



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, APRIL 25, 2023 at 6:00 P.M.

EARLY WORK SESSION

City Council Chambers – 6:00 P.M.

Convene Meeting in Open Session

1. Receive an Update and Presentation from Upper Trinity Regional Water District regarding their Projects, Operations and Services
2. Discuss Nomination of a Candidate for Election to the Board of Managers of the Denco Area 911 District
3. Clarification of Consent or Action Items listed on Today's City Council Meeting Agenda for April 25, 2023

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

CLOSED SESSION

City Manager's Conference Room

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)

OPEN SESSION

City Council Chambers – 7:00 P.M.

5. Call Meeting to Order
6. Prayer led by Councilmember Brian Fiorenza
7. Pledge of Allegiance to the U.S. and Texas flags led by Councilmember Brian Fiorenza: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*

8. **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**
 - **Recognition by American Heart Association for Platinum Level Workforce Well-Being Award**
9. **City Manager/Staff Reports**
10. **Visitor Comments** *(Anyone wishing to address the City Council must complete a Speakers' Request Form and return it to the City Secretary. In accordance with the Texas Open Meetings Act, the City Council is restricted in discussing or taking action on items not posted on the agenda. Action on your statement can only be taken at a future meeting. In order to expedite the flow of business and to provide all visitors the opportunity to speak, the Mayor may impose a three (3) minute limitation on any person addressing the City Council. A thirty (30) minute time allotment is set for this section, and the remaining speakers will be heard at the end of the Action Agenda.)*

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.

11. **Consider approval of Minutes of the Regular City Council Meeting held on April 11, 2023**
12. **Consider Resolution 2023-3061 awarding and authorizing an Agreement with Brightview Landscape Services, Inc. for Turf and Landscape Maintenance Services**
13. **Consider Resolution 2023-3062 awarding and authorizing a Contract with Douglas Dailey Construction, LLC for the Northeast 18" Sanitary Sewer Rehabilitation Project**

ACTION AGENDA

14. **Take action, if any, on Matters discussed in Closed Session in accordance with the following Sections of the Texas Government Code:**

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

15. Consider Resolution 2023-3063 authorizing a Task Order with Schaumburg & Polk, Inc. to provide Professional Services for the Wastewater Lift Station No. 2 Force Main Replacement, Wastewater Lift Station No. 7 Force Main Replacement, and Wastewater Lift Station No. 2 Valve Vault Piping/Valves Replacement Project
16. Consider Resolution 2023-3064 making a Nomination for a Candidate for Election to the Board of Managers of the Denco Area 911 District

LATE WORK SESSION

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

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 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 21ST DAY OF APRIL 2023 NOT LATER THAN 6:00 P.M.



Angela Miller, City Secretary

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

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

am / pm by _____.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 1

MEETING DATE: 04/25/2023

**SUBJECT: Receive an Update and Presentation from Upper Trinity
Regional Water District**

PREPARED BY: Angela Miller, City Secretary

COMMENTS

A representative from the Upper Trinity Regional Water District (UTRWD) will provide an update regarding their projects, operations and services.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 2	MEETING DATE: 04/25/2023
SUBJECT:	Discuss Nomination of a Candidate to a Slate of Nominees for the Board of Managers of the Denco Area 911 District
PREPARED BY:	Angela Miller, City Secretary

COMMENTS

Denco Area 911 serves nearly 800,000 people in 33 jurisdictions throughout North Texas. In addition to maintaining a robust 911 system, they also provide protocols, training programs and community outreach initiatives to assist their member jurisdictions in responding to police, fire and medical emergency calls as technologies, populations and public communication practices continue to evolve. In order to meet the needs and goals of the member jurisdictions, the Denco Area 911 District is governed by a Board of Managers.

Chapter 772 of the Health and Safety Code provides for the Denco Area 911 District (the District) Board of Managers to have two members appointed jointly by all participating municipalities located whole or partly within the District. Every year, on September 30th, the term of one of the two members appointed by the participating municipalities expires. In order to coordinate the appointment among the 33 participating municipalities, the District requests the following action by the governing bodies of each city/town: *If the City wishes to nominate a candidate to represent the municipalities on the District Board of Managers, they must send a letter of nomination, by way of Council action, to the District. For a nomination to be considered, written notification of Council action must be submitted to the District by 5:00 p.m. on May 31, 2023. No nominations will be considered after that time.*

Once nominations are received, Denco staff will send the slate of nominees to each city/town for consideration, which will take place later this summer.

The term for the current representative, Mrs. Sue Tejml, will expire on September 30, 2023. Members are eligible for consecutive terms and Mrs. Tejml has expressed her desire to serve another term.

