



A G E N D A

**REGULAR MEETING OF THE
HIGHLAND VILLAGE CITY COUNCIL
HIGHLAND VILLAGE CITY COUNCIL CHAMBERS
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS
TUESDAY, OCTOBER 8, 2019, at 6:00 P.M.**

EARLY WORK SESSION

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

1. Discuss Appointment of Board and Commission Members; Review and Discuss the Attendance Record and Performance of City Board and Commission Members and Removal of Board and Commission Members prior to Completion of their Current Term pursuant to Code of Ordinances Section 2.037
2. Clarification of Consent or Action Items listed on Today's City Council Meeting Agenda of October 8, 2019

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

CLOSED SESSION Training Room

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

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

4. Call to Order
5. Prayer to be led by Councilmember Tom Heslep

6. **Pledge of Allegiance to the U.S. and Texas flags to be led by Councilmember Tom Heslep:** *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
7. **Visitor Comments** *(Anyone wishing to address the City Council must complete a Speakers' Request Form and return it to the City Secretary. In accordance with the Texas Open Meetings Act, the City Council is restricted in discussing or taking action on items not posted on the agenda. Action on your statement can only be taken at a future meeting. In order to expedite the flow of business and to provide all visitors the opportunity to speak, the Mayor may impose a three (3) minute limitation on any person addressing the City Council. A thirty (30) minute time allotment is set for this section, and the remaining speakers will be heard at the end of the Action Agenda.)*
8. **City Manager/Staff Reports**
 - **HVTV Update**
9. **Mayor and Council Reports on Items of Community Interest pursuant to Texas Government Code Section 551.0415 the City Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming City Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety**
 - **Presentation of a Proclamation designating October 19, 2019 as TXFallenPD Tribute Day in Highland Village**
 - **Presentation of a Proclamation celebrating National Fire Prevention Week**

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

CONSENT AGENDA

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

10. **Consider approval of Minutes of the Regular City Council Meeting held on September 24, 2019**
11. **Consider Resolution 2019-2842 cancelling the November 26, 2019 and December 24, 2019 City Council Meetings**
12. **Consider Resolution 2019-2843 appointing City Representation to the Denton County Transportation Authority (DCTA)**
13. **Consider Resolution 2019-2844 authorizing the City Manager to Continue an Interlocal Agreement with TML Intergovernmental Risk Pool for Purposes of providing City Liability Insurance**
14. **Consider Resolution 2019-2845 ratifying City Manager Actions authorizing Expenditures relating to Performance of Repairs to the FM 407 Water Well**

15. Receive Budget Reports for Period Ending August 31, 2019

ACTION AGENDA

16. Take action, if any, on matters discussed in closed session in accordance with the following sections of the Texas Government Code:
 - (a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)
 - (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
 - (c) Section 551.074 – Personnel – Discussion regarding Employment and Evaluation of the City Secretary
17. Consider Ordinance 2019-1265 amending the Comprehensive Zoning Ordinance Article IV “Use Regulations” by adding the Use “Vehicle Storage or Vehicle Auction”; establishing the Zoning Districts for Same; and amending Article VI “Definitions” of Vehicle Storage or Vehicle Auction (2nd and final)
18. Consider Resolution 2019-2846 authorizing the City Manager to negotiate and execute an Amendment to the Agreement for Yard Waste Services with the Letco Group, Inc
19. Consider Resolution 2019-2847 rejecting Bids for the Streets Improvements Project, Phase 2
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 2.037
21. Consider Resolution 2019-2849 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. Discuss Methods for Accepting Public Donations
23. Status Reports on Current Projects and Discussion on Future Agenda Items (A Councilmember may inquire about a subject of which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.)
24. 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 4TH DAY OF OCTOBER, 2019 NOT LATER THAN 5:00 P.M.

A handwritten signature in cursive script that reads "Angela Miller".

Angela Miller, City Secretary

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

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

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 1

MEETING DATE: 10/08/19

SUBJECT: Discuss Appointment of Board and Commission Members; Review and Discuss the Attendance Record and Performance of City Board and Commission Members and Removal of Board and Commission Members prior to Completion of their Current Term pursuant to Code of Ordinances Section 2.037

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.

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.

In addition, a call for volunteers was advertised in the June, July and August utility bill inserts, the Summer edition of the Village Newsletter, the City's Facebook Page, HVTN News, and on the City's website. Citizens interested in volunteering their time by serving on a board, commission or committee have submitted an application to the City Secretary's Office for consideration by Council. For reference, a listing of all new applicants and currently serving board/commission members is provided in the agenda packet and indicates their preferred board choice(s).

IDENTIFIED NEED/S:

There are eighteen (18) positions with terms that expire in 2019.

Following is a list of all positions and current members of each board and commission. The highlighted positions have terms that will expire this year.

BOARD OF ETHICS			
<i>Board Member Name</i>	<i>Board Choice</i>	<i>Place</i>	<i>Original Appt Date</i>
Steven Deel	---	N/A	10-2016
Kevin McMahan	Same Board	N/A	09-2017
Brian Tackett	---	N/A	03-2017
James Burmeister	Same Board	N/A	09-2017
Benjamin Somero	Same Board	N/A	09-2017
HV COMMUNITY DEVELOPMENT CORPORATION (4B)			
Dale Butler	Same Board	Citizen Rep	09-2017
Mike Lombardo	Same Board	Council Rep	06-2018
Manika Kataria	---	Citizen Rep	09-2018
Elisabeth Mechem	---	Citizen Rep	09-2018
Barbara Fleming	Same Board	Council Rep	09-2017
Tom Heslep	Same Board	Council Rep	05-2019
Charlotte Wilcox	---	Council Rep	06-2014
PARKS AND RECREATION ADVISORY BOARD			
William Irwin	---	Place 1	10-2016
Janet Gershenfeld	---	Place 2	03-2018
Dave Rush	---	Place 3	09-2013
Gary Patz	Same Board	Place 4	09-2015
Kenneth Koonsman	Same Board	Place 5	09-2017
Kevan Fenderson	Same Board	Alternate Place 1	09-2018
Vanessa Boyd	---	Alternate Place 2	09-2018
PLANNING AND ZONING COMMISSION			
Richard Turner	Same Board	Place 1	09-2014
Stan Lemko	---	Place 2	09-2013
James Romo	---	Place 3	09-2017
Deedee Ricketts	Has Reached Term Limit	Place 4	09-2011
Angelina Robinson	Same Board	Place 5	09-2018
Dee Leggett	Same Board	Alternate Place 1	05-2019
Denver Kemery	---	Alternate Place 2	09-2018
ZONING BOARD OF ADJUSTMENT			
Christian Hart	Same Board	Place 1	09-2015
Richard Holderby	Does Not Wish to Serve Again	Place 2	10-2016
Thomas Peck	Same or Different Board	Place 3	09-2015
Richard Metivier	---	Place 4	09-2012
Darrah Boxberger-Torres	---	Place 5	09-2013
Guy Skinner	Different Board	Alternate Place 1	09-2017
Annette Brunken	---	Alternate Place 2	09-2018
David Smith	---	Alternate Place 3	10-2016

When considering appointments, Council may consider appointing current alternate members of a board/commission prior to appointing new applicants.

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 2019. 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.

RECOMMENDATION:

Council to discuss making appointments to the Board of Ethics, Highland Village Community Development Corporation (4B), Parks and Recreation Advisory Board, Planning and Zoning Commission, and Zoning Board of Adjustment.

If needed, Council may also discuss the attendance records and performance of the current members of the various City boards and commissions whose terms do not expire in 2019 and consider whether to remove one or more members and declare such seats vacated in accordance with Code of Ordinances Section 2.04.037

BOARD AND COMMISSION MEMBER PREFERENCES

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

BOARD AND COMMISSION MEMBER PREFERENCES

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

BOARD AND COMMISSION APPLICANT PREFERENCES

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

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 9

MEETING DATE: 10/08/19

SUBJECT: Mayor and Council Reports on Items of Community Interest

PREPARED BY: Karen McCoy, Administrative Assistant to City Secretary

COMMENTS

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

- Presentation of a Proclamation designating October 19, 2019 as TxFallenPD Tribute Day in Highland Village
- Presentation of a Proclamation celebrating National Fire Prevention Week in Highland Village

Proclamation

The City of Highland Village

Whereas, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Highland Village Police Department; and

Whereas, every 59 hours an officer is killed in the line of duty and since January 1, 2019, there have been 94 officers killed in the line of duty across the nation, including 11 from Texas; and

Whereas, the Highland Village Police Department, together with the City of Highland Village, has held an annual fundraising event for the past 11 years benefitting the Texas Police Chiefs Association Officer Survivor Fund; and

Whereas, the Highland Village Police Department raised over \$200,000 for the Officer Survivor Fund over the last 11 years and hopes to raise over \$35,000 this year; and

Whereas, the Highland Village Police Department wishes to remember and honor the lives of Texas officers killed in the line of duty and their families; and

Whereas, the TXFallenPD Tribute Event will be held on Saturday, October 19 to bring police departments and the community together for safety and wellness activities, public safety Touch a Truck, children's activities and live entertainment.

NOW THEREFORE, I, Charlotte J. Wilcox, Mayor of the City of Highland Village, do hereby proclaim October 19, 2019 as:

“TXFallenPD Tribute Day”

in the City of Highland Village.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed on this 8th day of October 2019.

Charlotte J. Wilcox, Mayor

Proclamation

The City of Highland Village

Whereas, the City of Highland Village is committed to ensuring the safety and security of all those living in and visiting Highland Village; and

Whereas, a home fire escape plan provides the skill set and know-how to quickly and safely escape a home fire situation; and

Whereas, practicing a home fire escape plan twice a year ensures that everyone in the household knows what to do in a real life fire situation; and

Whereas, the City of Highland Village first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

Whereas, the 2019 Fire Prevention Week theme, “*Not Every Hero Wears a Cape. Plan and Practice Your Escape!*” effectively serves to remind us that we need to take personal steps to increase our safety from fire.

NOW THEREFORE, I, Charlotte J. Wilcox, Mayor of the City of Highland Village, do hereby proclaim October 6-12, 2019 as:

“National Fire Prevention Week”

in the City of Highland Village.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed on this 8th day of October 2019.

Charlotte J. Wilcox, Mayor

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 10

MEETING DATE: 10/08/19

SUBJECT: Consider Approval of Minutes of the Regular City Council Meeting held on September 24, 2019

PREPARED BY: Angela Miller, City Secretary

BACKGROUND:

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

IDENTIFIED NEED/S:

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

OPTIONS & RESULTS:

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

PROGRESS TO DATE: (if appropriate)

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

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

To approve the minutes of the Regular City Council meeting held on September 24, 2019.



**MINUTES OF THE REGULAR MEETING OF THE
HIGHLAND VILLAGE CITY COUNCIL
HELD AT THE HIGHLAND VILLAGE CITY COUNCIL CHAMBERS
1000 HIGHLAND VILLAGE ROAD
TUESDAY, SEPTEMBER 24, 2019**

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

Roll Call

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

EARLY WORK SESSION

1. Receive an Update and Discuss HB 3231

With the recent passage of HB 3231, City Manager Michael Leavitt reported the City has been contacted by an individual researching the opportunity to open a "Private Gun Club" in Planned Development (PD 2012-1) for Retail, Office and Residential Uses. In the identified PD, gun sales are a prohibited use. HB 3231 preempts most local regulations regarding the possession, sale, and storage of firearms, including zoning ordinances that specifically regulate firearms. As HB 3231 relates to our PD Ordinance, the express prohibition of firearm sales is not enforceable. Firearm sales would be prohibited only if retail sales was also a prohibited use. Therefore, if retail sales is permitted, then with respect to the building in which Private Gun Club sales are located, any retail sales of firearms occurring in this area (pursuant to a properly issued ATF license) is permitted, notwithstanding the language of the PD Ordinance.

