



**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, SEPTEMBER 26, 2023 at 6:00 P.M.**

**EARLY WORK SESSION**  
**Training Room – 6:00 P.M.**

**Convene Meeting in Open Session**

1. Receive Presentation on a Kickball Feasibility Study for Unity Park
2. Discuss Nomination of a Candidate(s) to the Denton Central Appraisal District (DCAD) Board of Directors
3. Discuss Appointment of Board and Commission Members; Review and Discuss Attendance Record and Performance of Board and Commission Members and Removal of Board and Commission Members prior to Completion of their Current Term pursuant to Code of Ordinances Section 2.04.037
4. Clarification of Consent or Action Items listed on Today's City Council Meeting Agenda for September 26, 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**  
**Training Room**

5. Hold a Closed Meeting in accordance with the following Sections of the Texas Government Code:
  - (a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)
  - (b) Section 551.074 – Deliberate the Appointment, Removal, Evaluation and Duties of Public Officers, specifically Members of the Planning and Zoning Commission, Zoning Board of Adjustment, and Board of Directors of the Highland Village Community Development Corporation

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

6. Call Meeting to Order

7. **Prayer led by Councilmember Rhonda Hurst**
8. **Pledge of Allegiance to the U.S. and Texas flags led by Councilmember Rhonda Hurst:** *“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”*
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**
  - **Presentation of a Proclamation to Luke Westcott**
  - **Presentation of a Proclamation for Say No to Bullying Week**
10. **City Manager/Staff Reports**
11. **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.**

12. **Consider approval of Minutes of the Special City Council Meeting held on September 18, 2023**
13. **Consider Resolution 2023-3091 authorizing Renewal of the Financial Software Maintenance Agreement with Tyler Technologies**
14. **Consider Resolution 2023-3087 authorizing Renewal of the Interlocal Agreement with TML Intergovernmental Risk Pool for Insurance Coverage**
15. **Consider Resolution 2023-3088 authorizing an Interlocal Agreement with Texas Political Subdivisions for providing City Workers’ Compensation Insurance for Fiscal Year 2023-2024**

16. Consider Resolution 2023-3092 authorizing Renewal of the Professional Services Agreement for Financial Auditing Services with Pattillo, Brown & Hill, LLP
17. Consider Resolution 2023-3089 authorizing an Agreement with EAR Telecommunications, LLC for the Construction of the Brazos Boulevard and Highland Village Road Traffic Signal Project

### ACTION AGENDA

18. Take action, if any, on Matters discussed in Closed Session in accordance with the following Sections of the Texas Government Code:
  - (a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)
  - (b) Section 551.074 – Deliberate the Appointment, Removal, Evaluation and Duties of Public Officers, specifically Members of the Planning and Zoning Commission, Zoning Board of Adjustment, and Board of Directors of the Highland Village Community Development Corporation
19. Consider Resolution 2023-3093 authorizing the City Manager to Execute a Professional Services Agreement with Halff Associates, Inc. relating to Various Unity Park, Brazos Park and Highland Village Tennis Center Improvement Projects
20. Review and Discuss the Attendance Record and Performance of City Board and Commission Members and Consider Removal of Board and Commission Members prior to Completion of their Current Term pursuant to Code of Ordinances Section 2.04.037
21. Consider Resolution 2023-3090 appointing Members to Various Positions on the Board of Ethics, Parks and Recreation Advisory Board, Planning and Zoning Commission, Zoning Board of Adjustment, and Highland Village Community Development Corporation

### LATE WORK SESSION

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

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

I HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT THE MUNICIPAL COMPLEX, 1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS IN ACCORDANCE WITH THE *TEXAS GOVERNMENT CODE, CHAPTER 551*, ON THE 22<sup>ND</sup> DAY OF SEPTEMBER 2023 NOT LATER THAN 6:00 P.M.



Angela Miller, City Secretary

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

Removed from posting on the \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_  
am / pm by \_\_\_\_\_.

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

**AGENDA# 1**

**MEETING DATE: 09/26/2023**

**SUBJECT: Receive a Presentation on a Kickball Feasibility Study for Unity  
Park**

**PREPARED BY: Phil Lozano, Parks and Recreation Director**

**COMMENTS**

Council will receive a presentation on a kickball feasibility study for Unity Park.

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

**AGENDA# 2**

**MEETING DATE: 09/26/2023**

**SUBJECT: Discuss nominating Person(s) for Possible Appointment to the Denton Central Appraisal District (DCAD) Board of Directors**

**PREPARED BY: Angela Miller, City Secretary**

**COMMENTS**

The City of Highland Village has received notification from the Denton Central Appraisal District (DCAD) that all taxing jurisdictions have the option to nominate up to five (5) qualified individuals to be considered for the DCAD Board of Directors. Taxing jurisdictions are not required to nominate anyone for the DCAD Board of Directors and would still retain the option to cast votes from the list of nominees submitted by other jurisdictions.

To be eligible to serve on the DCAD Board, an individual must be a resident of the district (Denton County) and must have resided in the district for at least two (2) years immediately preceding the date of taking office. This residency requirement does not apply to a county tax assessor collector serving as a nonvoting director.

Nominations must be received by written resolution before October 16, 2023. Once received, a comprehensive list of the nominees will be compiled and then sent to the taxing jurisdictions in the form of a ballot at a later date.

In 2021, City Council nominated and voted for resident Alex Buck who currently serves on the DCAB Board of Directors. Mr. Buck had indicated his interest in serving another term.

This Early Work Session item has been placed on the agenda to provide City Council an opportunity to discuss nominating one (1) to five (5) people to the DCAD Board of Directors. Should Council wish to do so, an item will be included for formal action to nominate a person(s) on their October 10, 2023 meeting agenda.

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

**AGENDA# 3**

**MEETING DATE: 09/26/2023**

**SUBJECT: Discuss Appointment of Board and Commission Members; Review and Discuss the Attendance Record and Performance of Board and Commission Members and Removal of Members prior to Completion of their Current Term pursuant to Code of Ordinances Section 2.04.037**

**PREPARED BY: Angela Miller, City Secretary  
Ingrid Rex, Deputy City Secretary/Records Coordinator**

**COMMENTS**

City ordinance states that Council shall make annual appointments to the City's boards and commissions. All appointments are for terms of two years, unless an individual is appointed to fill an unexpired term that exists due to a vacancy. A "term year" shall be from October 1 until the following September 30, with terms expiring on the second year.