Council may nominate a candidate to represent the municipalities on the District Board of Managers. Nominees are historically current or formerly elected officials in the District; however, there are no official prerequisites. This item is for discussion purposes, with a separate agenda item included on tonight's regular City Council meeting agenda should Council wish to nominate a candidate to the District Board of Managers.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 8

MEETING DATE: 04/25/2023

SUBJECT: Mayor and Council Reports on Items of Community Interest

PREPARED BY: Karen McCoy, Executive Assistant

COMMENTS

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

- Presentation of the American Heart Association Platinum Level Workforce Wellbeing Award

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 11

MEETING DATE: 04/25/2023

SUBJECT: Consider approval of Minutes of the Regular City Council Meeting held on April 11, 2023

PREPARED BY: Angela Miller, City Secretary

BACKGROUND:

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

IDENTIFIED NEED/S:

Council is encouraged to 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 April 11, 2023.



**MEETING MINUTES OF THE REGULAR MEETING
HIGHLAND VILLAGE CITY COUNCIL
HIGHLAND VILLAGE MUNICIPAL COMPLEX
1000 HIGHLAND VILLAGE ROAD
TUESDAY, APRIL 11, 2023**

EARLY WORK SESSION

Mayor Jaworski called the meeting to order at 6:00 p.m.

Roll Call

Present:	Daniel Jaworski	Mayor
	Jon Kixmiller	Deputy Mayor Pro Tem
	Michael Lombardo	Mayor Pro Tem
	Shawn Nelson	Councilmember
	Tom Heslep	Councilmember
	Robert Fiester	Councilmember
	Brian A. Fiorenza	Councilmember
Staff Members:	Paul Stevens	City Manager
	Ken Heerman	Assistant City Manager
	Kevin Laughlin	City Attorney
	Angela Miller	City Secretary
	Doug Reim	Chief of Police
	Jason Collier	Fire Chief
	Scott Kriston	Public Works Director
	Phil Lozano	Parks and Recreation Director
	Laurie Mullens	Marketing & Communications Director
	Andrew Boyd	Media Specialist

1. Discuss Speed Limits in Highland Village

City Manager Paul Stevens provided a summation of data previously presented to Council. He reported that although data does not show a prevalent speeding problem in the city, there is a sentiment that 30 mph is too fast with pedestrians, bicyclists and children sharing the road with vehicles. He added that the 85th percentile does not consider multi-modal activity, availability of sidewalks or topography, and that there has been a movement over the past several years to lower speed limits. Mr. Stevens suggested a pilot project approach to lower the speed limit to 25 mph on Lakeside Drive and Hillside Drive, which could then be re-evaluated to see how well it is working. Mr. Stevens stated this would require action by Council and could be done by ordinance, or another option would be to conduct a survey of the neighborhood to see if there is support for lowering the speed limit. Based on the Institute of Traffic Engineering, Public Works Director Scott Kriston reported that approximately twenty-nine (29) speed limit signs would be needed along Lakeside/Hillside, at a cost of \$138/each.

Mr. Stevens also shared that some residents may not like the lower speed limit, there may be complaints from residents about speed limit sign being in their front yard, and that a false sense of security is sometimes created with lower speed limit.

Councilmember Nelson asked about looking at multiple ways of controlling the traffic, but doing it on a targeted basis. Councilmember Heslep suggested having two pilots in two different areas of the city; Mayor Jaworski suggested including Tartan and Silverthorne.

Councilmember Nelson asked how many stop signs are currently installed in the Lakeside/Hillside neighborhood. The Lakeside/Hillside loop has one (1), with approximately nine (9) on the side streets. Council also discussed potential locations for stop signs, the use of narrowing lanes for traffic calming, unfamiliar/familiar drivers in neighborhoods, the use of neighborhood-oriented communication to remind residents of speed limits, enforcement of the speed limit, speed bumps, regulation of on-street parking on certain streets, pavement markings and traffic delineators. Chief Reim cautioned that adding stop signs in one area could potentially cause confusion for drivers when they enter onto a side, or feeder street, and the speed limit changes.

Mr. Stevens reported the Town of Flower Mound and City of Corinth have recently lowered their neighborhood speed limits to 25 mph. In doing so, he added that there was a focus to communicate the change well before it became effective. He also stated there is a split of legal opinion on whether current state law requires a traffic speed study to lower the speed limit. He stated there are bills proceeding through the current Texas legislative session that would clarify the issue and, if enacted, would eliminate the need for a speed study. City Attorney Kevin Laughlin is of the opinion that speed data already gathered, combined with the other factors relating to this neighborhood, are sufficient to comply with State law requirements to make an “unreasonable and unsafe” finding. In conclusion, Mr. Stevens added that the pilot project approach is an opportunity to lower the speed limit to 25 mph only in the Lakeside/Hillside Drive area, and evaluate the effectiveness. Another option is to keep the 30 mph speed limit. Councilmember Nelson asked if the Town of Flower Mound had shared their success criteria. Mr. Stevens reported he is waiting on that information.

Chief Reim presented a heat map that reflected warnings and citations issued for speeding violations on residential streets from 2020 through 2022, which totaled 30 incidents. The data was captured from the department’s ticketing software. For the same time period, he also provided citywide citation data listed by street for all warnings and citation issued for a speeding violation. Residential streets accounted for less than 1% of all speeding violations issued.