City Attorney Kevin Laughlin added the retail sale of firearms will now be treated as any other retail store, unless the zoning district did not allow retail. In that case, gun sales would not be allowed either.

2. Discuss Cancelling the November 26, 2019 and December 24, 2019 City Council Meetings

City Secretary Angela Miller reported Council typically only has one meeting in November and December. The consensus of Council was to cancel the meetings. Staff will present a resolution at the next meeting for Council to take formal action.

3. Clarification of Consent or Action Items listed on Today's City Council Meeting Agenda of September 24, 2019

Relating to Agenda Item #18, Mayor Wilcox voiced concern that the proposed ordinance does not allow for a resident to sell his/her personal vehicle. With staff reporting that was not the intent of the proposed ordinance, Mr. Laughlin stated the definition of vehicle storage or vehicle auction within the ordinance could be modified to allow no more than two (2) or more operable motor vehicles for sale. He added the focus of the ordinance is to address persons conducting certain for-profit businesses in residential areas of the City that do not constitute home occupations and the parking/storage of motor vehicles in residential areas that are being held for future resale.

Mayor Pro Tem Lombardo and Councilmember Jaworski stated they wished to allow for the sale of one or two vehicles, such as a case of an estate sale. Councilmember Kixmiller suggested the threshold on the number of vehicles allowed be increased. Mr. Leavitt reported the City's current ordinance is vague and therefore difficult to enforce. He also voiced his concern with for sale vehicles being left in parking lots within the city. Council and staff discussed the possibility of allowing exceptions in the case of an adult child selling an aging or deceased parent's vehicle.

Further discussion continued during the Regular City Council meeting with Agenda Item #18.

Early Work Session ended at 6:30 p.m.

4. Meet and Greet with Board and Commission Applicants

Mayor Wilcox welcomed the applicants and thanked them for their interest in serving in Highland Village; members of Council and City staff were introduced. Council and staff visited with the applicants.

CLOSED SESSION

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

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

Council did not meet in Closed Session.

OPEN SESSION

6. Call to Order

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

Roll Call

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

7. Prayer to be led by Deputy Mayor Pro Tem Barbara Fleming

Deputy Mayor Pro Tem Fleming gave the invocation.

8. Pledge of Allegiance to the U.S. and Texas flags to be led by Deputy Mayor Pro Tem Barbara Fleming

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

9. Visitor Comments

The following person spoke:

Lucas Brasher (635 Sugarloaf Court) – Mr. Brasher is working on his Eagle Scout project to make a “fidget box” for each classroom at McAuliffe Elementary. The boxes would include silent classroom fidget items that a student could use, if needed, to keep restless fingers busy, bodies relaxed and minds focused during class. Mr. Brasher explained the boxes are good for children with anxiety or sensory disorders. He is accepting donations for the project.

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

With the recent passing of Marcus High School football player Deshaud Williams, Councilmember Jaworski Dan asked everyone to keep the friends and family in their thoughts and prayers.

- **Announcements regarding National Night Out and the TX Fallen Officer Bike Race & 5K**

Police Chief Doug Reim invited residents to attend the National Night Out event to be held on Tuesday, October 1, at Doubletree Ranch Park from 5:00 to 8:00 p.m.

11. City Manager/Staff Reports

- **HVTV Update**

The Update, which was filmed at the Olive Branch Tea Room located inside the Painted Tree Marketplace, informed residents of the events taking place for National Night Out at Doubletree Ranch Park on October 1, 2019. The Update also included information on Paper Shredding Day which is scheduled for Saturday, September 28, and the final Concert in the Park featuring King George on October 5 at Doubletree Ranch Park.

CONSENT AGENDA

- 12. Consider approval of Minutes of the Regular City Council Meeting held on September 10, 2019**
- 13. Consider Resolution 2019-2837 authorizing the City Manager to enter into an Interlocal Agreement with Texas Political Subdivisions for purposes of providing City Workers' Compensation Insurance for Fiscal Year 2019-2020**
- 14. Consider Resolution 2019-2838 appointing an Alternate Municipal Court Judge**
- 15. Consider Resolution 2019-2839 authorizing the Purchase of Vehicles from Silsbee Ford through the City's Cooperative Purchasing Agreement with the State of Texas Purchasing Co-op (Goodbuy)**
- 16. Receive Budget Reports for Period Ending July 31, 2019**

Motion by Councilmember Fiester, seconded by Mayor Pro Tem Lombardo, to approve Consent Agenda Items #12 through #16. Motion carried 7-0.

ACTION AGENDA

- 17. 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**

NO ACTION TAKEN

Council did not meet in Closed Session.

18. **Conduct a Public Hearing and Consider Ordinance 2019-1265 amending the Comprehensive Zoning Ordinance Article IV “Use Regulations” by adding the Use “Vehicle Storage or Vehicle Auction”; establishing the Zoning Districts for Same; and amending Article VI “Definitions” of Vehicle Storage or Vehicle Auction (1st of two reads)**

PUBLIC HEARING CONDUCTED
APPROVED 1ST READ with MODIFICATION (6 – 1)

Discussion relating to this item started during Early Work Session with Agenda Item #3 and continued during the Regular City Council Meeting:

Public Works Director Scott Kriston reported that upon review of certain code enforcement matters relating to persons conducting a business in residential areas of the City that do not constitute home occupations, it was determined by City staff, including the City Attorney and City Prosecutor, that the application of provisions of the Comprehensive Zoning Ordinance (“CZO”) relating to the parking and storage of motor vehicles in residential areas that are being held for future resale needed further clarification.

Currently, it is difficult to prosecute alleged violations of property owners relating to the parking and storage of motor vehicles in residential areas that are being held for future resale. Revising the City’s CZO definitions and use charts relating to “auto storage and auto auction” would better clarify the definition of the use and where such use is permitted, permitted following approval of a conditional use permit, and prohibited, would provide a better basis for prosecuting violations.

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

City Manager Michael Leavitt recited Section 2 of the proposed ordinance and asked if a specific number should be added that would allow a private owner to sell a vehicle(s) which are located on the parked street or right-of-way. Members of Council and City staff discussed the following as it relates to this topic: (1) code enforcement versus citations issued by the Police Department; (2) the ability of a resident to sell a vehicle if parked on public property such as a public ROW; and (3) commercial business sale of a vehicle versus an individual sale of a vehicle. City Attorney Kevin Laughlin reported it is difficult to distinguish between a commercial sale versus sale by an individual. He also added it is not the intent of the ordinance to restrict a resident from selling their own vehicle.

Councilmember Heslep suggested adding language to Section 2 that would allow two (2) vehicles owned by a private owner; Mayor Pro Tem Lombardo suggested allowing three (3). Councilmember Kixmiller voiced his concern with the clarity of the ordinance and the staff’s ability to enforce it. Mr. Laughlin added the ordinance is not solely to address the number of vehicles allowed on a property. If the property is located in an area that is not regulated by a homeowner’s association (HOA), then this would fall under the City’s nuisance ordinance. The ordinance is an attempt to address operating a commercial used car lot at a private residence.

Motion by Deputy Mayor Pro Tem Fleming, seconded by Councilmember Jaworski, to approve the first read of Ordinance 2019-1265, as presented.

The following person spoke:

William Kumpf (2611 Bierstadt) – Mr. Kumpf asked how long a vehicle can remain parked before receiving a notice or citation, even if parked in a driveway.

Mr. Kriston responded there is nothing that addresses the amount of time a vehicle for sale is parked unless there is a nuisance issue. If so, then a voluntary compliance notice is sent to the property owner. For clarity, Mr. Leavitt asked if Council wanted to include language in the proposed ordinance that addresses three (3) or more vehicles, thereby allowing an individual property owner the ability to sale a vehicle.

Deputy Mayor Pro Tem Fleming amended her motion to approve the first read of Ordinance 2019-1265 with a modification to Section 2 adding to the definition of vehicle storage or vehicle auction to include parking of no more than three (3) operable vehicles for purpose of vehicle sale or storage. Motion carried 6-1 with the following vote:

Ayes – Lombardo, Fleming, Wilcox, Heslep, Fiester and Jaworski
No - Kixmiller

- 19. Consider Ordinance 2019-1266 approving and adopting the Fiscal Year 2019-2020 Annual Budget (2nd and final read)**

APPROVED 2ND READ (7 – 0)

Assistant City Manager Ken Heerman reported this budget is a joint product of City staff and Council to reflect priorities established by Council in the initial stages of this budget process. He added that public hearings were conducted at the August 27 and September 10, 2019 City Council meetings, and that Council approved the first read of Ordinance 2019-1266 at their September 10th meeting. Mr. Heerman stated adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of Council to ratify the property tax increase reflected in the budget. As this budget does raise more revenue, this is to be presented as a separate companion agenda item with the second read of the budget ordinance.

He added that Truth in Taxation requires specific action in adoption of the budget and that a vote to adopt the budget must be a record vote.

Motion by Councilmember Kixmiller, seconded by Deputy Mayor Pro Tem Fleming, to approve the final read of Ordinance 2019-1266 adopting the Fiscal Year 2019-2020 Annual Budget. City Secretary Angela Miller took a roll call vote on the motion:

Mayor Pro Tem Lombardo – Aye
Deputy Mayor Pro Tem Fleming – Aye
Councilmember Kixmiller – Aye
Mayor Wilcox - Aye
Councilmember Heslep – Aye
Councilmember Fiester - Aye
Councilmember Jaworski – Aye

Motion carried 7-0.

- 20. Consider Ordinance 2019-1267 levying the Ad Valorem Taxes for the Year 2019 at a Rate of \$.56302 per \$100 Assessed Valuation on all Taxable Property within the Corporate Limits of the City of Highland Village as of January 1, 2019 (2nd and final read)**

APPROVED 2ND READ (7 – 0)

Mr. Heerman reported the Texas Tax Code §26.05 requires a tax rate be adopted by official action following passage of a budget. He added that the tax rate must be adopted in two separate components – Maintenance and Operations (M&O), and Interest and Sinking (I&S). The total tax rate of \$.56302/\$100 is unchanged from last year. Mr. Heerman explained proposed Ordinance 2019-1267 provides for the adoption of a total tax rate of \$.56302 per \$100 valuation (composed of a M&O rate of \$0.476486 per \$100 valuation and a debt service rate of \$0.086534 per \$100 valuation) to fund the FY 2019-2020 budget. Because the proposed tax rate will exceed the effective tax rate of \$0.541706 per \$100 valuation, state law requires the governing body must vote by a record vote.