In anticipation of annual board and commission member appointments, a call for volunteers to serve on a City board or commission was advertised in the City's utility bill inserts, Village Newsletters, social media and on the City's website. To be eligible to serve, all applicants must be qualified voters of the city and shall remain eligible to vote in city elections during their tenure.

Currently serving board/commission members with terms expiring this year were contacted by City staff and given the opportunity to notify the City Secretary's Office if they were interested in being considered for reappointment to the same board, appointment to a different board, or if they no longer wished to serve on a board.

To date, a total of thirty-three (33) applications have been received, which includes the currently serving members who wish to be considered for reappointment:

- Nineteen (19) new applications have been received, with two (2) of those from currently serving board/commission members that want to continue serving on their current board/commission (their terms do not expire this year), but would like to be considered for a board/commission that meets more frequently.
- Fourteen (14) applications have been received from currently serving members whose term expires this year and wish to be considered for reappointment:
  - Twelve (12) to their same board/commission; and two (2) to a different board
  - Two (2) currently serving members have reached their term limit
  - One (1) currently serving member no longer wishes to serve on a board

**There are eighteen (18) positions with terms that will expire on September 30, 2023.**

Additionally, there is a vacancy on the Planning and Zoning Commission for an unexpired term that ends on September 30, 2024. The vacating member has moved and is no longer a Highland Village resident.

For reference, the following information is provided with this briefing:

Table 1 – a full list of currently serving board members; the highlighted positions have terms that expire this year

Table 2 – a list of all new applicants with their board/commission preferences

Table 3 – a list of currently serving members with their board/commission preferences

In addition to making appointments, Council may wish to also review and discuss the attendance records and performance during a single term year of current members of the various City boards and commissions whose terms do not expire in 2023. If considering whether to remove one or more members and declare such seat(s) vacated, consideration must be based on the attendance policy enacted by Council requiring that a member of a board or commission may not miss three (3) consecutive regularly scheduled meetings without a valid excuse, or miss more than 25% of the regular meetings during a term year. Please note, according to state law, members of the Zoning Board of Adjustment may be removed prior to the end of their term only for cause found by the City Council and only after presentation of written charges and a public hearing.

City Council has received copies of all board and commission volunteer applications, along with currently serving board member profile updates, that have been submitted for consideration. A "Meet and Greet" event was held on September 12, 2023 to allow an opportunity for Council to meet face to face with the new applicants. This agenda item provides an opportunity for Council to discuss appointments and removals, if needed, during their Early Work Session and to take formal action during the regular City Council meeting on September 26, 2023.

<b>TABLE 1 Board Member</b>	<b>Board Choice</b>	<b>Place</b>	<b>Original Appt. Date</b>	<b>Term Expires</b>
<b>BOARD OF ETHICS</b>				
Jordan Wootten	---	N/A	10-2020	09-2024
Megan Pigott	---	N/A	10-2022	09-2024
Kevin McMahan	Different Board	N/A	09-2017	09-2023
Benjamin Somero	Same Board	N/A	09-2017	09-2023
Peter Casey	Same Board	N/A	03-2022	09-2023
<b>HV COMMUNITY DEVELOPMENT CORPORATION (4B)</b>				
Dan Jaworski	---	Council Rep	10-2020	09-2024
Patrick Finch	---	Citizen Rep	10-2022	09-2024
Rick Reekie	---	Citizen Rep	10-2022	09-2024
Jon Kixmiller	Same Board	Council Rep	07-2022	09-2023
Brian Fiorenza	Same Board	Council Rep	05-2023	09-2023
Rhonda Hurst	Same Board	Council Rep	05-2023	09-2023
Karla Limon	Same Board	Citizen Rep	09-2021	09-2023
<b>PARKS AND RECREATION ADVISORY BOARD</b>				
William Irwin	---	Place 1	10-2016	09-2024
Hogan Heathington	---	Place 2	03-2022	09-2024
Mitch O'Brey	---	Place 3	10-2020	09-2024
Kevan Fenderson	Does Not Wish To Serve Again	Place 4	09-2018	09-2023
Kenneth Koonsman	Reached Term Limit	Place 5	09-2017	09-2023
Kathy Wells	Same Board	Alternate Place 1	10-2021	09-2023
Tyler Gump	---	Alternate Place 2	10-2022	09-2024
<b>PLANNING AND ZONING COMMISSION</b>				
Jared Christianson	Same Board	Place 1	10-2020	09-2023
Brent Myers	---	Place 2	10-2021	09-2024
Steve Winkle	---	Place 3	10-2022	09-2024
Denver Kemery	Same Board	Place 4	09-2018	09-2023
Michael George	Same Board	Place 5	10-2020	09-2023
Greg Kohn	Same Board	Alternate Place 1	10-2022	09-2023
VACANT	---	Alternate Place 2		09-2024
<b>ZONING BOARD OF ADJUSTMENT</b>				
VACANT	---	Place 1		09-2023
Jeremy Booker	Same Board	Place 2	10-2019	09-2023
David Smith	Reached Term Limit	Place 3	10-2016	09-2023
Jerry Jones	---	Place 4	10-2019	09-2024
Russell Jackson	---	Place 5	09-2021	09-2024
Kevin Pearson	Different Board	Alternate Place 1	10-2021	09-2023
Collin Roberts	---	Alternate Place 2	10-2022	09-2024
Lou Ann Surratt	---	Alternate Place 3	12-2021	09-2024

**Table 2 - NEW APPLICANT PREFERENCES**

<b>Applicant Name</b>	<b>Ethics Board</b>	<b>Community Dev. Corp (4B)</b>	<b>Parks Board</b>	<b>Planning &amp; Zoning Commission</b>	<b>Zoning Board of Adjustment</b>
ADAMS, Jeffrey				1	
ANDRUS, Leslie	2	3	1	4	5
BARBER, Debbie	3	1	2	4	5
BEAVER, Nevin			1	2	3
BELDEN, Dreanna				1	
BUSCH, Fred			2	1	
FULLER, Jim					1
JACKSON, Russell <small>(currently serves in Place 2 on ZBA)</small>		2		1	3
LEVIN, Jeffrey	4	3	1	5	2
MALONEY, Phil	4	5	3	1	2
MILAS, Megan	4	2	1	3	5
PARISH, Alexander	4	2	5	1	3
RAZAVI, Babak	5	3	4	1	2
REEKIE, Rick <small>(currently serves as Citizen Rep. on HVDCD)</small>	5	3	4	1	2
RUSH, Dave		3	1	2	
THROCKMORTON, Douglas			1		2
TUREK, Lucy	5	4	3	1	2
VERNON, Shawn	5	2	4	1	3
WILK, Spencer			1	2	