Deputy Mayor Pro Tem Kixmiller asked if there was a Council consensus to add two (2) additional stop signs at the intersection of Lakeside Drive and Lake Breeze Street, which addresses Chief Reim’s safety concern presented during the March 28, 2023 City Council meeting; no one spoke in opposition. He also asked if there were other ideas or suggestions for traffic calming. Several members of Council stated they would like to see the data from Flower Mound. Chief Reim stated the request for stop signs would be presented for Council consideration at their next meeting.

2. Clarification of Consent or Action Items listed on Today’s City Council Meeting Agenda for April 11, 2023

Relating to Agenda Item #18, Mayor Pro Tem Lombardo asked if the applicant is dividing the property into two sections. City Attorney Laughlin reported there will be a ground lease for two (2) individual half segments; however, the property is not being replatted.

Mayor Jaworski adjourned Early Work Session at 6:52 p.m.

CLOSED SESSION

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)**

Council did not meet in Closed Session.

OPEN SESSION

4. **Call Meeting to Order**

Mayor Jaworski called the meeting to order at 7:04 p.m.

Roll Call

Present:	Daniel Jaworski	Mayor
	Jon Kixmiller	Deputy Mayor Pro Tem
	Michael Lombardo	Mayor Pro Tem
	Shawn Nelson	Councilmember
	Tom Heslep	Councilmember
	Robert Fiester	Councilmember
	Brian A. Fiorenza	Councilmember

Staff Members:	Paul Stevens	City Manager
	Ken Heerman	Assistant City Manager
	Kevin Laughlin	City Attorney
	Angela Miller	City Secretary
	Doug Reim	Chief of Police
	Jason Collier	Fire Chief
	Scott Kriston	Public Works Director
	Phil Lozano	Parks and Recreation Director
	Laurie Mullens	Marketing & Communications Director
	Andrew Boyd	Media Specialist

5. **Prayer led by Councilmember Robert Fiester**

Councilmember Fiester gave the invocation.

6. **Pledge of Allegiance to the U.S. and Texas flags led by Councilmember Robert Fiester**

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

7. **Mayor and Council Reports on Items of Community Interest pursuant to Texas Government Code Section 551.0415 the City Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about**

upcoming City Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety

Councilmember Nelson reported the 17th Annual McAuliffe Elementary Chili Cook-off was held on March 30. He congratulated Chief Reim and his wife for their win in the Outstanding Chili and Best Theme competitions, and Mayor Jaworski for winning the Mayor's Chili Challenge. He also thanked Marcus ROTC and the Highland Village Police Auxiliary for helping to direct traffic during the event.

Mayor Jaworski reported the Marcus High Girls Soccer Team would be competing in the State Championship on April 15. He encouraged everyone to attend their send off on Thursday morning as their bus will leave Marcus High School and make its way to each of the Highland Village elementary schools on their way out of town to compete.

City Manager Paul Stevens reported the northbound access to IH-35 from Highland Village Road project is mostly complete, with a drainage and grading issue still needing to be resolved. Estimated completion is sometime in May.

- **Presentation of a Proclamation designating Child Abuse Prevention Month**

Ms. Lorraine Perry received a proclamation from Mayor Jaworski designating April as Child Abuse Prevention Month.

- **Presentation of a Proclamation designating Mental Health Awareness Month and Children's Mental Health Awareness Day**

Mayor Jaworski presented the proclamation proclaiming May 2023 as Mental Health Awareness Month and May 10, 2023 as Children's Mental Health Awareness Day in Highland Village.

8. City Manager/Staff Reports

- **The Village Report**

The Village Report reminded residents of early voting and Election Day dates and times, the Highland Village Art Festival on May 6 and Paper Shredding Day on April 29.

9. Visitor Comments

No one wished to speak.

CONSENT AGENDA

Agenda Items #11, #13 and #14 were moved to the Action Agenda.

10. Consider approval of Minutes of the Regular City Council Meeting held on March 28, 2023

12. Consider Resolution 2023-3055 authorizing the City Manager to Sign a Revised Agreement of Lease with the United States Army Corps of Engineers relating to Federal Land Leased for Copperas Branch Park, Lakeside Community Park, Wichita Forest Park, Pilot Knoll Park and portions of Doubletree Ranch Park

15. Receive Budget Reports for Period ending February 28, 2023

Motion by Councilmember Fiester, seconded by Mayor Pro Tem Lombardo, to approve Consent Agenda Items #10, #12 and #15. Motion carried 7-0.