Motion by Deputy Mayor Pro Tem Fleming, seconded by Mayor Pro Tem Lombardo, that the property tax rate be increased by the adoption of a tax rate of \$.56302, which is effectively a 3.9 percent increase in the tax rate and, therefore, further move that Ordinance No. 2019-1267 be approved on final read. City Secretary Angela Miller took a roll call vote on the motion:

***Mayor Pro Tem Lombardo – Aye
Deputy Mayor Pro Tem Fleming – Aye
Councilmember Kixmiller – Aye
Mayor Wilcox – Aye
Councilmember Heslep – Aye
Councilmember Fiester – Aye
Councilmember Jaworski – Aye***

Motion carried 7-0.

- 21. Consider Resolution 2019-2840 ratifying the Property Tax Revenue Increase reflected in the Fiscal Year 2019-2020 Budget**
APPROVED (7 – 0)

While the property tax rate is unchanged from last year, Mr. Heerman reported overall tax dollars are increased – this year collecting \$13,274,851 compared to \$12,697,794 last year. The increase is reflective of a 4.5 percent increase in valuation, inclusive of new valuation of \$12,542,885 added to the tax base. Of the \$577,057 increased levy, \$163,124 is to be applied to increased debt service largely related to the 2018 bond issue approved by voters. In accordance with Local Government Code §102.007(c), adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of Council to “ratify the property tax increase reflected in the budget”. Mr. Heerman added that this action essentially acknowledges Council is aware this budget will cost more than last year’s budget and does indeed raise more revenue.

Motion by Mayor Pro Tem Lombardo, seconded by Mayor Wilcox, to approve Resolution 2019-2840 ratifying the property tax revenue increase reflected in the Fiscal Year 2019-2020 Budget as required by Local Government Code 102.007(c). Motion carried 7-0.

- 22. Consider Resolution 2019-2841 approving the Annual Rate Adjustment pursuant to the Solid Waste and Recycling Service Contract with Community Waste Disposal (CWD)**

APPROVED (7 – 0)

Mr. Heerman reported the City’s contract with CWD allows an annual rate adjustment, with this being their first request. Rate adjustments are based on specific criteria. He stated CWD has provided the pertinent CPI, natural gas index and disposal site cost

information for determination of the adjustment, as required by the contract, which has been substantiated by City staff. A resident's monthly bill will increase approximately 20 cents.

Mr. Heerman added the City had received notification that use of the current landfill being used by CWD will cease in December, 2019 and that this will be a factor next year as operating costs will be affected.

Motion by Councilmember Jaworski, seconded by Councilmember Heslep, to approve Resolution 2019-2841. Motion carried 7-0.

LATE WORK SESSION

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

Mr. Kriston reported work is progressing nicely at the intersection of FM 407 and Highland Village Road. The contract requires work to be completed by mid-December 2019, but he does not anticipate the project taking that long to complete.

- 24. Adjournment**

Mayor Wilcox adjourned the meeting at 8:35 p.m.

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 11	MEETING DATE: 10/08/19
SUBJECT:	Consider Resolution 2019-2842 cancelling the November 26, 2019 and December 24, 2019 City Council Meetings
PREPARED BY:	Angela Miller, City Secretary

BACKGROUND:

As stated in the Highland Village City Charter, Section 3.13 Council Meetings: The Council shall have as many regular meetings as it shall deem necessary, provided it shall have at least one meeting each month to be held within the City limits.

As City staff identifies the future business or legislation of the City Council, and if the substance and content of a future meeting is at a minimum level, an item may be placed on the agenda to cancel the meeting.

IDENTIFIED NEED/S:

Staff has reviewed the remainder of the year and proposes the Regular City Council meetings scheduled for Tuesday, November 26, 2019 and Tuesday, December 24, 2019, which conflicts with a City holiday, be cancelled to allow members of Council and staff to spend time with their families during the holiday season.

PROGRESS TO DATE: (if appropriate)

Council discussed this at their September 24, 2019 meeting and directed staff to provide a resolution for Council consideration.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

To approve Resolution 2019-2842 cancelling the November 26, 2019 and December 24, 2019 City Council meetings.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2019-2842

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS CANCELING THE NOVEMBER 26, 2019, AND DECEMBER 24, 2019, CITY COUNCIL MEETINGS, AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 3.13 of the City Charter of the City of Highland Village provides that the City Council shall have as many regular meetings as it shall deem necessary, provided it shall have at least one meeting each month to be held within the City limits; and

WHEREAS, the City Council customarily holds its regular meetings on the second and fourth Tuesdays of each month; and

WHEREAS, the second regular meeting in December 2019 falls on Christmas Eve; and

WHEREAS, the City Council finds that cancelling the regular meetings scheduled for November 26, 2019 and December 24, 2019 will not adversely affect the operations of the City and will preserve City financial and human resources usually spent in preparation for such meetings.

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

SECTION 1. The regular City Council meetings scheduled for November 26, 2019, and December 24, 2019, are hereby canceled.

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

PASSED AND APPROVED this the 8TH day of October 2019.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:9/19/19:111024)

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 12 MEETING DATE: 10/08/2019

**SUBJECT: Consider Resolution 2019-2843 appointing City
Representatives to the Denton County Transportation
Authority (DCTA) Board of Directors**

PREPARED BY: Angela Miller, City Secretary

BACKGROUND:

The City of Highland Village is a financial participating member of the Denton County Transportation Authority (DCTA). As such, the City is authorized to appoint a representative to serve on the DCTA Board of Directors. Per Article III, Section 2 (e) of the DCTA By-laws, the City of Highland Village is allowed one representative and one alternate to serve on the Board of Directors. Per Article III, Section 5 of the DCTA By-laws, each representative serves a term of two years.

At the September 26, 2017 Council meeting, Council appointed Ms. Dianne Costa to serve as the City's representative and City Manager Michael Leavitt to serve as the alternate representative for terms expiring on November 12, 2019.

IDENTIFIED NEED/S:

The terms of Ms. Dianne Costa and City Manager Michael Leavitt both expire on November 12, 2019. The City of Highland Village desires to maintain representation on the DCTA Board of Directors and appoint representation for terms to expire this year.

OPTIONS & RESULTS:

The Council should consider reappointment of the incumbents or appointment of new DCTA Board Member representation.

PROGRESS TO DATE: (if appropriate)

Both Ms. Dianne Costa and City Manager Michael Leavitt have expressed their interest in being reappointed by Council to serve as the City's representatives to the DCTA Board of Directors.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

To approve Resolution 2019-2843 appointing City representation to the DCTA Board of Directors.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2019-2843

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS APPOINTING CITY REPRESENTATION TO THE DENTON COUNTY TRANSPORTATION AUTHORITY BOARD OF DIRECTORS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Texas Transportation Code §460.054(b)(1), on September 26, 2017, Dianne Costa and Michael Leavitt were appointed to serve as the City's director and alternate, respectively, to the Denton County Transportation Authority ("DCTA") board of directors with terms expiring on November 12, 2019; and

WHEREAS, the City Council desires and finds it in the public interest to reappoint Ms. Dianne Costa and Mr. Leavitt to the foregoing position, for the two-year term beginning November 13, 2019;

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

SECTION 1. In accordance with Texas Transportation Code §460.054(b)(1) and applicable DCTA bylaws, the following shall be appointed as the City of Highland Village's Representative and Alternate to the Denton County Transportation Authority Board of Directors for the stated terms and until their successors have been duly appointed and qualified by the City Council:

City Representative Dianne Costa term expiring November 12, 2021

Alternate Michael Leavitt term expiring November 12, 2021

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

PASSED AND APPROVED THIS THE 8TH DAY OF OCTOBER, 2019.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:9/30/19:111226)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 13

MEETING DATE: 10/08/19

SUBJECT: Consider Resolution 2019-2844 Authorizing the City Manager to Continue an Interlocal Agreement with TML Intergovernmental Risk Pool for Purposes of Providing City Liability Insurance

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

The City currently obtains liability insurance coverage through TML Intergovernmental Risk Pool, through an interlocal agreement.

IDENTIFIED NEED/S:

Presented for approval is the renewal amount for FY 2020 to continue coverage. Coverage obtained is for general liability, automobile, mobile equipment, law enforcement, public officials (errors and omissions) employee dishonestly, and sewer backup.

OPTIONS & RESULTS:

The renewal premium for FY 2020 from TML totals \$168,734 (inclusive of pre-pay discount). This premium is an increase from last year's premium of \$149,396.

TML Liability Insurance Premium			
	Coverage	2019 Premium	2020 Premium
Liability	General Liability	13,085	13,141
	Law Enforcement Liability	14,363	14,176
	Errors & Omissions Liability	18,850	20,186
	Automobile Liability	22,081	27,897
	Supplemental Sewage Backup	4,879	4,878
	Total Liability Ins Premium	73,259	80,278
Property	Automobile Physical Damage	23,362	32,346
	Real & Personal Property	42,758	45,444
	Mobile Equipment	8,788	9,438
	Public Employee Dishonesty	1,229	1,229
	Subtotal - Property	76,137	88,457
	Total Premium	149,396	168,734

Overall, TML rates for FY 2020 reflected an increase of 12.9%. The total liability premium increased 9.6% over FY 2019, while property coverage reflected a 16.2% increase.

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

- General Liability – across the state, a general city average for a liability modifier is .70. The modifier for Highland Village increased for this year to .77 from .73 last year. The increase in liability premium is generally reflective of the modifier increase. The modifier reflects overall exposure, looking at the lower of the ratio of liability claims over the last three or four years. Recent experience of an ongoing lawsuit and a higher number of vehicle accidents has contributed to the increased modifier.
- Real / Personal Property, as well as Auto Physical Damage, reflect an overall TML increase. TML has a policy whereby members whose losses have exceeded contributions incur a surcharge ranging from 5% to 15%. Primarily related to property damages incurred with a wind/hail event two years prior, our loss ratio results in the 15% surcharge.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

This was a budgeted item in the FY 2020 Budget.

RECOMMENDATION:

To approve Resolution 2019-2844.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2019-2844

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO CONTINUE AN INTERLOCAL AGREEMENT WITH TML INTERGOVERNMENTAL RISK POOL FOR PURPOSES OF PROVIDING CITY LIABILITY INSURANCE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Highland Village currently obtains liability insurance coverage through TML Intergovernmental Risk Pool, through an interlocal agreement; and

WHEREAS, the City of Highland Village has contracted with TML Intergovernmental Risk Pool since 2003, resulting in a high level of service received by the City, as well as substantial savings in insurance premiums; and

WHEREAS, City Administration recommends a continuation of the interlocal agreement providing liability insurance to the City for Fiscal Year 2019-2020; 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 liability insurance for the City 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 8TH DAY OF OCTOBER 2019.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:10/3/2019:111322)

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 14

MEETING DATE: 10/08/19

SUBJECT: Consider Resolution 2019-2845 Ratifying the Emergency Declaration by the City Manager authorizing work to be performed by Layne Christensen Company for the FM407 Well Pump Repairs; Authorizing Additional Agreements and Change Orders

PREPARED BY: Scott Kriston, Public Works Director

BACKGROUND:

On July 16, 2019, the City's FM407 well, located in the 2000 block of Justin Road, was taken out of service. After troubleshooting the problem, City staff discovered the well was producing brass shavings and gravel pack in the raw water flow.