**Table 3 - CURRENT MEMBER PREFERENCES**

Member Name	Current Service	Interest in Appointment	Ethics Board	HVCDC	Parks Board	P & Z	ZBA
<b>ETHICS BOARD</b>							
Kevin McMahan	Ethics Board	Different Board	2		3	1	
Ben Somero	Ethics Board	Same Board	1	2	3	4	5
Peter Casey	Ethics Board	Same Board	1		2	3	
<b>HVCDC (4B)</b>							
Jon Kixmiller	Council Representative	Same Board		1			
Brian Fiorenza	Council Representative	Same Board		1			
Rhonda Hurst	Council Representative	Same Board		1			
Karla Limon	Citizen Representative	Same Board		1	2	3	
<b>PARKS &amp; RECREATION ADVISORY BOARD</b>							
Kevan Fenderson	Place 4	Does Not Wish to Serve Again					
Ken Koonsman	Place 5	Has Reached Term Limit					
Kathy Wells	Alternate Place 1	Same Board			1	2	3
<b>PLANNING &amp; ZONING COMMISSION</b>							
Jared Christianson	Place 1	Same Board		2		1	3
Denver Kemery	Place 4	Same Board				1	
Michael George	Place 5	Same Board		2	3	1	
Greg Kohn	Alternate Place 1	Same Board	5	4	2	1	3
VACANT	Alternate Place 2						
<b>ZONING BOARD of ADJUSTMENT</b>							
VACANT	Place 1						
Jeremy Booker	Place 2	Same Board				2	1
David Smith	Place 3	Has Reached Term Limit					
Kevin Pearson	Alternate Place 1	Different Board	4	3	1	2	5

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

**AGENDA# 9**

**MEETING DATE: 09/26/2023**

**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 a Proclamation to Luke Westcott
- Presentation of a Proclamation for Say No to Bullying Week

# Proclamation

## The City of Highland Village

**Whereas**, each year students are provided with anti-bullying campaigns where they learn the effects of bullying and what to do if someone is bullying them or if they see someone being bullied; and

**Whereas**, Luke Westcott attends a karate class in Highland Village that further provides students an environment that fosters discipline, respect, character building and self-confidence; and

**Whereas**, on his way home from school, Luke observed two girls being bullied by an older student and, rather than ignoring the act, he intervened to stop the behavior before it could lead to something more harmful; and

**Whereas**, Luke's intervention kept the incident from escalating and showed tremendous maturity and courage by defending the girls; and

**Whereas**, it is with great pleasure that we recognize Luke's simple act of kindness and for us all to commit to creating a culture of caring and respect towards others in our schools and community.

**NOW THEREFORE**, I, Daniel Jaworski, Mayor of the City of Highland Village, hereby recognize Luke Westcott for his actions and willingness to help others.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed on this 26<sup>th</sup> day of September 2023.

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Daniel Jaworski, Mayor

# Proclamation

## The City of Highland Village

**Whereas**, school bullying, harassment, and intimidation greatly reduce a student's abilities to both achieve and surpass academic standards in public schools in the City of Highland Village; and

**Whereas**, bullying can directly affect a student's health and well-being and thus contribute to excessive absences from school, physical sickness, mental and emotional anguish, and long-term social and mental consequences; and

**Whereas**, individuals that engage in bullying may also struggle throughout their lifetime because they have not learned appropriate social behavior; and

**Whereas**, it is long past time for not only society, but also for each community to acknowledge that bullying is not a rite of passage to be simply ignored or tolerated; and

**Whereas**, the Stop Bullying Our Purpose Program encourages schools, students, parents, recreation programs, religious institutions, and community organizations to engage in a variety of awareness and prevention activities designed to make our communities safer for all children and adolescents.

**NOW THEREFORE**, I, Daniel Jaworski, Mayor of the City of Highland Village, do hereby proclaim October 9-16, 2023 as:

**“Say No to Bullying Week”**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed on this 26<sup>th</sup> day of September 2023.

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Daniel Jaworski, Mayor

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

**AGENDA# 12**

**MEETING DATE: 09/26/2023**

**SUBJECT: Consider approval of Minutes of the Special City Council Meeting held on September 18, 2023**

**PREPARED BY: Angela Miller, City Secretary**

**BACKGROUND:**

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

**IDENTIFIED NEED/S:**

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

**OPTIONS & RESULTS:**

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

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

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

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

N/A

**RECOMMENDATION:**

To approve minutes of the Special City Council Meeting held on September 18, 2023.



**MEETING MINUTES OF THE SPECIAL MEETING  
HIGHLAND VILLAGE CITY COUNCIL  
HIGHLAND VILLAGE MUNICIPAL COMPLEX  
1000 HIGHLAND VILLAGE ROAD  
TUESDAY, SEPTEMBER 18, 2023**

**OPEN SESSION**

**1. Call Meeting to Order**

The meeting was called to order by Mayor Pro Tem Kixmiller at 8:35 a.m.

**Roll Call**

Present:	Jon Kixmiller	Mayor Pro Tem
	Brian Fiorenza	Deputy Mayor Pro Tem
	Kevin Cox	Councilmember
	Robert A. Fiester	Councilmember
	Rhonda Hurst	Councilmember
Absent:	Daniel Jaworski	Mayor
	Shawn Nelson	Councilmember
Staff Members:	Paul Stevens	City Manager
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Heather Miller	Assistant Finance Director
	Laurie Mullens	Marketing & Communications Director

**ACTION AGENDA**

**2. Consider Ordinance 2023-1307 approving and adopting the Fiscal Year 2023-2024 Annual Budget (2<sup>nd</sup> and final read)**

**APPROVED 2<sup>ND</sup> READ (5 – 0)**

With no clarification requested or questions, Mayor Pro Tem Kixmiller reminded Council this would require a record vote.

***Motion by Councilmember Fiester, seconded by Councilmember Cox, to approve Agenda Item 2. City Secretary Angela Miller took a roll call vote on the motion:***

***Mayor Pro Tem Kixmiller – Aye***

***Deputy Mayor Pro Tem Fiorenza – Aye***

***Councilmember Fiester - Aye***

***Councilmember Cox – Aye***

***Councilmember Hurst - Aye***

***Motion carried 5-0.***

3. **Consider Ordinance 2023-1308 levying the Ad Valorem Taxes for the Year 2023 at a Rate of \$0.501394 per \$100 Assessed Valuation on all Taxable Property within the Corporate Limits of the City of Highland Village as of January 1, 2023 (2<sup>nd</sup> and final read)**

**APPROVED 2<sup>ND</sup> READ (5 – 0)**

Assistant City Manager Mr. Heerman reported the Texas Tax Code requires a tax rate be adopted by official action following passage of a budget. Mr. Heerman clarified that the tax rate is a decrease from last year's rate, but it is considered an increase as it's more than the No-New-Revenue Tax Rate. The tax rate is effectively a 3.4 percent increase from last year and that, as the proposed tax rate exceeds the no-new-revenue tax rate, at least 60 percent of the governing body must vote in favor of the ordinance by a record vote.