ACTION AGENDA

- 11. Consider Resolution 2023-3054 delegating the authority to Release and Abandon Certain Easements previously Conveyed and/or Dedicated to the City by Plat or Separate Instrument under Certain Conditions**

APPROVED (7 – 0)

Mayor Pro Tem Lombardo asked for clarification on when this authority would be used. Unless authority has been delegated, City Attorney Kevin Laughlin reported legally the City Council is the only body that has the authority to convey or release a property interest. He further reported that there are occasions when a pending plat, or a pending replat relating to a property that is being redeveloped, includes old easements that are no longer needed or that may impede development. Because the Planning and Zoning Commission (P&Z) has final authority to approve plats, but not the authority to release or abandon a property that the City holds, therefore an item to release or abandon would have to come before City Council for approval. He further reported the proposed resolution allows the City Manager the authority only in certain limited circumstances.

Motion by Mayor Pro Tem Lombardo, seconded by Councilmember Fiorenza, to approve Resolution 2023-3054. Motion carried 7-0.

- 13. Consider Resolution 2023-3056 rejecting all Bids for the Highland Shores Well Rehabilitation Project**

APPROVED (7 – 0)

Councilmember Fiester asked what is the expectation to receive more bids the next time the project is advertised and what is the impact during the upcoming summer months during peak water demand. Public Works Director Scott Kriston reported funding for the project is budgeted in this year's budget, however the bid that was received was double the budgeted amount. He added that with multiple companies performing this type of work he is unsure as to why only one bid was received. Regarding usage, Mr. Kriston reported that even with the yield decrease, the well will produce through the summer peak as-is. City staff will include the project in next year's budget and plan to rebid during the Fiscal Year 2023-2024 budget year.

Note - Motions for Agenda Items #13 and #14 were combined into one motion.

Motion by Councilmember Fiester, seconded by Councilmember Heslep, to approve Resolution 2023-3056 and 2023-3057. Motion carried 7-0.

- 14. Consider Resolution 2023-3057 rejecting all Bids for the Lake Vista Well Rehabilitation Project**

APPROVED (7 – 0)

Mr. Kriston reported the Lake Vista Well has failed, therefore the project will be immediately rebid and City staff will seek bidders.

Note - Motions for Agenda Items #13 and #14 were combined into one motion.

Motion by Councilmember Fiester, seconded by Councilmember Heslep, to approve Resolution 2023-3056 and 2023-3057. Motion carried 7-0.

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

NO ACTION TAKEN

No action was taken on this item.

17. **Consider Resolution 2023-3058 approving a Detailed Site Plan for Lot 3B, of the Barnett Subdivision, known as 105 Barnett Boulevard (*Bo Hyun Temple and Zen Center*)**

APPROVED (7 – 0)

Public Works Director Scott Kriston reported an application was received for a site plan to construct an approximately 5,900 square foot building for a temple at 105 Barnett Boulevard. He stated the property is currently zoned SF-40, and that the City's Comprehensive Zoning Ordinance (CZO) provides that a church or place of religious worship is an allowed use within all Zoning Districts within the City, unless prohibited in a planned development.

Mr. Kriston reported the owner intends to eventually construct (3) buildings on the property. The proposed site plan only provides for the location and construction of one (1) building and related parking and improvements. Development of future buildings and parking on the property will require a site plan amendment prior to issuance of building permits for such improvements. Construction of a sidewalk along Barnett Boulevard will be required as part of the development of the property. Mr. Kriston added that the Planning & Zoning Commission (P&Z) voted 5-0 to forward this item to Council, with an exception to develop without the requirement to construct a brick or masonry screening wall along the east boundary of the property. He explained the east side of the property backs up to residential properties which have existing wooden fencing and that there is an existing 35' utility drainage easement with buried infrastructure. Public Works does not recommend adding the screening wall for this phase as it would be located within the easement.

Councilmember Fiorenza asked about requiring trees be planted in the easement. Mr. Kriston stated trees that mature to a trunk caliper of 4" or more is not recommended, however ornamental trees could be considered. Councilmember Fiorenza voiced concern if the tree die there would be no buffering wall. He asked if the City requires replacement of any trees damaged during construction or by natural causes. Mr. Kriston reported any tree that is damaged during the construction process would be noted by the inspector. He also stated the City has a Tree Mitigation Plan, which serves as a tree replacement plan. Mr. Kriston added that the property maintenance code addresses some landscaping issues; however, there is nothing that addresses replacement if a tree dies.

Councilmember Fiester asked for clarification regarding grading of the site. Mr. Kriston reported anything on the eastern side is part of Phase 2 and would be addressed at a later time. He added that both detention ponds have been accounted for though. Councilmember Heslep asked if the development would significantly enhance any drainage issues. Mr. Kriston stated it is a nonissue right now until Phase 2 develops.

Mr. Laughlin clarified the provision set forth in Section 2(C) of Resolution 2023-3058 only applies to development of the property in accordance with the Detailed Site Plan approved

by this resolution. Any special exception may be modified or repealed at the time of any future amendments to such Detailed Site Plan in anticipation of any issue relating to screening between the buildings on the property and the property located east of the property.

Councilmember Heslep stepped away from the dais at 7:45 p.m. and returned at 7:47 p.m.