The well is used as a source of potable water supply for the City of Highland Village. The public health hazard posed to the citizens of the City of Highland Village by the unexpected failure of the well is significant and constitutes an emergency. Therefore, pursuant to Section 6.17.B. of the City Charter of the City of Highland Village, upon staff recommendation, the City Manager declared that an emergency existed, that the immediate procurement of goods and services related to returning the FM407 well into proper working condition was necessary for (i) the preservation of the public health and safety of the City's residents and (ii) the repair of unforeseen damage to public machinery, equipment, or other property, and that, pursuant to Texas Local Government Code §§252.022(a)(2) and (3), such procurement shall be exempt from the bidding requirements set forth in Chapter 252 of the Texas Local Government Code.

IDENTIFIED NEED/S:

Ratify the City Manager's emergency declaration and authorization of the emergency repairs to the FM407 well conducted to date and authorize additional agreements and change orders relating to completion of the well repairs subject to availability of current funds.

OPTIONS & RESULTS:

With current water demands, if the City does not repair the FM407 well, the City's water supply decreases of 1MGD could pose a public health hazard.

PROGRESS TO DATE: (if appropriate)

July 16, 2019 - Staff contacted Layne Christensen Company to quote pulling the well.

July 24, 2019 - Layne pulled the well pump, took it back to their shop for inspection.

August 1, 2019 - Layne provided a repair quote and recommendation to resolve the well from producing gravel pack.

August 28, 2019 – Layne mobilized to televise and jet the well casing pipe. They discovered a hole in the casing pipe approx. 1,100 feet down.

September 16, 2019 – Staff and Layne agree on recommendation to repair the casing pipe. Staff received a quote from Layne in the amount of \$75,868.00 to install a sleeve over the hole in the well casing pipe to stop the gravel pack from penetrating the well casing pipe.

To date, two purchase orders totaling the amount of \$65,210.00 have been authorized by the City Manager relating to the repair services performed or authorized to date.

Pull and inspect	\$22,450.00
Jet well locate breach by televising	\$42,760.00
Total cost expended to date	\$65,210.00

Total ratification amount for this is \$141,078.00.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Funded through the Utility fund.

RECOMMENDATION:

To approve Resolution 2019-2845.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2019-2845

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, RATIFYING THE EMERGENCY DECLARATION BY THE CITY MANAGER AUTHORIZING WORK TO BE PERFORMED BY LAYNE CHRISTENSEN COMPANY AND SHERMCO INDUSTRIES RELATING TO THE REPAIR OF FM 407 WATER WELL; AUTHORIZING ADDITIONAL AGREEMENTS AND CHANGE ORDERS RELATING TO THE REPAIR OF SAID WELLS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the pump motor for the City's FM 407 Water Well ("the Well") failed on July 16, 2019; and

WHEREAS, when properly functioning, the Well produces up to 1 Million gallons of water per day; and

WHEREAS, the public health hazard posed to the citizens of the City of Highland Village by the unexpected failure of the Well is significant and constitutes an emergency; and

WHEREAS pursuant to Section 6.17.B. of the City Charter of the City of Highland Village, the City Manager declared that an emergency existed, that the immediate procurement of goods and services related to returning the Well to proper working condition was necessary for (i) the preservation of the public health and safety of the City's residents and (ii) the repair of unforeseen damage to public machinery, equipment, or other property, and, that, pursuant to Texas Local Government Code §§252.022(a)(2) and (3), such procurement shall be exempt from the bidding requirements set forth in Chapter 252 of the Texas Local Government Code; and

WHEREAS, pursuant to the foregoing declaration, the City Manager entered into agreements on behalf of the City with Layne Christensen Company to provide the initial equipment, supplies, and services related to repairing the Well in the amount of up to \$141,078.00; and

WHEREAS the City Council of the City of Highland Village, Texas, finds it to be in the public interest to approved, ratify and authorize the actions of the City Manager described above;

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

SECTION 1. The emergency declaration of the City Manager and the City Manager's acts in entering into an agreement on behalf of the City with Layne Christensen Company to provide the above described services relating to repair of the Well are hereby ratified, approved and authorized as if originally approved by the City Council prior to such actions being taken.

SECTION 2. The City Manager is authorized to pay for the foregoing services from current funds available for such purposes and, subject to applicable state laws, city policies, and the availability of current funds for such purpose, is further authorized to negotiate and sign such other agreements and change orders as the City Manager determines to be in the best interest of the City and necessary for completion of the repairs to the Well.

SECTION 3. This Resolution shall be effective immediately upon passage.

PASSED AND APPROVED THIS THE 8TH DAY OF OCTOBER 2019.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:10/3/19:111321)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 15

MEETING DATE: 10/08/19

SUBJECT: Receive Budget Reports for Period Ending August 31, 2019

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

In accordance with the City Charter, Section 6.12, paragraph D, a budget report is submitted monthly for Council Review.

The budget report submitted for August represents the eleventh report in the Fiscal Year.

IDENTIFIED NEED/S:

N/A

OPTIONS & RESULTS:

N/A

PROGRESS TO DATE: (if appropriate)

N/A

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

Council to receive the budget reports for the period ending August 31, 2019.

General Fund Summary

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

Revenues	Original Budget	Revised Budget (Includes Budget Amendments)	Year to Date	Variance	% Received
Property Tax	\$ 10,858,485	\$ 10,858,485	\$ 10,804,922	\$ (53,563)	100%
Sales Tax	2,787,241	2,787,241	2,182,002	(605,239)	78%
Franchise Fees	1,685,326	1,685,326	1,093,201	(592,125)	65%
Licensing & Permits	519,407	519,407	376,824	(142,583)	73%
Park/Recreation Fees	264,595	264,595	271,327	6,732	103%
Public Safety Fees	40,000	40,000	28,050	(11,950)	70%
Rents	131,408	131,408	132,430	1,022	101%
Municipal Court	97,920	97,920	95,442	(2,478)	97%
Public Safety Charges for Svc	473,237	473,237	508,257	35,020	107%
Interest Income	184,000	184,000	174,584	(9,416)	95%
Miscellaneous	140,550	140,550	163,952	23,402	117%
Total Revenues	\$ 17,182,169	\$ 17,182,169	\$ 15,830,991	\$ (1,351,178)	92%

Other Sources					
Transfers In	\$ 534,000	\$ 534,000	\$ -	\$ (534,000)	0%
Total Available Resources	\$ 17,716,169	\$ 17,716,169	\$ 15,830,991	\$ (1,885,178)	

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
City Manager Office	\$ 707,882	\$ 697,882	\$ 571,778	\$ 126,105	82%
Finance (includes Mun. Court)	1,614,695	1,649,695	1,447,944	201,751	88%
Human Resources	520,658	458,658	360,409	98,249	79%
City Secretary Office	360,526	368,526	281,381	87,145	76%
Information Services	1,114,746	1,157,746	1,040,504	117,241	90%
Police	5,047,139	4,982,139	4,415,010	567,129	89%
Fire	4,022,597	4,042,597	3,746,471	296,126	93%
Community Services	471,448	471,448	391,112	80,335	83%
Streets/Drainage	1,490,696	1,641,696	1,202,885	438,811	73%
Maintenance	925,288	1,475,288	845,389	629,899	57%
Parks	2,011,787	2,392,787	1,996,261	396,526	83%
Recreation	532,620	532,620	472,938	59,682	89%
Total Expenditures	\$ 18,820,082	\$ 19,871,082	\$ 16,772,083	\$ 3,098,999	84%

Capital Summary	(Included in totals above - summary information only)				
Equipment Replacement	\$ 1,584,000	\$ 2,003,000	\$ 1,861,633	\$ 141,367	93%

Other Uses					
Transfers Out	\$ 66,000	\$ 66,000	\$ -	\$ 66,000	0%
Total Expenditures	\$ 18,886,082	\$ 19,937,082	\$ 16,772,083	\$ 3,164,999	

Fund Balance	Original Budget	Revised Budget	Year to Date
Beginning Fund Balance	6,735,401	7,550,925	7,550,925
+ Net Increase (Decrease)	(1,169,913)	(2,220,913)	(941,092)
Ending Fund Balance	\$ 5,565,488	\$ 5,330,012	\$ 6,609,833

Audited FY18

Fund Balance Detail	Original Budget	Revised Budget	Year to Date
Reserve Fund Balance (15% of Total Expenditures)	\$ 2,823,012	\$ 2,980,662	\$ 2,515,812
Restricted	11,500	11,500	11,500
Unassigned	2,730,976	2,337,850	4,082,521
Total Fund Balance	\$ 5,565,488	\$ 5,330,012	\$ 6,609,833

General Fund Expenditure Summary

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 12,497,378	\$ 12,560,378	\$ 11,208,592	\$ 1,351,785	89%
Services / Supplies	4,738,704	5,307,704	3,701,857	1,605,847	70%
Capital	1,584,000	2,003,000	1,861,633	141,367	93%
	<u>\$ 18,820,082</u>	<u>\$ 19,871,082</u>	<u>\$ 16,772,083</u>	<u>\$ 3,098,999</u>	<u>84%</u>

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 9,024,474	\$ 9,087,474	\$ 8,084,229	\$ 1,003,245	89%
<i>Employee Benefits</i>	3,472,904	3,472,904	3,124,363	348,541	90%
<i>Total Personnel</i>	<u>\$ 12,497,378</u>	<u>\$ 12,560,378</u>	<u>\$ 11,208,592</u>	<u>\$ 1,351,785</u>	<u>89%</u>

Services / Supplies					
<i>Professional Services</i>	\$ 1,477,011	\$ 1,462,011	\$ 1,100,145	\$ 361,866	75%
<i>Employee Development</i>	356,261	344,261	239,694	104,567	70%
<i>Office Supplies / Equipment</i>	1,130,352	1,680,352	952,326	728,026	57%
<i>Utilities</i>	334,408	334,408	243,102	91,306	73%
<i>Other</i>	1,440,672	1,486,672	1,166,589	320,083	78%
<i>Total Services / Supplies</i>	<u>\$ 4,738,704</u>	<u>\$ 5,307,704</u>	<u>\$ 3,701,857</u>	<u>\$ 1,605,847</u>	<u>70%</u>

Capital					
<i>Equipment / Vehicles</i>	\$ 1,584,000	\$ 2,003,000	\$ 1,861,633	\$ 141,367	93%
<i>Total Capital</i>	<u>\$ 1,584,000</u>	<u>\$ 2,003,000</u>	<u>\$ 1,861,633</u>	<u>\$ 141,367</u>	<u>93%</u>

<i>Total General Fund Expenditure Summary</i>	\$ 18,820,082	\$ 19,871,082	\$ 16,772,083	\$ 3,098,999	84%
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General Fund Revenue

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Property Tax	\$ 10,858,485	\$ 10,858,485	\$ 10,804,922	\$ (53,563)	100%
Sales Tax	2,787,241	2,787,241	2,182,002	(605,239)	78%
Franchise Fees	1,685,326	1,685,326	1,093,201	(592,125)	65%
Licensing & Permits	519,407	519,407	376,824	(142,583)	73%
Park/Recreation Fees	264,595	264,595	271,327	6,732	103%
Public Safety Fees	40,000	40,000	28,050	(11,950)	70%
Rents	131,408	131,408	132,430	1,022	101%
Municipal Court	97,920	97,920	95,442	(2,478)	97%
Public Safety Charges for Svc	473,237	473,237	508,257	35,020	107%
Interest Income	184,000	184,000	174,584	(9,416)	95%
Miscellaneous	140,550	140,550	163,952	23,402	117%
Total Revenues	\$ 17,182,169	\$ 17,182,169	\$ 15,830,991	\$ (1,351,178)	92%