Deputy Mayor Pro Tem Fiorenza asked for clarification on how the No-New-Revenue Tax rate is derived. Mr. Heerman clarified that it would be the total tax revenue collected last year divided by the new evaluations. Deputy Mayor Pro Tem Fiorenza asked if using the taxes collected last year and dividing it by the new evaluations results in a lower No-New-Revenue Rate. This was confirmed by Mr. Heerman who further explained that in general, the revenue cap is 3.5% on the M&O (Maintenance and Operations) rate and the variable is the City's debt service rate, which can change based on the current year debt obligations, and would be a separate calculation. Combining the No-New-Revenue M&O rate and the debt service rate equals the voter-approved rate.

Deputy Mayor Pro Tem Fiorenza asked Mr. Heerman to confirm that previously the City has charged residents just over 54 cents per \$100 assessed property value but that this year there will be a decrease to just over 50 cents per \$100 because of the latest tax calculations, which are also based on the State's 3.5% imposed revenue cap. This was confirmed by Mr. Heerman who further explained there is a new growth component that is not affected by the revenue cap.

***Motion by Deputy Mayor Pro Tem Fiorenza, seconded by Councilmember Hurst, that the property tax rate be increased by the adoption of a tax rate of \$.501394, which is effectively a 3.4 percent increase in the tax rate and, therefore, further move that Ordinance 2023-1307 be approved on the second and final read. City Secretary Angela Miller took a roll call vote on the motion:***

***Mayor Pro Tem Kixmiller – Aye  
Deputy Mayor Pro Tem Fiorenza – Aye  
Councilmember Fiester - Aye  
Councilmember Hurst – Aye  
Councilmember Cox - Aye***

***Motion carried 5-0.***

4. **Consider Resolution 2023-3086 ratifying the Property Tax Revenue Increase reflected in the Fiscal Year 2023-2024 Budget**

**APPROVED (5 – 0)**

Mr. Heerman reported while the property tax rate actually decreased from last year, overall tax dollars are increased, this year collecting \$15,983,904 compared to \$15,257,276 last year. This increase is reflective of a 14.3 percent increase in valuation, inclusive of new valuation of \$42,228,171 added to the tax base, partially offset by a tax rate decrease from \$.546825 to \$.501394.

Deputy Mayor Pro Tem Fiorenza asked if there were no changes to the tax roll and the City received additional monies from value increases in properties, would a resolution still be required to ratify the increase. This was confirmed by Mr. Heerman.

***Motion by Deputy Mayor Pro Tem Fiorenza, seconded by Councilmember Fiester, to approve Resolution 2023-3086 ratifying the property tax increase reflected in the Fiscal Year 2023-2024 budget. Motion carried 5-0.***

**5. Adjournment**

Mayor Pro Tem Kixmiller adjourned the meeting at 8:45 a.m.

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Daniel Jaworski, Mayor

**ATTEST:**

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Angela Miller, City Secretary

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

**AGENDA# 13**

**MEETING DATE: 09/26/2023**

**SUBJECT: Consider Resolution 2023-3091 Authorizing Renewal of the Financial Software Maintenance Agreement with Tyler Technologies and Authorizing the City Manager to Approve Future Renewals**

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

**BACKGROUND:**

The City has an annually renewable software maintenance agreement with Tyler Technologies (“Tyler”) to update and service the City’s Incode financial software platform. The Incode software is proprietary to Tyler and can only be maintained by Tyler. The annual fee for such software maintenance agreement now exceeds \$50,000 annually (for FY 23-24 - \$62,834) , thus requiring City Council approval. .

**IDENTIFIED NEED/S:**

Approve renewal of the City’s software maintenance agreement with Tyler so the City’s financial software plan can continue to be updated and serviced, the funds for which are included in the FY 23-24 budget. In addition, because said agreement needs to be renewed until such time the City elects to replace its financial software platform, for sake of administrative efficiency, City Administration is requesting the City Council authorize the City Manager to approve future annual renewals of the software maintenance agreement with Tyler subject to the funds for such agreement being approved in future annual budgets.

**RECOMMENDATION:**

To approve Resolution No. 2023-3091 authorizing renewal of the Financial Software Maintenance Agreement with Tyler Technologies and authorizing the City Manager to approve future renewals.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2023-3091**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING RENEWAL OF THE FINANCIAL SOFTWARE MAINTENANCE AGREEMENT WITH TYLER TECHNOLOGIES; AUTHORIZING THE CITY MANAGER TO APPROVE FUTURE RENEWALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, City is a party to an annually renewable software maintenance agreement with Tyler Technologies (“Tyler”) to update and service the City’s Incode financial software platform, and

**WHEREAS**, because the Incode software is proprietary to Tyler and can only be maintained by Tyler, City Administration recommends renewing said software maintenance agreement; and

**WHEREAS**, because the above-referenced agreement with Tyler needs to be renewed annually until such time the City elects to replace its financial software platform, City Administration has requested the City Council authorize the City Manager to approve future annual renewals of the software maintenance agreement with Tyler subject to funds being approved and available for such expense in such future budgets; and

**WHEREAS**, the City Council finds it to be in the public interest to concur with the above recommendation and request.

**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 renew the term of the City’s financial software maintenance agreement with Tyler for the 2023-24 Fiscal Year for a fee in the amount of \$62,834.00; and is further authorized to renew said agreement and make such payments in future fiscal years in accordance with said agreement without further approval of the City Council subject to current funds being budgeted for the fiscal year in which such payment is due and payable and available for such purpose.

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THIS THE 26<sup>th</sup> DAY OF SEPTEMBER 2023.**

**APPROVED:**

\_\_\_\_\_  
Daniel Jaworski, Mayor

**ATTEST:**

\_\_\_\_\_  
Angela Miller, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

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Kevin B. Laughlin, City Attorney

(kbl:9/19/2023:4866-9077-1840 v1))

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

<b>AGENDA# 14</b>	<b>MEETING DATE: 09/26/2023</b>
<b>SUBJECT:</b>	<b>Consider Resolution 2023-3087 Authorizing Renewal of the Interlocal Agreement with TML Intergovernmental Risk Pool for Insurance Coverage</b>
<b>PREPARED BY:</b>	<b>Ken Heerman, Assistant City Manager</b>

**BACKGROUND:**

The City currently obtains property and liability insurance coverage from the TML Intergovernmental Risk Pool (TMLIRP) through an interlocal agreement.