Motion by Councilmember Heslep, seconded by Deputy Mayor Pro Tem Kixmiller, to approve Resolution 2023-3058 approving a Detailed Site Plan as presented. Motion carried 7-0.

18. Consider Resolution 2023-3059 approving a Detailed Site Plan for Lot 1AR, Block A, of the Nelson Properties Addition, known as 2370 Justin Road (*Brakes Plus*)
APPROVED (7 – 0)

Public Works Director Scott Kriston reported an application was received seeking approval of a Site Plan for construction of an approximately 4,900 square foot building for operation of a Brakes Plus business on a 0.62 acre portion of Lot 1AR, Block A, Nelson Properties Addition. He stated the site is the Chase Bank building located at 2370 Justin Road. The proposal includes demolishing the bank building, and Brakes Plus leasing the western half of the property from the current property owner, and construction of a new building to be addressed as 2374 Justin Road. He further explained this property is one (1) lot, with the property owner proposing to lease areas to two (2) entities to build two (2) structures. The site plan being considered is just for the western side.

Mr. Kriston stated the property is currently zoned Planned Development Commercial (PD-R), and that minor automotive is a permitted use within the current zoning and is located in the Non-Residential Overlay Zoning District Ordinance. Proposed exterior of the building is brick and stucco. Mr. Kriston reported that some landscaping and eight (8) crape myrtles would be removed, but replaced with one (1) oak tree.

He also stated Brakes Plus would share the existing on site monument sign located on FM 407 with whomever may lease the remaining property in the future. Per City ordinance, only one (1) building sign is allowed per road frontage per tenant, however the applicant requested attached wall signs on the east, south and west elevation of the building. On March 21, 2023, the Planning & Zoning Commission (P&Z) voted 5-0 to recommend approval of the Site Plan as presented but with removal of the one (1) wall sign on the east elevation of the building.

Regarding the size of the proposed sidewalks along the eastern and western side of the property, Councilmember Fiorenza asked what size sidewalks are included in the current Comprehensive Plan. Mr. Kriston reported the sizes do not meet the Comprehensive Plan as this application was started prior to approval of the Comprehensive Plan, and that a request to TxDOT would be for a 5' sidewalk along FM 407.

Mr. Laughlin clarified that two versions of Resolution 2023-3059 were prepared, one including a special exception as requested by the applicant to include three (3) wall signs and one (1) monument sign, and one that reflects the P&Z recommendation to include only two (2) wall signs and one (1) monument sign.

Motion by Councilmember Fiorenza, seconded by Councilmember Heslep, to approve Resolution 2023-3059 as presented by Planning & Zoning, without the special exception. Motion carried 7-0.

19. **Consider Resolution 2023-3060 authorizing an Application to the Texas Parks & Wildlife Department Recreational Boating Access Grant Program for the Pilot Knoll Park Redevelopment Project – Phase I**

APPROVED (7 – 0)

Parks and Recreation Director Phil Lozano reported Certificates of Obligation were issued in 2021 for construction improvement projects related to Streets and Parks. Of that, \$6.413 Million was allocated for Parks, with \$620,000 of that allocated for major improvements to the boat ramp and dock improvements at Pilot Knoll Park. To help with funding, he reported the City is seeking grants from the Texas Parks and Wildlife Department (TPWD) Boating Access Grant Program (Program) that assists local government agencies throughout the state. He stated the Program provides 75% matching grants on a reimbursement base to eligible applicants, with the City being responsible for 25% of the project's total cost. The matching maximum amount is \$250K for planning and \$1 million for construction. The resolution is for the Planning Grant, Phase 1.

Councilmember Fiester asked about obligations and a timeline should the City receive the grant. Mr. Lozano stated we have four (4) years from award date to complete the project, with three (3) years of work up to the project prior to the award date that would be eligible for reimbursement.

Motion by Councilmember Fiester, seconded by Mayor Pro Tem Lombardo, to approve Resolution 2023-3060 authorizing an application to the Texas Parks & Wildlife Department Recreational Boating Access Grant Program for the Pilot Knoll Park Redevelopment Project – Phase I. Motion carried 7-0.

LATE WORK SESSION

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

Councilmember Nelson asked for an update on the northbound access to IH-35 from Highland Village Road. City Manager Paul Stevens reported the project is mostly complete, with a drainage and grading issue still needing to be resolved. Estimated completion is sometime in May.

Deputy Mayor Pro Tem Kixmiller asked the status of the Splash Pad and when it will be open. Mr. Lozano reported it would open Memorial Day weekend. He reported work on the fence is substantially complete and hopes to be complete this week.

21. **Adjournment**

Mayor Jaworski adjourned the meeting at 8:16 p.m.