City Manager Office

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 413,579	\$ 448,579	\$ 404,120	\$ 44,459	90%
Services / Supplies	294,303	249,303	167,658	81,645	67%
Capital	-	-	-	-	0%
	\$ 707,882	\$ 697,882	\$ 571,778	\$ 126,105	82%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 327,604	\$ 362,604	\$ 314,029	\$ 48,575	87%
<i>Employee Benefits</i>	85,975	85,975	90,091	(4,116)	105%
Total Personnel	\$ 413,579	\$ 448,579	\$ 404,120	\$ 44,459	90%

Services / Supplies

<i>Professional Services</i> (City-wide legal - \$130,260)	\$ 165,760	\$ 165,760	\$ 109,702	\$ 56,058	66%
<i>Employee Development</i>	14,045	14,045	11,924	2,121	85%
<i>Supplies / Equipment</i>	4,210	4,210	3,481	729	83%
<i>Utilities</i>	-	-	-	-	0%
<i>Other (Contingency)</i>	110,288	65,288	42,551	22,737	65%
Total Services / Supplies	\$ 294,303	\$ 249,303	\$ 167,658	\$ 81,645	67%

Capital

<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%

Total City Manager	\$ 707,882	\$ 697,882	\$ 571,778	\$ 126,105	82%
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Finance Department FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 999,683	\$ 1,034,683	\$ 921,731	\$ 112,951	89%
Services / Supplies	615,012	615,012	526,212	88,800	86%
Capital	-	-	-	-	0%
	\$ 1,614,695	\$ 1,649,695	\$ 1,447,944	\$ 201,751	88%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 722,935	\$ 757,935	\$ 669,117	\$ 88,818	88%
<i>Employee Benefits</i>	276,748	276,748	252,614	24,133	91%
Total Personnel	\$ 999,683	\$ 1,034,683	\$ 921,731	\$ 112,951	89%

Services / Supplies					
<i>Professional Services</i> <i>(City-wide liability insurance - \$126,376 / DCAD - \$79,636)</i>	\$ 531,737	\$ 531,737	\$ 474,306	\$ 57,431	89%
<i>Employee Development</i>	21,708	21,708	17,225	4,483	79%
<i>Supplies / Equipment</i>	10,667	10,667	5,742	4,925	54%
<i>Utilities</i>	-	-	-	-	0%
<i>Other [Special Events (\$21,900, Data Processing \$29,000)]</i>	50,900	50,900	28,939	21,961	57%
Total Services / Supplies	\$ 615,012	\$ 615,012	\$ 526,212	\$ 88,800	86%

Capital					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%
Total Finance Department	\$ 1,614,695	\$ 1,649,695	\$ 1,447,944	\$ 201,751	88%

Human Resources

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 387,236	\$ 337,236	\$ 279,024	\$ 58,212	83%
Services / Supplies	133,422	121,422	81,385	40,037	67%
Capital	-	-	-	-	0%
	\$ 520,658	\$ 458,658	\$ 360,409	\$ 98,249	79%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 287,718	\$ 237,718	\$ 201,580	\$ 36,138	85%
<i>Employee Benefits</i>	99,518	99,518	77,444	22,074	78%
Total Personnel	\$ 387,236	\$ 337,236	\$ 279,024	\$ 58,212	83%
Services / Supplies					
<i>Professional Services</i>	\$ 51,050	\$ 51,050	\$ 42,851	\$ 8,199	84%
<i>Employee Development</i>	73,972	61,972	34,255	27,717	55%
<i>Supplies / Equipment</i>	1,575	1,575	703	872	45%
<i>Utilities</i>	-	-	-	-	0%
<i>Other (Safety Programs)</i>	6,825	6,825	3,576	3,249	52%
Total Services / Supplies	\$ 133,422	\$ 121,422	\$ 81,385	\$ 40,037	67%
Capital					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%
Total Human Resources	\$ 520,658	\$ 458,658	\$ 360,409	\$ 98,249	79%

City Secretary Office

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

- - - Summary - - -					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 211,309	\$ 219,309	\$ 188,293	\$ 31,016	86%
Services / Supplies	149,217	149,217	93,088	56,129	62%
Capital	-	-	-	-	-
	\$ 360,526	\$ 368,526	\$ 281,381	\$ 87,145	76%

- - - Detail - - -					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 162,369	\$ 170,369	\$ 144,535	\$ 25,833	85%
<i>Employee Benefits</i>	48,941	48,941	43,758	5,183	89%
Total Personnel	\$ 211,309	\$ 219,309	\$ 188,293	\$ 31,016	86%

Services / Supplies					
<i>Professional Services</i>	\$ 41,900	\$ 41,900	\$ 8,219	\$ 33,681	20%
<i>Employee Development</i> <i>(City Council related \$36,142)</i>	50,262	50,262	33,361	16,901	66%
<i>Supplies / Equipment</i>	16,055	16,055	11,009	5,046	69%
<i>Utilities</i>	-	-	-	-	0%
<i>Other (Outside Services)</i>	41,000	41,000	40,500	500	99%
Total Services / Supplies	\$ 149,217	\$ 149,217	\$ 93,088	\$ 56,129	62%

Capital					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%

Total City Secretary Office	\$ 360,526	\$ 368,526	\$ 281,381	\$ 87,145	76%
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Information Services

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 677,843	\$ 677,843	\$ 603,541	\$ 74,302	89%
Services / Supplies	436,903	436,903	394,153	42,750	90%
Capital	-	43,000	42,810	190	0%
	\$ 1,114,746	\$ 1,157,746	\$ 1,040,504	\$ 117,241	90%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
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Personnel

Salaries / Wages	\$ 511,425	\$ 511,425	\$ 458,384	\$ 53,041	90%
Employee Benefits	166,417	166,417	145,157	21,261	87%
Total Personnel	\$ 677,843	\$ 677,843	\$ 603,541	\$ 74,302	89%

Services / Supplies

Professional Services (Maintenance Contracts \$137,440)	\$ 190,440	\$ 190,440	\$ 101,616	\$ 88,824	53%
Employee Development	28,755	28,755	14,220	14,535	49%
Supplies / Equipment	2,300	2,300	3,344	(1,044)	145%
Utilities	24,308	24,308	14,166	10,142	58%
Other (Data Processing)	191,100	191,100	260,807	(69,707)	136%
Total Services / Supplies	\$ 436,903	\$ 436,903	\$ 394,153	\$ 42,750	90%

Capital

Equipment / Vehicles - Network Storage Device (Added via Budget Amendment)	-	43,000	42,810	190	0%
Total Capital	\$ -	\$ 43,000	\$ 42,810	\$ 190	0%

Total City Secretary Office	\$ 1,114,746	\$ 1,157,746	\$ 1,040,504	\$ 117,241	90%
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Police Department

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 4,492,789	\$ 4,442,789	\$ 3,976,067	\$ 466,722	89%
Services / Supplies	389,350	374,350	279,011	95,339	75%
Capital	<u>165,000</u>	<u>165,000</u>	<u>159,932</u>	<u>5,068</u>	<u>97%</u>
	\$ 5,047,139	\$ 4,982,139	\$ 4,415,010	\$ 567,129	89%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
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Personnel

Salaries / Wages	\$ 3,309,810	\$ 3,259,810	\$ 2,934,089	\$ 325,721	90%
Employee Benefits	<u>1,182,979</u>	<u>1,182,979</u>	<u>1,041,978</u>	<u>141,001</u>	<u>88%</u>
Total Personnel	\$ 4,492,789	\$ 4,442,789	\$ 3,976,067	\$ 466,722	89%

Services / Supplies

Professional Services	\$ 139,838	\$ 124,838	\$ 114,411	\$ 10,427	92%
Employee Development	45,309	45,309	38,065	7,244	84%
Supplies / Equipment	140,915	140,915	81,103	59,812	58%
Utilities	-	-	-	-	0%
Other (Animal Care - \$52,028)	<u>63,288</u>	<u>63,288</u>	<u>45,432</u>	<u>\$ 17,856</u>	<u>72%</u>
Total Services / Supplies	\$ 389,350	\$ 374,350	\$ 279,011	\$ 95,339	75%

Capital

Equipment / Vehicles	165,000	165,000	159,932	5,068	97%
Total Capital	\$ 165,000	\$ 165,000	\$ 159,932	\$ 5,068	97%

Total Police Department	\$ 5,047,139	\$ 4,982,139	\$ 4,415,010	\$ 567,129	89%
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Fire Department FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

--- Summary ---

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 2,443,276	\$ 2,463,276	\$ 2,229,255	\$ 234,021	90%
Services / Supplies	475,321	475,321	433,608	41,713	91%
Capital	1,104,000	1,104,000	1,083,607	20,393	98%
	\$ 4,022,597	\$ 4,042,597	\$ 3,746,471	\$ 296,126	93%

--- Detail ---

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
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Personnel

Salaries / Wages	\$ 1,709,983	\$ 1,729,983	\$ 1,555,829	\$ 174,155	90%
Employee Benefits	733,293	733,293	673,427	59,866	92%
Total Personnel	\$ 2,443,276	\$ 2,463,276	\$ 2,229,255	\$ 234,021	90%

Services / Supplies

Professional Services	\$ 71,025	\$ 71,025	\$ 60,804	\$ 10,221	86%
Employee Development (Training - \$50,450)	65,495	65,495	54,847	10,648	84%
Supplies / Equipment	159,751	159,751	138,793	20,958	87%
Utilities	1,800	1,800	1,362	438	76%
Other (Capital Lease Pmt - \$134,000)	177,250	177,250	177,802	(552)	100%
Total Services / Supplies	\$ 475,321	\$ 475,321	\$ 433,608	\$ 41,713	91%

Capital

Equipment / Vehicles	1,104,000	1,104,000	1,083,607	20,393	98%
Total Capital	\$ 1,104,000	\$ 1,104,000	\$ 1,083,607	\$ 20,393	98%

Total Fire Department	\$ 4,022,597	\$ 4,042,597	\$ 3,746,471	\$ 296,126	93%
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Community Services

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 447,995	\$ 447,995	\$ 381,059	\$ 66,936	85%
Services / Supplies	23,453	23,453	10,053	13,400	43%
Capital	-	-	-	-	0%
	\$ 471,448	\$ 471,448	\$ 391,112	\$ 80,335	83%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
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Personnel

<i>Salaries / Wages</i>	\$ 316,041	\$ 316,041	\$ 283,100	\$ 32,941	90%
<i>Employee Benefits</i>	131,954	131,954	97,959	33,995	74%
Total Personnel	\$ 447,995	\$ 447,995	\$ 381,059	\$ 66,936	85%

Services / Supplies

<i>Professional Services</i>	\$ 9,200	\$ 9,200	\$ 2,820	6,380	31%
<i>Employee Development</i>	5,795	5,795	2,951	2,844	51%
<i>Supplies / Equipment</i>	8,458	8,458	4,282	4,176	51%
<i>Utilities</i>	-	-	-	-	0%
<i>Other</i>	-	-	-	-	0%
Total Services / Supplies	\$ 23,453	\$ 23,453	\$ 10,053	\$ 13,400	43%

Capital

<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%

Total Building Operations	\$ 471,448	\$ 471,448	\$ 391,112	\$ 80,335	83%
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Streets Division