**IDENTIFIED NEEDS:**

Presented for approval is the renewal amount for FY 2024 to continue coverage for general liability, automobile, mobile equipment, law enforcement, public officials (errors and omissions) employee dishonesty, sewer backup, and cyber liability.

**OPTIONS & RESULTS:**

The renewal premium for FY 2024 from TMLIRP totals \$213,896 (inclusive of 2% pre-pay discount). This premium represents a 14.9% increase from last year.

<b>TML Liability Insurance Premium</b>			
	Coverage	2023 Premium	2024 Premium
<b>Liability</b>	General Liability	\$12,693	\$12,414
	Law Enforcement Liability	16,197	17,208
	Errors & Omissions Liability	23,374	22,923
	Automobile Liability	25,730	31,760
	Supplemental Sewage Backup	4,878	4,878
	<b>Total Liability Ins Premium</b>	<b>82,872</b>	<b>89,183</b>
<b>Property</b>	Automobile Physical Damage	31,418	36,608
	Real & Personal Property	59,787	74,927
	Mobile Equipment	10,873	11,800
	Public Employee Dishonesty	1,229	1,131
	Theft Disappearance & Destruction	-	98
		103,307	124,564
	Cyber Liability	53	247
	<b>Total Premium</b>	<b>\$186,232</b>	<b>\$213,994</b>

Overall, the TMLIRP insurance premium for FY 2024 increased 14.9% FY 2023. The total liability premium reflected a 7.6% increase over FY 2023 and property coverage reflected a 20.6% increase.

In general, the insurance premium increased due to the following factors:

- General liability – No rate change.
- Law Enforcement Liability – 10% Rate Increase
- Errors & Omissions liability - No rate change
- Real / Personal Property – 6% Rate Increase / 15% Inflation Factor for Buildings, 8% for content. Also, coverage limits were increased mid-year FY 2023.
- Mobile Equipment – No Rate Increase
- Automobile Liability – 10% Rate Increase
- Automobile Physical Damage – 5% Rate Increase. Addition of new vehicles associated with the Enterprise lease program also contributes to the increase.

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

This was a budgeted item in the FY 2024 Budget.

### **RECOMMENDATION:**

To approve Resolution No. 2023-3087 authorizing renewal of the Interlocal Agreement with TML Intergovernmental Risk Pool for Insurance Coverage.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2023-3087**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING RENEWAL OF THE INTERLOCAL AGREEMENT WITH TML INTERGOVERNMENTAL RISK POOL FOR INSURANCE COVERAGE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City has had an interlocal agreement with the TML Intergovernmental Risk Pool for property and liability insurance coverage since 2003, from which the City has realized a high level of service as well as substantial savings in insurance premiums; and

**WHEREAS**, City Administration recommends a continuation of said interlocal agreement for Fiscal Year 2023-2024; and

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

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

**Section 1.** The City Manager is hereby authorized to execute the necessary contract documents establishing an interlocal agreement with TML Intergovernmental Risk Pool to provide general liability, automobile, mobile equipment, law enforcement, public officials (errors and omissions) employee dishonestly, sewer backup, theft disappearance and destruction, and cyber liability insurance for the City in the amount of \$213,994 and to take such additional action as may be reasonable and necessary to comply with the intent of this Resolution.

**Section 2.** This Resolution shall be effective immediately upon its approval.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON THIS 26<sup>th</sup> DAY OF SEPTEMBER 2023.**

**APPROVED:**

\_\_\_\_\_  
**Daniel Jaworski, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Kevin B. Laughlin, City Attorney**

(kbl:9/14/2023:4891.6982-7455v1)

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

**AGENDA# 15**

**MEETING DATE: 09/26/2023**

**SUBJECT: Consider Resolution 2023-3088 authorizing an interlocal agreement with Texas Political Subdivisions Joint Self-Insurance Fund for workers compensation insurance for FY 2023-2024**

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

**BACKGROUND:**

The City has contracted for many years with Texas Political Subdivisions Joint Self-Insurance Fund (TPS) - an intergovernmental risk pool - for its workers compensation insurance. TPS operates through the member cities' insurance brokers, which, in the City's case, is Higginbotham and Associates.

**IDENTIFIED NEED/S:**

The City needs to continue to purchase workers' compensation coverage for City employees in accordance with state law.

**OPTIONS & RESULTS:**

The renewal premium for FY 2023 from TPS is \$182,988, which is a \$10,386 increase from last year's amount of \$172,602. Increase in overall payroll was the primary factor.

In general, for a number of years, a very proactive effort by City Staff to maintain a safe work environment has resulted in not only minimal lost work-time, but also lower insurance premiums. The City has received a substantial discount due to the excellent safety record we have maintained.

An experience factor is established based on our claim experience compared to the average of other entities in the risk pool. However, this factor is increased relative to our typical historical experience. The factor is .88 for the next fiscal year, slightly increased from last year's factor of .87. The experience modifier takes into account payroll and losses over a three-year period. While it still represents a 12% discount, there was a large increase last year – continued through this year, resulting from the first death claim the City experienced in 2020. Premiums will likely be elevated just a while longer and hopefully revert back to previous levels (.76 in FY 2022). TPS however does represent good value for the City as periodic comparative quotes from other providers consistently maintain TPS as the lowest cost.

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

N/A

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

The renewal amount is accommodated with the FY 2024 Budget appropriation.

**RECOMMENDATION:**

To approve Resolution 2023-3088 authorizing an Interlocal Agreement with Texas Political Subdivisions for providing Workers' Compensation Insurance for Fiscal Year 2023-2024.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2023-3088**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING AN INTERLOCAL AGREEMENT WITH TEXAS POLITICAL SUBDIVISIONS FOR PURPOSES OF PROVIDING CITY WORKERS' COMPENSATION INSURANCE FOR FISCAL YEAR 2023-2024; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, workers' compensation insurance is a component of the City's employee benefit package; and

**WHEREAS**, the City has contracted with the Texas Political Subdivisions Intergovernmental Risk Pool for a number of years for the provision of workers' compensation insurance and has historically received a high level of service as well as substantial savings in insurance premiums over other potential carriers; and

**WHEREAS**, City Administration recommends a continuation of the interlocal agreement providing workers compensation insurance to the City for Fiscal Year 2023-2024; and

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

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

**Section 1.** The City Manager is hereby authorized to execute the necessary contract documents establishing an interlocal agreement with Texas Political Subdivisions to provide workers compensation insurance for the City and take such additional action as may be reasonable and necessary to comply with the intent of this Resolution.