Daniel Jaworski, Mayor

ATTEST:

Angela Miller, City Secretary

DRAFT

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 12

MEETING DATE: 04/25/2023

SUBJECT: Consider Resolution 2023-3061 Approving the Bid Submitted by BrightView Landscape Services for the Turf & Landscape Maintenance Services Contract for City Right-Of-Ways and Other Municipal Sites

PREPARED BY: Brian Norton, Deputy Director of Park Operations and Projects

BACKGROUND:

In the late nineties, the City began bidding out landscape and mowing services to maintain areas such as City Right-Of-Ways, trails, trail nodes, medians, and other municipal sites.

In some cases, it is more cost-effective to bid out services for areas that require less detailed maintenance (such as median mowing/maintenance) as opposed to hiring additional City staff. In other instances, hiring permanent City staff capable of providing significant attention to detailed needs such as performing sprinkler repairs, chemical applications, minor park construction projects, playground maintenance, special event set up, etc. is more beneficial to the City.

IDENTIFIED NEED/S:

To approve the bid received from BrightView Landscape Services on March 31, 2023.

OPTIONS & RESULTS:

If the bid is not approved, staff will have to take on the turf & landscape maintenance services in-house and will have to defer maintenance needs and reduce or eliminate services in other critical areas such as facility repairs, minor projects, irrigation repair, plant material replacement, pesticide applications, etc.

PROGRESS TO DATE:

Bids for Turf & Landscape Maintenance Services were received and opened on March 31, 2023.

The two (2) bids that were received are summarized below.

Company	Base Bid Items	Alternate Bids	Both Base Bid and Alternate Bids
BrightView Landscape Services	\$179,286.00	\$53,098.50	\$232,384.50
SRH Landscape	\$226,296.00	\$58,709.75	\$285,005.75

BrightView Landscape Services provided the lowest bid.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Current amount budgeted: \$209,192.00 (\$72,666.00 4B Fund, \$136,526.00 General Fund). The Base Bid reflects the amount of \$179,286.00, which is within the budgeted amount for this contract. The \$53,098.50 Alternate Bid component provides a determined cost, but the City will only utilize as needed. Utilization of services can be adjusted as needed to accommodate available resources.

RECOMMENDATION:

To approve Resolution No. 2023-3061 awarding and authorizing an agreement with BrightView Landscape Services for Turf and Landscape Maintenance Services.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2023-3061

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AWARDED AND AUTHORIZING AN AGREEMENT WITH BRIGHTVIEW LANDSCAPE SERVICES FOR TURF AND LANDSCAPE MAINTENANCE SERVICES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, having solicited, received, and reviewed bids in accordance with state law for Turf and Landscape Maintenance Services (“the Services”), City staff has determined that BrightView Landscape Services has submitted the lowest most responsible bid, and recommends an agreement for the Services be awarded to BrightView Landscape Services; and

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

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

SECTION 1. The City Manager is hereby authorized to negotiate and execute an agreement with BrightView Landscape Services in the amount of \$232,384.50 for Turf and Landscape Maintenance Services and is further authorized to execute such change orders and amendments as authorized by state law, city policy, and in the event of an increase in contract price, subject to the availability of current funds for such purpose.

SECTION 2. This Resolution shall be effective immediately upon approval.

PASSED AND APPROVED THIS THE 25TH DAY OF APRIL 2023.

APPROVED:

Daniel H. Jaworski, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:4/20/2023:134647)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 13	MEETING DATE: 04/25/2023
SUBJECT:	Consider Resolution 2023-3062 awarding and authorizing a contract with Douglas Dailey Construction, LLC for the Northeast 18” Sanitary Sewer Rehabilitation Project
PREPARED BY:	Scott Kriston, Director of Public Works

BACKGROUND:

The City has determined that the existing 18” sanitary sewer that serves the northeast part of the City is in the process of failing under Edgewood Drive. This sewer line is an old, very deep sewer line that runs under Edgewood Drive and then continues south until it reaches the UTRWD lift station. The City staff has inspected this sewer line by televising the inside of the pipe and identifying the pipe under Edgewood Drive as a concrete pipe that is experiencing crown failure. Also, City staff televised the sewer line to the south and determined that the sewer line where it crosses the creek near the lift station is an old iron pipe that is experiencing tuberculation.

The City staff has addressed this situation by making necessary provisions in case the pipeline should experience other failures in the near term, but a long-term solution is needed. The rehabilitation of the 18” concrete sewer line under Edgewood Drive and the 18” iron sewer line crossing the creek (by pipe bursting these existing pipes) will provide a long-term solution to this situation. Responsive bids were received on April 6, 2023 for the project from two general contractors that have experience on similar municipal projects. They are the following:

Bidder	Base Bid
Douglas Dailey Construction	\$506,640
Horseshoe Construction	\$515,125

The low bidder is Douglas Dailey Construction, LLC with a bid in the amount of \$506,640. The low bid has been reviewed and evaluated and is considered a good responsive bid. Douglas Dailey Construction has sufficient resources and work history and is considered the lowest responsive bidder.

IDENTIFIED NEED/S:

A long-term solution to prevent further pipe failures in the existing sanitary sewer is needed.