FY 2018/2019 Budget

YEAR TO DATE AUGUST

<i>Percent of Budget Year Transpired</i>	91.7%
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- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 697,195	\$ 747,195	\$ 650,207	\$ 96,988	87%
Services / Supplies	718,501	809,501	441,164	368,337	54%
Capital	<u>75,000</u>	<u>85,000</u>	<u>111,514</u>	<u>(26,514)</u>	<u>131%</u>
	\$ 1,490,696	\$ 1,641,696	\$ 1,202,885	\$ 438,811	73%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 484,653	\$ 534,653	\$ 453,848	\$ 80,804	85%
<i>Employee Benefits</i>	<u>212,543</u>	<u>212,543</u>	<u>196,359</u>	<u>16,184</u>	<u>92%</u>
<i>Total Personnel</i>	\$ 697,195	\$ 747,195	\$ 650,207	\$ 96,988	87%
Services / Supplies					
<i>Professional Services</i>	\$ 78,771	\$ 78,771	\$ 43,427	\$ 35,344	55%
<i>Employee Development</i>	10,825	10,825	5,266	5,559	49%
<i>Supplies / Equipment</i>	48,355	48,355	22,719	25,636	47%
<i>Utilities (Streetlights)</i>	90,000	90,000	78,179	11,821	87%
<i>Other (Street Maintenance)</i>	<u>490,550</u>	<u>581,550</u>	<u>291,573</u>	<u>289,978</u>	<u>50%</u>
<i>Total Services / Supplies</i>	\$ 718,501	\$ 809,501	\$ 441,164	\$ 368,337	54%
Capital					
<i>Equipment / Vehicles</i>	75,000	85,000	111,514	(26,514)	131%
<i>Total Capital</i>	\$ 75,000	\$ 85,000	\$ 111,514	\$ (26,514)	131%
Total Streets	\$ 1,490,696	\$ 1,641,696	\$ 1,202,885	\$ 438,811	73%

Maintenance Division

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 345,803	\$ 345,803	\$ 309,688	\$ 36,115	90%
Services / Supplies	579,485	1,129,485	535,701	593,784	47%
Capital	-	-	-	-	0%
	\$ 925,288	\$ 1,475,288	\$ 845,389	\$ 629,899	57%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 244,696	\$ 244,696	\$ 218,615	\$ 26,081	89%
<i>Employee Benefits</i>	101,107	101,107	91,073	10,034	90%
Total Personnel	\$ 345,803	\$ 345,803	\$ 309,688	\$ 36,115	90%
Services / Supplies					
<i>Professional Services</i>	\$ 63,978	\$ 63,978	\$ 40,993	\$ 22,985	64%
<i>Employee Development</i>	4,495	4,495	1,729	2,766	38%
<i>Supplies / Equipment</i> (Fuel & Oils - \$159,777, Repair Parts / Contract Repairs - \$195,610)	425,912	975,912	432,746	543,166	44%
<i>Utilities</i>	85,000	85,000	60,232	24,768	71%
<i>Other</i>	100	100	-	100	0%
Total Services / Supplies	\$ 579,485	\$ 1,129,485	\$ 535,701	\$ 593,784	47%
Capital					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%
Total Maintenance	\$ 925,288	\$ 1,475,288	\$ 845,389	\$ 629,899	57%

Parks Division

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 1,168,532	\$ 1,183,532	\$ 1,074,889	\$ 108,643	91%
Services / Supplies	603,255	603,255	457,603	145,652	76%
Capital	<u>240,000</u>	<u>606,000</u>	<u>463,770</u>	<u>142,230</u>	<u>77%</u>
	\$ 2,011,787	\$ 2,392,787	\$ 1,996,261	\$ 396,526	83%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
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Personnel

Salaries / Wages	\$ 777,453	\$ 792,453	\$ 698,612	\$ 93,842	88%
Employee Benefits	<u>391,078</u>	<u>391,078</u>	<u>376,277</u>	<u>14,801</u>	<u>96%</u>
Total Personnel	\$ 1,168,532	\$ 1,183,532	\$ 1,074,889	\$ 108,643	91%

Services / Supplies

Professional Services (ROW Contract Mowing - \$108,000)	\$ 133,312	\$ 133,312	\$ 100,995	\$ 32,317	76%
Employee Development	25,045	25,045	18,586	6,459	74%
Supplies / Equipment	310,648	310,648	248,098	62,550	80%
Utilities	133,300	133,300	89,163	44,137	67%
Other	<u>950</u>	<u>950</u>	<u>761</u>	<u>189</u>	<u>80%</u>
Total Services / Supplies	\$ 603,255	\$ 603,255	\$ 457,603	\$ 145,652	76%

Capital

Equipment / Vehicles - Budget Amend added \$91K for eng. for Chapel Hill Trail and \$275K for DTR shade covers and playground equip.	240,000	606,000	463,770	142,230	77%
Total Capital	<u>240,000</u>	<u>606,000</u>	<u>463,770</u>	<u>142,230</u>	<u>77%</u>

Total Parks	\$ 2,011,787	\$ 2,392,787	\$ 1,996,261	\$ 396,526	83%
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Recreation Division

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 212,138	\$ 212,138	\$ 190,717	\$ 21,421	90%
Services / Supplies	320,482	320,482	282,221	38,261	88%
Capital	-	-	-	-	0%
	\$ 532,620	\$ 532,620	\$ 472,938	\$ 59,682	89%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 169,788	\$ 169,788	\$ 152,491	\$ 17,297	90%
<i>Employee Benefits</i>	42,351	42,351	38,226	4,124	90%
Total Personnel	\$ 212,138	\$ 212,138	\$ 190,717	\$ 21,421	90%
Services / Supplies					
<i>Professional Services</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Employee Development</i>	10,555	10,555	7,266	3,289	69%
<i>Supplies / Equipment</i>	1,506	1,506	306	1,200	20%
<i>Utilities</i>	-	-	-	-	0%
<i>Other (Recreation Programs)</i>	308,421	308,421	274,649	33,772	89%
Total Services / Supplies	\$ 320,482	\$ 320,482	\$ 282,221	\$ 38,261	88%
Capital					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%
Total Recreation	\$ 532,620	\$ 532,620	\$ 472,938	\$ 59,682	89%

Equipment Replacement / Capital Schedule

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
City Manager Office Capital Outlay	-	-	-	-	0%
Finance Capital Outlay	-	-	-	-	0%
Human Resources Capital Outlay	-	-	-	-	0%
City Secretary Capital Outlay	-	-	-	-	0%
Information Services Capital Outlay	-	43,000	42,810	-	100%
Police Dept Capital Outlay	165,000	165,000	159,932	5,068	97%
Fire Dept Capital Outlay	1,104,000	1,104,000	1,083,607	20,393	98%
Community Services Capital Outlay	-	-	-	-	0%
Streets Dept Capital Outlay	75,000	85,000	111,514	(26,514)	131%
Maintenance Capital Outlay	-	-	-	-	0%
City Parks Capital Outlay	240,000	606,000	463,770	142,230	77%
City Recreation Capital Outlay	-	-	-	-	0%
Total Expenditures	\$ 1,584,000	\$ 2,003,000	\$ 1,861,633	\$ 141,367	93%

Utility Fund Revenues

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired	91.7%
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Fees	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Electronic Payment</i>	\$ (175,000)	\$ (175,000)	\$ (142,175)	\$ (32,825)	81%
<i>Charges / Penalties</i>	86,750	86,750	88,278	(1,528)	102%
Total Fees	\$ (88,250)	\$ (88,250)	\$ (53,897)	\$ (34,353)	61%

Licenses & Permits

<i>Construction Inspection</i>	\$ 10,000	\$ 10,000	\$ -	\$ 10,000	0%
Total Licenses & Permits	\$ 10,000	\$ 10,000	\$ -	\$ 10,000	0%

Charges for Services

<i>Water Sales</i>	\$ 5,618,870	\$ 5,618,870	\$ 3,819,282	\$ 1,799,588	68%
<i>Sewer Sales</i>	4,435,083	4,435,083	3,721,373	713,710	84%
<i>Inspection Fees</i>	3,000	3,000	4,080	(1,080)	136%
Total Charges for Service	\$ 10,056,953	\$ 10,056,953	\$ 7,544,735	\$ 2,512,218	75%

Interest

<i>Interest (Operations)</i>	\$ 35,000	\$ 35,000	\$ 55,123	\$ (20,123)	157%
<i>Interest (Capital Projects)</i>	26,000	26,000	78,104	(52,104)	300%
Total Interest	\$ 61,000	\$ 61,000	\$ 133,227	\$ (72,227)	218%

Impact Fees

<i>Impact Fees</i>	\$ 265,000	\$ 265,000	\$ 249,800	\$ 15,200	94%
Total Impact Fees	\$ 265,000	\$ 265,000	\$ 249,800	\$ 15,200	94%

Miscellaneous Income

<i>Miscellaneous Income</i>	\$ 5,000	\$ 5,000	\$ 36,264	\$ (31,264)	725%
Total Miscellaneous Income	\$ 5,000	\$ 5,000	\$ 36,264	\$ (31,264)	725%

Total Utility Fund Revenues	\$ 10,309,703	\$ 10,309,703	\$ 7,910,129	\$ 2,399,574	77%
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Utility Division FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired 91.7%

--- Summary - Operations ---

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 1,767,684	\$ 1,767,684	\$ 1,576,143	\$ 191,540	89%
Services / Supplies	6,222,872	6,272,872	5,317,948	954,923	85%
Capital	40,000	40,000	124,875	(84,875)	312%
Total Utility Division	\$ 8,030,555	\$ 8,080,555	\$ 7,018,967	\$ 1,061,588	87%

--- Detail - Operations ---

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
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Personnel

Salaries / Wages	\$ 1,181,869	\$ 1,181,869	\$ 1,073,118	\$ 108,751	91%
Employee Benefits	585,815	585,815	503,025	82,790	86%
Total Personnel	\$ 1,767,684	\$ 1,767,684	\$ 1,576,143	\$ 191,540	89%

Services / Supplies

Professional Services	\$ 342,644	\$ 342,644	\$ 168,586	\$ 174,058	49%
Employee Development	57,141	57,141	27,169	29,972	48%
Supplies / Equipment	86,959	86,959	50,775	36,184	58%
Utilities	404,380	404,380	321,093	83,287	79%
Other (Well Lot Maintenance)	975,416	975,416	749,615	225,801	77%
Sub-Total - Operations Services / Supplies	\$ 1,866,541	\$ 1,866,541	\$ 1,317,238	\$ 549,303	71%

Wholesale Water / Wastewater

Note: UTRWD billing reflects a one month delay

UTRWD - Administration Fees	\$ 5,105	\$ 5,105	\$ 5,103	\$ 2	100%
UTRWD - Water Volume Cost	915,070	915,070	695,581	219,489	76%
UTRWD - Water Demand Charges	1,318,950	1,318,950	1,209,038	109,913	92%
UTRWD - Sewer Effluent Volume Rate	526,776	576,776	634,140	(57,364)	110%
UTRWD - Capital Charge Joint Facilities	1,355,495	1,355,495	1,242,537	112,958	92%
UTRWD - HV Sewer Line to UTRWD	234,935	234,935	214,312	20,623	91%
UTRWD - Wtr Transmission - Opus Develop	-	-	-	-	0%
Sub-Total - Wholesale Water / Wastewater	\$ 4,356,331	\$ 4,406,331	\$ 4,000,711	\$ 405,620	91%