**Section 2.** This Resolution shall be effective immediately upon its approval.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON THIS 26<sup>th</sup> DAY OF SEPTEMBER 2023.**

**APPROVED:**

\_\_\_\_\_  
**Daniel Jaworski, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**

(kbl 9/14/2023:4877-1306-9439 v1))

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

**AGENDA# 16**

**MEETING DATE: 09/23/2023**

**SUBJECT: Consider Resolution 2023-3092 Authorizing Renewal of the Professional Services Agreement for Financial Auditing Services with Pattillo, Brown & Hill, L.L.P. and Authorizing the City Manager to Approve Future Renewals**

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

**BACKGROUND:**

The City is required by law to have a financial audit performed by an outside independent firm following the end of each fiscal year. The firm of Pattillo, Brown & Hill, L.L.P. ("PBH") has decades of experience performing annual financial audits for local governments throughout the State of Texas and has served as the City's independent auditor for many years. PBH's has always provided its services to the City in a thorough and efficient manner for a reasonable fee. The audits performed by PBH are reviewed by credit agencies each time the City seeks to sell bonds or certificates of obligation and are part of consideration by ratings agencies and underwriters when determining the City's bond rating and interest rate in relation to each debt issuance. Because of the excellent services provided by PBH over the years, the City Manager has historically renewed the professional services agreement with PBH from year to year.

**IDENTIFIED NEED/S:**

Because the City's annual audit must be conducted annually, funds for auditing services are included in the City's budget every year as a budgeted operational item. Changes in auditing standards for governmental entities, as well the general increase in professional fees charged over time by PBH has resulted in the total fee for the audit services to be provided by PBH for FY 23-24 (\$51,250) exceeding the City Manager's approval authority within our financial policies. Therefore, the renewal of the agreement with PBH for FY 23-24 is presented to Council for authorization. For the sake of administrative efficiency and because the City must fund the cost of the annual audit every fiscal year, City Administration is also requesting the City Council authorize the City Manager to approve future annual renewals of the professional services agreement with PBH subject to the funds for such agreement being approved in future annual budgets.

**OPTIONS & RESULTS:**

This is a budgeted item in the FY 2024 Budget.

- Annual Audit Services \$51,250

## **RECOMMENDATION:**

To approve Resolution 2023-3092 authorizing renewal of the Professional Services Agreement for financial auditing with Pattillo, Brown & Hill and authorizing the City Manager to approve future renewals.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2023-3092**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING RENEWAL OF THE PROFESSIONAL SERVICES AGREEMENT FOR FINANCIAL AUDITING SERVICES WITH PATTILLO, BROWN & HILL, L.L.P.; AUTHORIZING THE CITY MANAGER TO APPROVE FUTURE RENEWALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City is required by law to have a financial audit performed by an outside independent firm following the end of each fiscal year; and

**WHEREAS**, the firm of Pattillo, Brown & Hill, L.L.P. ("PBH") has served as the City's independent auditor for many years and has always provided its services to the City in a thorough and efficient manner for a reasonable fee; and

**WHEREAS**, City Administration recommends the professional services agreement with PBH be renewed for Fiscal Year 2023-24; and

**WHEREAS**, because the City is required by law to provide for the annual audit in the City's budget each fiscal year, for the sake of administrative efficiency, City Administration has requested the City Council authorize the City Manager to approve future annual renewals of the professional services agreement for financial auditing services with PBH subject to funds being approved and available for such expense in such future budgets; and

**WHEREAS**, the City Council finds it to be in the public interest to concur with the above recommendation and request.

**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 renew the term of the City's professional services agreement for financial auditing services with Pattillo, Brown & Hill, L.L.P. for the 2023-24 Fiscal Year for a fee in the amount of \$51,250.00; and is further authorized to renew said agreement and make such payments in future fiscal years in accordance with said agreement without further approval of the City Council subject to current funds being budgeted for the fiscal year in which such payment is due and payable and available for such purpose.

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THIS THE 26<sup>th</sup> DAY OF SEPTEMBER 2023.**

**APPROVED:**

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Daniel Jaworski, 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:9/19/2023:4884-7093-1584 v1)

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

**AGENDA# 17**

**MEETING DATE: 09/26/2023**

**SUBJECT: Consider Resolution 2023-3089 authorizing an Agreement with EAR Telecommunications, LLC d/b/a EAR TC for the construction of the Brazos Boulevard and Highland Village Road Traffic Signal Project**

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

**BACKGROUND:**

Public Works identified replacing the traffic signal located at the intersection of Highland Village Road and Highland Shores Boulevard / Brazos Boulevard in the 2021 bond package. The existing traffic signal was constructed in 1996. Previous Council action dated May 23, 2023, approved the purchase of the poles and masts for the new signal. The new signal will match the existing traffic signals located along FM 2499. The signal will also be updated to current City of Lewisville specifications for traffic monitoring and control as well as emergency vehicle pass through.

**IDENTIFIED NEED/S:**

In the 2021 bond package, the traffic signal is identified to be replaced.

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

Staff took bids as required by state law and opened the bids on September 13, 2023. Two bids were received from general contractors. The bid total for the two responsive bidders are below:

EAR TC	\$380,281.00
Bean Electrical, LLC	\$507,396.80

The lowest responsible bidder is EAR TC with a total bid in the amount of \$380,281.00. The low bid has been reviewed and evaluated and is considered to be the lowest responsible bid. This bid is within 5% of the engineering probable cost estimate. EARTC has good references and has sufficient resources to construct this project.

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

This item is identified and funded from the 2021 bond program.

**RECOMMENDATION:**

To approve Resolution 2023-3089 authorizing an agreement with EAR Telecommunications for the construction of the Brazos Boulevard and Highland Village Road traffic signal project.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2023-3089**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING AN AGREEMENT WITH EAR TELECOMMUNICATIONS, LLC FOR THE CONSTRUCTION OF THE BRAZOS BOULEVARD AND HIGHLAND VILLAGE ROAD TRAFFIC SIGNAL PROJECT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to its review of the City’s traffic control equipment in accordance with the City’s replacement policies, City Administration has identified the need to replace traffic control equipment at the intersection of Brazos Boulevard and Highland Village Road (the “Project”); and

**WHEREAS**, having solicited and received bids for the Project in accordance with state law, City Administration has determined that EAR Telecommunications, LLC d/b/a EAR TC has submitted the lowest responsive bid for the Project and recommends awarding a contract to EAR TC for the Project; and

**WHEREAS**, the City Council of the City of Highland Village finds it to be in the public interest to concur with the above 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 sign on behalf of the City (a) an agreement with EAR Telecommunications, LLC dba EAR TC to construct the Project in the amount of \$380,281.00 and (b) such change orders to such agreement the City Manager determines reasonable and necessary subject to applicable laws, City policies, and, in the event of an increase in the contract price, the availability of current funds to pay such costs.