OPTIONS & RESULTS:

Rehabilitation of the Northeast 18” Sanitary Sewer by pipe bursting the existing pipe will provide a long-term solution to prevent further pipe failures in the existing sanitary sewer.

PROGRESS TO DATE: (if appropriate)

Contractors' bids for this sanitary sewer rehabilitation project have been received and evaluated.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Funding through the Utility Fund.

RECOMMENDATION:

To approve Resolution 2023-3062 awarding and authorizing a Contract with Douglas Dailey Construction, LLC for the Northeast 18" Sanitary Sewer Rehabilitation Project.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2023-3062

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AWARDED AND AUTHORIZING A CONTRACT WITH DOUGLAS DAILEY CONSTRUCTION, LLC FOR THE NORTHEAST 18” SANITARY SEWER REHABILITATION PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City administration, having solicited, received, and reviewed the bids for the Northeast 18” Sanitary Sewer Rehabilitation project (the “Project”) has determined that Douglas Dailey Construction, LLC has submitted the lowest responsible bid in the amount of \$506,640.00, and recommends award of a contract for the Project to said bidder; and

WHEREAS, the City Council of the City of Highland Village, Texas, finds it to be in the public interest to accept the recommendation of the City administration and approve the above described contract agreement.

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

SECTION 1. The City Manager is hereby authorized to execute a contract with Douglas Dailey Construction, LLC in the amount of \$506,640.00 for the Project and, subject to applicable state laws, city policies, and, in the event change order(s) result in an increase in the contract amount, the availability of funds for such purpose, to negotiate and sign such change order(s) to said contract as the City Manager determines to be in the best interest of the City.

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

PASSED AND APPROVED THIS 25TH DAY OF APRIL, 2023.

APPROVED:

Daniel Jaworski, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:4/19/2023:134646)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 15

MEETING DATE:

04/25/2023

SUBJECT: Consider a Resolution No. 2023-3063 authorizing a Task Order with Schaumburg & Polk, Inc. for provision of the Engineering and Surveying Services for the Wastewater Lift Station No. 2 Force Main Replacement, Wastewater Lift Station No. 7 Force Main Replacement, and Wastewater Lift Station No. 2 Valve Vault Piping/Valves Replacement Project

PREPARED BY: Scott Kriston, Director of Public Works

BACKGROUND:

City staff has identified several sanitary sewer lift station force mains in the City's wastewater system that need to be replaced. Two of the force mains (6" and 10") that need to be replaced take the discharge from Wastewater Lift Station No. 2 located in the Highland Shores subdivision and was reconstructed in 1993. That project tied into the existing force mains that were associated with the old lift station that was replaced in 1993. The other (6") force main that needs to be replaced takes the discharge from Wastewater Lift Station No. 7 located in the Castlewood subdivision and was constructed in 1997. These force mains have been experiencing multiple failures over the past few years. The two force mains at Lift Station No. 2 will be replaced with one larger force main, which will also improve the efficiency of the system. The force main at Lift Station No. 7 will be replaced with a larger force main to reduce the pressure in the force main. In addition, the piping and valves in the Lift Station No. 2 valve vault have become corroded and also need to be replaced to avoid future pipe/valve failures. The force main replacement located along Highland Shores Blvd. is recommend to precede the proposed road work project.

IDENTIFIED NEED/S:

The force mains that need to be replaced at this time are the force mains that take the wastewater discharge from Lift Station No. 2 and Lift Station No. 7. Also, the piping and valves in the Lift Station No. 2 valve vault need to be replaced. With these replacements, the City will be able to continue maintenance and upgrading of the wastewater system and continue to meet TCEQ requirements.

OPTIONS & RESULTS:

Replacement of these force mains and valve vault piping and valves will help to ensure a continued reliable wastewater system and continued compliance with current TCEQ guidelines.

PROGRESS TO DATE: (if appropriate)

A Task Order has been received from Schaumburg & Polk, Inc, for the provision of professional engineering and surveying services required for this project.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Funded through the Utility bonds.

RECOMMENDATION:

To approve Resolution No. 2023-3063 authorizing a Task Order with Schaumburg & Polk, Inc. to provide professional services for the Wastewater Lift Station No. 2 Force Main Replacement, Wastewater Lift Station No. 7 Force Main Replacement and Wastewater Lift Station No. 2 Valve Vault Piping/Valves Replacement Project.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2023-3063

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AUTHORIZING A TASK ORDER WITH SCHAUMBURG & POLK, INC. TO PROVIDE PROFESSIONAL SERVICES FOR THE WASTEWATER LIFT STATION NO. 2 FORCE MAIN REPLACEMENT, WASTEWATER LIFT STATION NO. 7 FORCE MAIN REPLACEMENT, AND WASTEWATER LIFT STATION NO. 2 VALVE VAULT PIPING/VALVES REPLACEMENT PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City administration, having obtained a Task Order for the Wastewater Lift Station No. 2 Force Main Replacement, Wastewater Lift Station No. 7 Force Main Replacement, and Wastewater Lift Station No. 2 Valve Vault Piping/Valves Replacement Project from Schaumburg & Polk, Inc. in an amount of \$119,000.00, recommends execution of the task order be approved for these professional services; and

