions included in the emergency orders and disaster declarations of Denton County, for the health and safety of persons within the City of Highland Village, the Highland Village City Council adopted Resolution 2020-2884, which continued the State of Local Disaster declared on March 16, 2020, by the Mayor of Highland Village and adopts Governor Abbott's Executive Orders.

**IDENTIFIED NEED/S:**

On June 3, 2020, Texas Governor Abbott issued Executive Order GA-26 setting forth the steps for Phase 3 for reopening business, government and other social gatherings within the State of Texas. In light of the directives issued by the Governor, the City Council finds it to no longer be necessary to continue to enact local orders in association with the City's declaration of local disaster.

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

The City Attorney has prepared Resolution 2020-2888 repealing sections of the previously approved order in order to remain consistent with the Governor's executive orders, and to repeal the suspension of permits/licenses for peddlers and solicitors.

**RECOMMENDATION:**

To approve Resolution 2020-2888.



**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2020-2888**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, REPEALING THE LOCAL ORDERS ADOPTED IN ASSOCIATION WITH THE DECLARATION OF LOCAL DISASTER ADOPTED PURSUANT TO RESOLUTION NO. 2020-2875 AS EXTENDED AND MODIFIED BY RESOLUTION NO. 2020-2884 AND ORDERS RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, on March 19, 2020, the City Council of the City of Highland Village adopted Resolution No. 2020-2875, renewing, extending, and amending the declaration and orders issued by the Mayor dated March 16, 2020, relating to measures to be taken to slow the spread of the COVID-19 virus; and

**WHEREAS**, on May 12, 2020, pursuant to Resolution No. 2020-2884, the City Council extended and modified the local disaster declaration and orders related thereto; and

**WHEREAS**, on June 3, 2020, the Governor of the State of Texas issued Executive Order GA-26 setting forth the steps for Phase 3 for reopening business, government, and other social gatherings within the State of Texas; and

**WHEREAS**, in light of the directives issues by the Governor pursuant to Executive Order GA-26, the City Council finds it to be no longer necessary to continue to enact local orders in association with the City's declaration of local disaster.

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

**SECTION 1.** Sections 2.A., 2.C., 2.D., 2.E., 2.F., 2.G., and 3 of Resolution No. 2020-2884 are hereby repealed effective immediately.

**SECTION 2.** The State of Local Disaster as declared previously and continued in accordance with Section 1 of Resolution No. 2020-2884 is remains in effect and is expressly not terminated by this Resolution.

**SECTION 3.** This Resolution and Order shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

**SECTION 4.** This Resolution shall be effective immediately upon its approval.

**PASSED AND APPROVED THIS THE 23<sup>RD</sup> DAY OF JUNE 2020.**

**APPROVED:**

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**Charlotte J. Wilcox, Mayor**

**ATTEST:**

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**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**

(kbl:6/18/2020:116020)

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

**AGENDA# 16**

**MEETING DATE: 06/23/2020**

**SUBJECT: Receive an Update and Discuss an Interlocal Cooperation Agreement between Denton County and City of Highland Village for a Grant of Coronavirus Aid, Relief, and Economic Security Act Funds**

**PREPARED BY: Michael Leavitt, City Manager**

**COMMENTS**

Denton County has received federal funding under the Coronavirus Aid, Relief, and Economic Security Act (the "CARES" Act) to address and respond to the impact and effects of the COVID-19 Emergency. The County has established a COVID-19 municipality funding program, allowing the County to grant money to Denton County municipalities from the funds received from the U.S. Department of the Treasury under the Coronavirus Relief Fund ("CRF"), as provided for in the CARES Act. The CRF funds would assist municipalities within Denton County with expenditures incurred due to the effects of COVID-19, and to potentially fund a local economic relief grant program.

The CRF Funds/Municipal Funds allows for the following uses:

- Necessary expenditures incurred due to the public health emergency with respect to the effect of COVID-19
- Items/services not accounted for in the most recently approved municipal budget, including any amendment(s)
- Expenditures are incurred between March 1, 2020 and December 30, 2020

We have received new information stating the that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

**IDENTIFIED NEED/S:**

Denton County has proposed providing a grant to the City of Highland Village from the County's CRF funds, subject to an interlocal cooperation agreement setting for the terms and conditions relating to the City's use of such grant funds.

Based on the information City staff will be assembling, a budget per Denton County's ILA requirements will be presented for Council action at the July 14<sup>th</sup> meeting, which will include the payroll expenses for both Highland Village Police and Fire Departments between March 1, 2020 and December 30, 2020.

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

The initial calculation of the grant amount is based on the higher of each city's 2019 North Central Texas Council of Governments (NCTCOG) estimated population (15,650) or 2018 American Community Survey (ACS) estimated population (16,537), multiplied by \$55.00 per capita, which totals \$909,535.

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

**AGENDA# 17**

**MEETING DATE: 06/23/2020**

**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

<b>June 23, 2020</b>	<b>Regular City Council Meeting - 7:30 pm</b>
July 2, 2020	Zoning Board of Adjustment Meeting - 6:00 pm
<b>July 3, 2020</b>	<b>City Offices Closed for the Independence Day Holiday</b>
<b>July 14, 2020</b>	<b>Regular City Council Meeting - 7:00 pm</b>
July 20, 2020	Parks & Recreation Advisory Board Meeting - 6:00 pm
July 21, 2020	Planning & Zoning Commission Meeting – 7:00 pm
<b>July 28, 2020</b>	<b>Regular City Council Meeting - 7:00 pm</b>
August 6, 2020	Zoning Board of Adjustment Meeting - 6:00 pm
<b>August 11, 2020</b>	<b>Regular City Council Meeting - 7:00 pm</b>
August 17, 2020	Parks & Recreation Advisory Board Meeting - 6:00 pm
August 18, 2020	Planning & Zoning Commission Meeting – 7:00 pm
<b>August 25, 2020</b>	<b>Regular City Council Meeting - 7:00 pm</b>
September 3, 2020	Zoning Board of Adjustment Meeting - 6:00 pm
<b>September 7, 2020</b>	<b>City Offices Closed for the Labor Day Holiday</b>
<b>September 8, 2020</b>	<b>Regular City Council Meeting - 7:00 pm</b>
September 15, 2020	Planning & Zoning Commission Meeting – 7:00 pm
September 21, 2020	Parks & Recreation Advisory Board Meeting - 6:00 pm
<b>September 22, 2020</b>	<b>Regular City Council Meeting - 7:00 pm</b>

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

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