**SECTION 2.** This Resolution shall take effect immediately upon passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON THIS 26<sup>th</sup> DAY OF SEPTEMBER 2023.**

**APPROVED:**

\_\_\_\_\_  
**Daniel Jaworski, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**

(kbl:9/18/2023:4891-0997-6448 v1)

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

**AGENDA# 19**

**MEETING DATE: 09/26/2023**

**SUBJECT: Consider Resolution 2023-3093 Authorizing Negotiation and Execution of a Professional Services Agreement with Halff Inc. Relating to Various Unity Park, Brazos Park, and Highland Village Tennis Center Improvement Projects**

**PREPARED BY: Phil Lozano, Director of Parks and Recreation**

**BACKGROUND:**

On December 14, 2021, the Council approved Ordinance No. 2021-1291 authorizing the issuance of certificates of obligation for the purpose of obtaining funds to construct street and parks projects (the "2021 CO's"). In the discussions associated with issuance of the 2021 CO's, City Staff identified the following parks improvement projects with an estimated cost for design and construction totaling \$6.41 million:

**Park Improvement Projects**

Highland Village Tennis Center Improvements

- LED lighting upgrades and Musco Controls

Pilot Knoll Improvements

- Campground restroom improvements
- Campground/shelters improvements
- Replace gatehouse
- Boat ramp improvements
- Expanding camping options with rental cabins (16) also providing an ongoing revenue stream

Unity Park Improvements

- Tennis court resurfacing
- Lighted basketball courts
- Field renovations
- Replace a portion of turf in Dog Park with synthetic grass
- Replace baseball fencing
- Add backstop netting

Other Parks

- Sellmeyer tennis fencing/windscreen replacement
- Lions Club parking lot
- Village Park fishing pier renovation
- Brazos Park field renovation

- Sellmeyer Park playground replacement

The projects relating to the improvement of Unity Park, Brazos Park, and Highland Village Tennis Center are estimated to cost \$1,442,000.00 million, which breaks down as follows:

- Unity lighted basketball court \$230,000
- Unity flex and baseball field(s) improvements \$907,000
- Brazos athletic field improvements \$135,000
- Highland Village Tennis Center lighting \$170,000

### **IDENTIFIED NEED/S:**

To hire a design firm to perform professional landscape architecture, professional engineering, grant procurement, and bidding services (collectively, the “Services”) relating to the design and construction of all of the Unity Park, Brazos Park and Highland Village Tennis Center improvement projects.

### **OPTIONS & RESULTS:**

N/A

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

Staff requested and has received a quote of \$178,500.00 from Halff Inc for performance of the Services.

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

Funding will come from the 2021 Certificates of Obligation proceeds.

### **RECOMMENDATION:**

To approve Resolution 2023-3093 authorizing the City Manager to negotiate and execute a professional services agreement with Halff, Inc. relating to various Unity Park, Brazos Park and Highland Village Tennis Center improvement projects.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2023-3093**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH HALFF INC, RELATING TO VARIOUS UNITY PARK, BRAZOS PARK, AND HIGHLAND VILLAGE TENNIS CENTER IMPROVEMENT PROJECTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, City Administration has determined the need to obtain professional services relating to landscape architecture design, professional engineering, and bidding services relating to various projects to be constructed in Unity Park, Brazos Park, and Highland Village Tennis Center (“the Park Sites”) including, but not limited to, athletic field improvements, basketball court construction, and lighting upgrades and improvements (collectively, the “Projects”); and

**WHEREAS**, City Administration has determined that Halff Inc has the required professional landscape architectural design and professional engineering experience to perform the work for the Projects at a fair and reasonable rate and recommends entering into an agreement with Halff Inc. for such services; and

**WHEREAS**, the City Council of the City of Highland Village finds it to be in the public’s interest to concur in the above-described 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 a professional services agreement with Halff Inc. for professional landscape architecture, professional engineering, and bidding support services related to the Projects in the amount of \$178,500.00.

**SECTION 2.** This resolution shall be effective immediately upon passage.

**PASSED AND APPROVED THIS THE 26<sup>TH</sup> DAY OF SEPTEMBER 2023.**

**APPROVED:**

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**Daniel Jaworski, 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:9/19/2023:4894-1190-1056 V1))

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

**AGENDA# 20**

**MEETING DATE: 09/26/2023**

**SUBJECT: Review and Discuss the Attendance Record and Performance of City Board and Commission Members and Consider Removal of Board and Commission Members Prior to Completion of their Current Term pursuant to Code of Ordinances Section 2.04.037**

**PREPARED BY: Angela Miller, City Secretary**

**BACKGROUND:**

City ordinance states that Council shall make annual appointments to the City's boards and commissions. All appointments are for terms of two years unless an individual is appointed to fill an unexpired term that exists due to a vacancy. A "term year" shall be from October 1 until the following September 30, with terms expiring at the end of the second year.

Per the Code of Ordinances Section 2.04.037, a vacancy exists: (i) if a member resigns, or (ii) if the Council deems a vacancy to exist if a member misses three consecutive regularly scheduled meetings without a valid excuse or misses more than 25% of the regular meetings during a term year.

Please note - according to state law, members of the Zoning Board of Adjustment may be removed prior to the end of their term only for cause found by the City Council and only after presentation of written charges and a public hearing. According to the City Attorney, failure to comply with minimum attendance requirements as established by ordinance can be a basis for removal for cause.

**IDENTIFIED NEEDS:**

If Council chooses, they may remove a City board or commission member and declare the seat vacant based on the attendance and performance of the current members of the various City boards and commissions whose terms do not expire in 2023, in accordance with Code of Ordinances Section 2.04.037.

**RECOMMENDATION:**

Discuss the attendance and performance of members of the various City boards and commissions during the last year whose terms do not expire in 2023 and consider whether to remove one or more members and declare such seat(s) vacated in accordance with Code of Ordinances Section 2.04.037.