Total Services / Supplies

	\$ 6,222,872	\$ 6,272,872	\$ 5,317,948	\$ 954,923	85%
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Capital

Equipment / Vehicles	40,000	40,000	124,875	(84,875)	312%
Total Capital	\$ 40,000	\$ 40,000	\$ 124,875	\$ (84,875)	312%

Total Utility Division - Operations	\$ 8,030,555	\$ 8,080,555	\$ 7,018,967	\$ 1,061,588	87%
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Utility Fund Working Capital

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Water Sales	\$ 5,618,870	\$ 5,618,870	\$ 3,819,282	\$ 1,799,588	68%
Sewer Sales	4,435,083	4,435,083	3,721,373	713,710	84%
Other Fees / Charges	104,750	104,750	128,622	(23,872)	123%
Electronic Payment Credit	(175,000)	(175,000)	(142,175)	(32,825)	81%
Interest	35,000	35,000	55,123	(20,123)	157%
Total Revenues	\$ 10,018,703	\$ 10,018,703	\$ 7,582,225	\$ 2,436,478	76%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
Administration	\$363,072	\$373,072	\$ 336,272	\$ 36,800	90%
Operations	3,271,152	3,271,152	2,557,109	714,043	78%
UTRWD	4,356,331	4,406,331	4,000,711	405,620	91%
Debt Service	1,216,814	1,216,814	1,218,782	(1,968)	100%
Capital Projects	-	-	-	-	0%
Equipment Replace / Capital	40,000	40,000	124,875	(84,875)	312%
Total Expenditures	\$ 9,247,369	\$ 9,307,369	\$ 8,237,749	\$ 1,069,620	89%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
Transfers In (Applied Impact Fees)	\$ 150,000	\$ 150,000	\$ 150,000	\$ -	100%
Operating Transfers Out / Utility Capital Projects	(300,000)	(300,000)	-	(300,000)	0%
Operating Transfers Out / General Fund	(470,000)	(470,000)	-	(470,000)	0%
Total Other Sources (Uses)	\$ (620,000)	\$ (620,000)	\$ 150,000	\$ (770,000)	-24%

Fund Balance	Original Budget	Revised Budget	Year to Date
Net Increase/Decrease	151,334	91,334	(505,525)
Beginning Working Capital			
Operations	2,404,004	2,404,004	2,404,004
Available Impact Fees	906,474	906,474	906,474
Total Available Working Capital	\$ 3,310,478	\$ 3,310,478	\$ 3,310,478
Ending Working Capital			
Operations	2,555,338	2,495,338	1,898,479
Designated Capital Project	-	-	-
Available Impact Fees	1,021,474	1,021,474	1,006,274
Total Available Working Capital	\$ 3,576,812	\$ 3,516,812	\$ 2,904,753

Impact Fees			
Beginning Balance	906,474	906,474	906,474
+ Collections	265,000	265,000	249,800
- Applied to offset Debt Service	(150,000)	(150,000)	(150,000)
Ending Balance	1,021,474	1,021,474	1,006,274

*The working Capital Analysis is prepared to provide a picture of the "cash position" of this enterprise fund. Income restricted for specific use and non-operating expenses are excluded. Impact fees are excluded from revenues, however included for working capital balances - as they are available to address contingency expenditures.

Corps Leased Parks Fund

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Park Entry Fees</i>	\$ 433,725	\$ 433,725	\$ 408,277	\$ 25,449	94%
<i>Annual Park Passes</i>	37,000	37,000	25,150	11,850	68%
<i>Concession Sales</i>	-	-	-	-	0%
<i>Interest</i>	300	300	23	277	8%
Total Revenues	\$ 471,025	\$ 471,025	\$ 433,450	\$ 37,575	92%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Personnel</i>	\$ 179,892	\$ 199,892	\$ 178,689	\$ 21,202	89%
<i>Services / Supplies</i>	209,235	214,235	192,010	22,225	90%
<i>Capital</i>	-	25,000	20,306	4,694	0%
Total Expenditures	\$ 389,126	\$ 439,126	\$ 391,006	\$ 48,121	89%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Operating Transfers In / General Fund</i>	-	-	-	-	0%
Total Other Sources (Uses)	\$ -	\$ -	\$ -	\$ -	0%

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning Fund Balance</i>	\$ 149,028	\$ 194,032	\$ 194,032
<i>+ Net Increase (Decrease)</i>	81,899	31,899	42,444
Ending Fund Balance	\$ 230,927	\$ 225,931	\$ 236,476

Audited FY18

Debt Service Fund

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Property Tax Revenues</i>	\$1,884,171	\$ 1,884,171	\$ 1,874,206	\$ 9,966	99%
<i>Interest Income</i>	1,400	1,400	9,984	(8,584)	713%
<i>Total Revenues</i>	\$ 1,885,571	\$ 1,885,571	\$ 1,884,189	\$ 1,382	100%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Principal Payments</i>	\$ 1,930,000	\$ 1,930,000	\$ 2,038,500	\$ (108,500)	106%
<i>Interest Payments</i>	800,999	800,999	692,450	108,549	86%
<i>Paying Agent Fees</i>	3,000	3,000	2,631	369	88%
<i>Total Expenditures</i>	\$ 2,733,999	\$ 2,733,999	\$ 2,733,582	\$ 417	100%

Other Sources (Uses)	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Transfers In (Out) [To 4B]</i>	856,827	856,827	856,827	\$ 0	100%
<i>Proceeds from Refunding Debt</i>	-	-	-	-	0%
<i>Debt Issuance Cost</i>	-	-	-	-	0%
<i>Payment to Escrow Agent</i>	-	-	-	-	0%
<i>Total Financing Sources</i>	\$ 856,827	\$ 856,827	\$ 856,827	\$ 0	100%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning Fund Balance</i>	\$ 151,980	\$ 159,489	\$ 159,489
<i>+ Net Increase (Decrease)</i>	8,399	8,399	7,434
<i>Ending Fund Balance</i>	\$ 160,379	\$ 167,888	\$ 166,923

Audited FY18

Capital Projects Fund

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Grants	\$ -	\$ -	\$ -	\$ -	0%
Contributions	-	-	-	-	0%
Interest Income	50,000	50,000	276,492	(226,492)	553%
Total Revenues	\$ 50,000	\$ 50,000	\$ 276,492	\$ (226,492)	100%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
2018 Proposed Bond (Parks/Streets/Drainage)	5,375,281	5,375,281	1,381,327	3,993,954	26%
2018 Bond Issue (Streets)		2,500,000	134,145	2,365,855	5%
2018 Bond Issue (Parks)		2,875,281	1,247,181	1,628,100	43%
Total Expenditures	\$ 5,375,281	\$ 5,375,281	\$ 1,381,327	\$ 3,993,954	26%

Other Financing Sources (Uses)	Original Budget	Revised Budget	Year to Date	Variance	% Received
Bond Issue Proceeds	\$ -	\$ -	\$ -	\$ -	0%
Bond Discount / Premium	-	-	-	-	0%
Debt Issuance	-	-	-	-	0%
Transfers In	-	-	-	-	0%
Transfer Out	-	-	-	-	0%
Total Financing Sources	\$ -	\$ -	\$ -	\$ -	0%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
Beginning fund balance	\$ 6,119,643	\$ 6,865,552	\$ 6,865,552
+Net Increase (Decrease)	(5,325,281)	(5,325,281)	(1,104,834)
Ending Fund Balance	\$ 794,362	\$ 1,540,271	\$ 5,760,718

Audited FY18

Drainage Utilities

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Drainage Conversion Fee</i>	\$ -	\$ -	\$ 4,536	\$ (4,536)	0%
<i>Drainage Fee Receipts</i>	490,000	490,000	434,512	55,488	89%
<i>Miscellaneous</i>	-	-	120	(120)	0%
<i>Interest</i>	4,000	4,000	5,930	(1,930)	148%
Total Revenues	\$ 494,000	\$ 494,000	\$ 445,099	\$ 48,901	90%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Personnel</i>	\$ 381,972	\$ 381,972	\$ 343,277	\$ 38,695	90%
<i>Services / Supplies</i>	150,665	165,665	138,006	27,659	83%
<i>Capital</i>	50,000	50,000	67,396	(17,396)	135%
Total Expenditures	\$ 582,637	\$ 597,637	\$ 548,680	\$ 48,957	92%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Transfers In - City Impervious / General Fund</i>	\$ 66,000	\$ 66,000	\$ -	\$ 66,000	0%
<i>Operating TransfersOut / General Fund</i>	(16,000)	(16,000)	-	(16,000)	0%
Total Other Sources (Uses)	\$ 50,000	\$ 50,000	\$ -	\$ 50,000	0%

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning Fund Balance</i>	\$ 288,759	\$ 340,814	\$ 340,814
<i>+ Net Increase (Decrease)</i>	(38,637)	(53,637)	(103,581)
Ending Fund Balance	\$ 250,122	\$ 287,177	\$ 237,233

Audited FY18

Park Development Fee Fund

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Interest</i>	\$ 400	\$ 400	\$ 1,498	\$ (1,098)	374%
<i>Community Park Fees</i>	-	-	-	-	0%
<i>Linear Park Fees</i>	-	-	-	-	0%
<i>Neighborhood Park Fees</i>	-	-	-	-	0%
<i>Service Area II</i>	-	-	-	-	0%
<i>Service Area IV</i>	-	-	-	-	0%
Total Revenues	\$ 400	\$ 400	\$ 1,498	\$ (1,098)	0%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Unity Park</i>	\$ 24,000	\$ 24,000	\$ -	\$ 24,000	0%
<i>Capital Outlay (Unity Park)</i>	-	-	-	-	0%
<i>Capital Outlay (Village Park)</i>	-	-	-	-	0%
<i>Capital Outlay - (St James development, Area I)</i>	-	-	-	-	0%
Total Expenditures	\$ 24,000	\$ 24,000	\$ -	\$ 24,000	0%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Operating Transfers In</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Operating Transfers Out (Funding for projects at Unity Park with FY2012 bond)</i>	-	-	-	-	0%
Total Other Sources (Uses)	\$ -	\$ -	\$ -	\$ -	0%

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning Fund Balance</i>	\$ 69,586	\$ 69,437	\$ 69,437
<i>+ Net Increase (Decrease)</i>	(23,600)	(23,600)	1,498
Ending Fund Balance	\$ 45,986	\$ 45,837	\$ 70,935

Audited FY18

Ending Fund Balance Detail	Original Budget	Year to Date
<i>Community Park Fees</i>	\$ 45,986	70,935
<i>Linear Park Fees</i>	-	-
<i>Neighborhood Park Fees (Area I)</i>	-	-
<i>Neighborhood Park Fees (Area II)</i>	-	-
<i>Neighborhood Park Fees (Area IV)</i>	-	-
Total	\$ 45,986	\$ 70,935