WHEREAS, the City Council of the City of Highland Village, Texas, finds it to be in the public interest to accept the recommendation of the City administration and approve the above described contract agreement; and

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

SECTION 1. The City Manager is hereby authorized to execute a Task Order with Schaumburg & Polk, Inc. to provide professional services for the Wastewater Lift Station No. 2 Force Main Replacement, Wastewater Lift Station No. 7 Force Main Replacement, and Wastewater Lift Station No. 2 Valve Vault Piping/Valves Replacement Project for a contract amount of \$119,000.00.

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

PASSED AND APPROVED THIS 25TH DAY OF APRIL 2023.

APPROVED:

Daniel Jaworski, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 16	MEETING DATE: 04/25/2023
SUBJECT:	Consider Resolution 2023-3064 Nominating One Candidate to a Slate of Nominees for the Board of Managers of the Denco Area 911 District
PREPARED BY:	Angela Miller, City Secretary

BACKGROUND:

Chapter 772 of the Health and Safety Code provides for the Denco Area 911 District (the District) Board of Managers to have two members appointed jointly by all participating municipalities located whole or partly within the District. Every year, on September 30th, the term of one of the two members appointed by the participating municipalities expires. Prior to that date, the District will accept nominations for candidates to represent the municipalities.

The term for the current representative, Mrs. Sue Tejml, will expire on September 30, 2023. Members are eligible for consecutive terms and Mrs. Tejml has expressed her desire to serve another term.

IDENTIFIED NEED/S:

In order to coordinate the appointment among the 32 participating municipalities, the District requests the following action by the governing bodies of each city/town:

If the City wishes to nominate a candidate to represent the municipalities on the District Board of Managers, they must send a letter of nomination, by way of Council action, and resume of the candidate, to the District. For a nomination to be considered, written notification of Council action must be submitted to the District by 5:00 p.m. on May 31, 2023. No nominations will be considered after that time.

Once nominations are received, Denco staff will send the slate of nominees to each city/town for consideration, which will take place later this summer.

OPTIONS & RESULTS:

Council may nominate a candidate to represent the municipalities on the District Board of Managers. Nominees are historically current or formerly elected officials in the District; however, there are no official prerequisites.

PROGRESS TO DATE: (if appropriate)

Staff received correspondence from District Executive Director Gregory Ballentine, advising the District will receive nominations until 5:00 pm on May 31, 2023.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

To approve Resolution 2023-3064 nominating a candidate to a slate of nominees for Denco Area 911 Board of Directors.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2023-3064

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, MAKING A NOMINATION FOR A CANDIDATE FOR ELECTION TO THE BOARD OF MANAGERS OF THE DENCO AREA 9-1-1 DISTRICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 772, Health and Safety Code, provides that two voting members of the Board of Managers of the Denco Area 9-1-1 District (“the District”) shall be appointed jointly by all cities and towns lying wholly or partly within the District; and

WHEREAS, having determined that _____ will represent the interest of cities well on the District’s board, the City Council finds it to be in the public interest to nominate _____ for appointment to a term beginning October 1, 2023.

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

SECTION 1. The City of Highland Village hereby nominates _____ as a candidate for appointment to the Board of Managers for the Denco Area 9-1-1 District for a term beginning October 1, 2023.

SECTION 2. This Resolution shall take effect immediately upon approval and passage.

PASSED AND APPROVED THIS THE 25TH DAY OF APRIL 2023.

APPROVED:

Daniel Jaworski, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:4/19/2023:134621)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 17

MEETING DATE: 04/25/2023

**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

April 25, 2023	Regular City Council Meeting - 7:00 pm
May 4, 2023	Zoning Board of Adjust Meeting – 7:00 pm
May 9, 2023	Regular City Council Meeting - 7:00 pm
May 15, 2023	Parks & Recreation Advisory Board Meeting – 6:00 pm
May 16, 2023	Planning & Zoning Commission Meeting – 7:00 pm
May 23, 2023	Regular City Council Meeting - 7:00 pm
May 29, 2023	City Offices Closed for the Memorial Day Holiday
June 1, 2023	Zoning Board of Adjust Meeting – 7:00 pm
June 13, 2023	Regular City Council Meeting - 7:00 pm
June 19, 2023	Parks & Recreation Advisory Board Meeting – 6:00 pm
June 20, 2023	Planning & Zoning Commission Meeting – 7:00 pm
June 27, 2023	Regular City Council Meeting - 7:00 pm
July 4, 2023	City Offices Closed for Independence Day
July 6, 2023	Zoning Board of Adjust Meeting – 7:00 pm
July 11, 2023	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.