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

**AGENDA# 21**

**MEETING DATE: 09/26/2023**

**SUBJECT: Consider Resolution 2023-3090 appointing Members to Various Positions on the Board of Ethics, Parks and Recreation Advisory Board, Planning and Zoning Commission, Zoning Board of Adjustment, and Highland Village Community Development Corporation**

**PREPARED BY: Angela Miller, City Secretary**

**BACKGROUND:**

City ordinance states that each September, Council shall make annual appointments to the City's boards and commissions. All appointments are for terms of two years unless an individual is appointed to fill an unexpired term that exists due to a vacancy. A "term year" shall be from October 1 until the following September 30, with terms expiring at the end of the second year.

In anticipation of annual board and commission member appointments, a call for volunteers to serve on a City board or commission was advertised in the City's utility bill inserts, Village Newsletters, social media, and on the City's website. To be eligible to serve, all applicants must be qualified voters of the City and shall remain eligible to vote in city elections during their tenure.

The seventeen (17) currently serving board/commission members with terms expiring this year were contacted by City staff and given the opportunity to notify the City Secretary's Office if they were interested in being considered for reappointment to the same board, appointment to a different board, or if they no longer wished to serve on a board.

To date, a total of thirty-three (33) applications have been received, which includes the currently serving members who wish to be considered for reappointment:

- Nineteen (19) new applications have been received, with two (2) of those from currently serving board/commission members that want to continue serving on their current board/commission (their terms do not expire this year), but would like to be considered for a board/commission that meets more frequently.
- Fourteen (14) applications have been received from currently serving members whose term expires this year and wish to be considered for reappointment:
  - Twelve (12) to their same board/commission; and two (2) to a different board
  - Two (2) currently serving members have reached their term limit
  - One (1) currently serving member no longer wishes to serve on a board

## **IDENTIFIED NEED/S:**

**There are eighteen (18) positions with terms that will expire on September 30, 2023.**

Additionally, there is a vacancy on the Planning and Zoning Commission for an unexpired term that ends in 2024. The vacating member moved and is no longer a resident of Highland Village.

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

City Council has received copies of all board and commission volunteer applications, along with currently serving board member profile updates, that have been submitted for consideration. Council hosted a "Meet and Greet" event on September 12, 2023, to allow an opportunity for Council to meet face to face with the new applicants.

## **RECOMMENDATION:**

Council to appoint members to various positions on City boards and commissions and approve Resolution 2023-3090.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2023-3090**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS APPOINTING MEMBERS TO VARIOUS POSITIONS ON THE BOARD OF ETHICS, HIGHLAND VILLAGE COMMUNITY DEVELOPMENT CORPORATION, PARKS AND RECREATION ADVISORY BOARD, PLANNING AND ZONING COMMISSION, AND ZONING BOARD OF ADJUSTMENT; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of Highland Village desires to appoint citizens to serve for terms beginning October 1, 2023, for positions on various board and commissions;

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

**SECTION 1.** The following people are hereby appointed to the indicated positions on the Board of Ethics with a term commencing on October 1, 2023, and ending as indicated below:

<b>Name</b>	<b>Place</b>	<b>Expiration</b>
_____	N/A	September 30, 2025
_____	N/A	September 30, 2025
_____	N/A	September 30, 2025

**SECTION 2.** The following people are hereby appointed to the indicated positions on the Highland Village Community Development Corporation with a term commencing on October 1, 2023, and ending as indicated below:

<b>Name</b>	<b>Place</b>	<b>Expiration</b>
_____	Citizen Representative	September 30, 2025
_____	Council Representative	September 30, 2025
_____	Council Representative	September 30, 2025
_____	Council Representative	September 30, 2025

**SECTION 3.** The following people are hereby appointed to the indicated positions on the Parks and Recreation Advisory Board with a term commencing on October 1, 2023, and ending as indicated below:

Name	Place	Expiration
_____	Place 4	September 30, 2025
_____	Place 5	September 30, 2025
_____	Alternate Place 1	September 30, 2025
_____	Alternate Place 2	September 30, 2024 (if needed)

**SECTION 4.** The following people are hereby appointed to the indicated positions on the Planning and Zoning Commission with a term commencing on October 1, 2023, and ending as indicated below:

Name	Place	Expiration
_____	Place 1	September 30, 2025
_____	Place 4	September 30, 2025
_____	Place 5	September 30, 2025
_____	Alternate Place 1	September 30, 2025
_____	Alternate Place 2	September 30, 2024

**SECTION 5.** The following people are hereby appointed to the indicated positions on the Zoning Board of Adjustment with a term commencing on October 1, 2023, and ending as indicated below:

Name	Place	Expiration
_____	Place 1	September 30, 2025
_____	Place 2	September 30, 2025
_____	Place 3	September 30, 2025
_____	Alternate Place 1	September 30, 2025
_____	Alternate Place 2	September 30, 2024 (if needed)
_____	Alternate Place 3	September 30, 2024 (if needed)

**SECTION 6.** This Resolution shall take effect immediately upon passage.

**PASSED AND APPROVED THIS THE 26<sup>TH</sup> DAY OF SEPTEMBER 2023.**

**APPROVED:**

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**Daniel Jaworski, 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:9/20/23:4858-2729-3569 v1)

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

**AGENDA# 22**

**MEETING DATE: 09/26/2023**

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

**PREPARED BY: Paul Stevens, City Manager**

**COMMENTS**

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



## **UPCOMING MEETINGS**

<b>September 26, 2023</b>	<b>Regular City Council Meeting - 7:30 pm</b>
October 5, 2023	Zoning Board of Adjust Meeting – 7:00 pm
<b>October 10, 2023</b>	<b>Regular City Council Meeting - 7:00 pm</b>
October 16, 2023	Parks & Recreation Advisory Board Meeting – 6:00 pm
October 17, 2023	Planning & Zoning Commission Meeting – 7:00 pm
<b>October 24, 2023</b>	<b>Regular City Council Meeting - 7:00 pm</b>
November 2, 2023	Zoning Board of Adjust Meeting – 7:00 pm
<b>November 14, 2023</b>	<b>Regular City Council Meeting - 7:00 pm</b>
November 20, 2023	Parks & Recreation Advisory Board Meeting – 6:00 pm
November 21, 2023	Planning & Zoning Commission Meeting – 7:00 pm
<b>November 23-24, 2023</b>	<b>City Offices Closed for the Thanksgiving Holiday</b>
<b>November 28, 2023</b>	<b>Regular City Council Meeting - 7:00 pm</b>
December 7, 2023	Zoning Board of Adjust Meeting – 7:00 pm
<b>December 12, 2023</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.