Public Safety Special Revenue Fund

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Revenues	\$ 25,600	\$ 45,600	\$ 56,099	\$ (10,499)	123%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ -	\$ -	\$ -	\$ -	0%
Services / Supplies	3,600	23,600	20,239	3,361	86%
Capital	-	-	-	-	0%
Total Expenditures	\$ 3,600	\$ 23,600	\$ 20,239	\$ 3,361	86%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
Operating Transfers In	\$ -	\$ -	\$ -	\$ -	0%
Operating Transfers Out	(22,000)	(22,000)	-	(22,000)	0%
Total Other Sources (Uses)	\$ (22,000)	\$ (22,000)	\$ -	\$ (22,000)	0%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
Beginning Fund Balance	\$ 36,980	\$ 6,277	\$ 6,277
+ Net Increase (Decrease)	-	-	35,861
Ending Fund Balance	\$ 36,980	\$ 6,277	\$ 42,138

Audited FY18

Municipal Court Technology Fee Fund

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Revenues	\$ 3,500	\$ 3,500	\$ 3,252	248	93%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
Services / Supplies	\$ 5,700	\$ 9,700	\$ 6,266	\$ 3,434	65%
Total Expenditures	\$ 5,700	\$ 9,700	\$ 6,266	\$ 3,434	65%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
Operating Transfers In	\$ -	\$ -	\$ -	\$ -	0%
Operating Transfers Out	-	-	-	-	0%
Total Other Sources (Uses)	\$ -	\$ -	\$ -	\$ -	0%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
Beginning Fund Balance	\$ 31,939	\$ 32,003	\$ 32,003
+ Net Increase (Decrease)	(2,200)	(6,200)	(3,014)
Ending Fund Balance	\$ 29,739	\$ 25,803	\$ 28,989

Audited FY18

Municipal Court Building Security Fund

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Revenues (Court Fines)	\$ 2,700	\$ 2,700	\$ 2,439	\$ 261	90%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel (Bailiff)	\$ -	\$ -	\$ -	\$ -	0%
Services / Supplies	-	-	-	-	0%
Total Expenditures	\$ -	\$ -	\$ -	\$ -	0%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
Beginning Fund Balance	\$ 32,719	\$ 32,722	\$ 32,722
+ Net Increase (Decrease)	2,700	2,700	2,439
Ending Fund Balance	\$ 35,419	\$ 35,422	\$ 35,161

Audited FY18

Highland Village Community Development Corporation
Working Capital Analysis (FY 2019)

	<i>Actual 2016-2017</i>	<i>Projected 2017-2018</i>	<i>Budget 2018-2019</i>	<i>YTD 2018-2019</i>
Beginning Fund Balance	\$ 373,513	\$ 106,954	\$ 95,532	\$ 95,532
Revenues				
4B Sales Tax	1,242,599	1,262,392	1,334,766	1,044,081
Park Fees (Rental)	24,384	74,400	79,500	62,658
Linear Park Fees	575	-	574	-
Miscellaneous Income	590	600	600	-
Interest Income	508	500	800	722
Total	\$ 1,268,656	\$ 1,337,892	\$ 1,416,240	\$ 1,107,462
Expenditures				
Personnel	205,020	266,907	318,470	279,371
Services / Supplies	145,584	213,722	225,630	155,939
Reimburse GF (Support Functions)	28,000	28,000	-	-
Reimburse GF (Debt Service)	870,124	800,685	834,827	856,827
Total Non-Capital Expenditures	\$ 1,248,728	\$ 1,309,314	\$ 1,378,927	\$ 1,292,137
Capital				
Engineering	-	-	-	-
Projects Funded Directly	-	-	-	-
Transfer to 4B Capital Projects	\$ 281,152	\$ -	\$ -	\$ -
Equipment	5,335	40,000	-	49,280
Net Increase / (Decrease)	(266,559)	(11,422)	37,313	(233,956)
Working Capital Balance	\$ 106,954	\$ 95,532	\$ 132,845	\$ (138,424)

Highland Village Community Development Corporation
Capital Projects

	<i>Actual 2016-2017</i>	<i>Actual 2017-2018</i>
Beginning Fund Balance	\$ -	\$ -
Funding		
Debt Issuance	-	-
Bond Discount	-	-
Debt Issuance Cost	-	-
Funding from Operations	281,152	-
Capital Projects (HV RR Crossing)	-	-
Denton County	-	-
I-35 Mitigation		-
Interest Earnings	-	-
Total Available Project Funding	\$ 281,152	\$ -

[illegible]

Expenditures		
Castlewood Trail		
Engineering - \$131,200	-	-
Project Cost - \$1.312M (Estimated)	-	-
Copperas Trail		
Engineering - \$112,380	-	-
Project Cost - \$1.5M (Estimated)	-	-
HV Rd Trail (Phase IIa - CH to Svc Cntr)		
Engineering - \$25,000	-	-
Project Cost - \$250,982 (Estimated)	-	-
HV Rd Trail (Phase IIb - Lions Club Park to Doubletree Ranch Park)		
Engineering (Mostly included in Copperas Trail Eng.) - \$25,714 (Remain)	-	-
Project Cost - \$250,000 (Estimated)	-	-
FM 2499 Sidewalk		
Engineering - \$12,500	-	-
Project Cost - \$117,678 (Estimated)	-	-
Pedestrian Crosswalk Enhancement		
Engineering	-	-
Project Cost - \$26,000/Crossing	-	-
Marauder Park Lake Access		
Engineering - \$31,000 (Estimated)	-	-
Project Cost - \$58,178 (Estimated)	-	-
HV Rd RR Crossing		
Engineering - \$7,200 (Estimated)	-	-
Project Cost - \$48,000 (Estimated)	-	-
Lakeside Community Park (707 HV Rd Trailhead)		
Engineering - \$40,000	-	-
Project Cost - \$420,000	-	-
Misc. Small, Fill-In/Connector Sections		
Project Cost - \$20,000 (Per Year)	-	-
Doubletree Ranch Park		
Engineering - \$779,300	-	-
Project Cost - \$8,500,000 (Estimated)	659,483	-
Total Capital Projects	\$ 659,483	\$ -
Remaining Project Funding	\$ -	\$ -

-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
\$	\$	\$	\$
\$	\$	\$	\$

PEG Fee Fund

FY 2018/2019 Budget

YEAR TO DATE AUGUST

Percent of Budget Year Transpired

91.7%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>PEG Fee Receipts</i>	\$ 55,000	\$ 55,000	\$ 34,353	\$ 20,647	62%
<i>Total Revenues</i>	\$ 55,000	\$ 55,000	\$ 34,353	\$ 20,647	62%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Personnel</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Services / Supplies</i>	19,400	19,400	6,911	12,489	36%
<i>Capital</i>	-	-	3,416	(3,416)	0%
<i>Total Expenditures</i>	\$ 19,400	\$ 19,400	\$ 10,327	\$ 9,073	53%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Operating Transfers In</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Operating Transfers Out</i>	-	-	-	-	0%
<i>Total Other Sources (Uses)</i>	\$ -	\$ -	\$ -	\$ -	0%

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning fund balance</i>	\$ 111,866	\$ 113,692	\$ 113,692
<i>+Net Increase (Decrease)</i>	35,600	35,600	24,026
<i>Ending Fund Balance</i>	\$ 147,466	\$ 149,292	\$ 137,718

Audited FY18

CITY OF HIGHLAND VILLAGE
CITY COUNCIL

AGENDA# 17

MEETING DATE: 10/08/19

SUBJECT: Consider Ordinance No. 2019-1265 amending the City of Highland Village Comprehensive Zoning Ordinance by amending Section 29.6 "Use Charts, Automobile, Transportation, Utility, Communication, and Related Uses" to add the use "Vehicle Storage or Vehicle Auction" and amending Section 39 "Definitions" deleting the definition of "Auto Storage or Auto Auction" and adding a definition for "Vehicle Storage or Vehicle Auction" (2nd and final read)

PREPARED BY: Scott Kriston, Director of Public Works

BACKGROUND:

In the course of reviewing certain code enforcement matters relating to people conducting certain businesses in residential areas of the City that do not constitute home occupations, it was determined by City staff, including the City Attorney and City Prosecutor, that the application of provisions of the Comprehensive Zoning Ordinance ("CZO") relating to the parking and storage of motor vehicles in residential areas that are being held for future resale needed further clarification.

IDENTIFIED NEED/S:

Revise the City's CZO definitions and use charts relating to "auto storage and auto auction" to better clarify the definition of the use and where such use is permitted, permitted following approval of a conditional use permit, and prohibited, and provide a better basis for prosecuting violations.

OPTIONS & RESULTS:

Not revising the CZO definitions and use charts will continue to make it difficult to prosecute alleged violations of property owners conducting this use in areas of the City where such use is prohibited especially in residential areas where on-street parking is not otherwise prohibited by "No Parking" restrictions.

PROGRESS TO DATE: (if appropriate)

Staff met with the City Prosecutor and the City Attorney to discuss wording of the use charts that they will support in the Municipal Court. The City Attorney has drafted the Ordinance for review.

This item was presented and discussed by the Planning and Zoning Commission on August 20, 2019, with the recommendation made to send the Ordinance forward to City Council as presented. Due to a procedural matter during the meeting, this item was been placed back on a Planning and Zoning Commission agenda for purpose of conducting the Public Hearing and making a recommendation to City Council on whether or not to send the Ordinance forward as presented.

At the September 17, 2019, Planning and Zoning Meeting, the Commission unanimously voted to recommend the City Council approve the Ordinance, as presented. Proposed Ordinance 2019-1265 was presented to City Council at their September 24, 2019 meeting, and passed with a 6-1 vote, with a modification to Section 2. Section 2 of the ordinance was modified by adding the definition of vehicle storage or vehicle auction to include parking of no more than three (3) operable vehicles for purpose of vehicle sale or storage.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

An Ordinance is required. A copy of the draft Ordinance 2019-1265 was prepared by the City Attorney is attached.

RECOMMENDATION:

City staff recommends the City Council consider approval of the second and final read of Ordinance No. 2019-1265.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2019-1265

AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF HIGHLAND VILLAGE AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE IV “USE REGULATIONS” SECTION 29.6 “AUTOMOBILE, TRANSPORTATION, UTILITY, COMMUNICATION, AND RELATED USES” BY ADDING THE USE “VEHICLE STORAGE OR VEHICLE AUCTION” AND ESTABLISHING THE ZONING DISTRICTS IN WHICH SUCH USE IS PERMITTED OR PERMITTED FOLLOWING ADOPTION OF A CONDITIONAL USE PERMIT; BY AMENDING ARTICLE VI “DEFINITIONS” SECTION 39 “DEFINITIONS” BY DELETING THE DEFINITION; FOR “AUTO STORAGE OR AUTO AUCTION” AND ADDING A DEFINITION FOR THE PHRASES “VEHICLE STORAGE OR VEHICLE AUCTION”; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Highland Village, Texas, in compliance with the laws of the State of Texas and the Ordinances of the City of Highland Village, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and in the exercise of its legislative discretion, the City Council has concluded that the general regulations of the Comprehensive Zoning Ordinance, as previously amended, should be further amended as follows:

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

SECTION 1. Article IV “Use Regulations,” Section 29.6 ““Automobile, Transportation, Utility, Communication, and Related Uses”” of the Comprehensive Zoning Ordinance is amended by adding the use “Vehicle Storage or Vehicle Auction” to the use table as follows:

	SF-40	SF-15	SF-12	SF-10	SF-8	2F	MF	O	NS	R	HC	C	LI	PD
Vehicle Storage or Vehicle Auction											C	C	C	

SECTION 2. Article VI “Definitions,” Section 39 “Definitions” of the Comprehensive Zoning Ordinance is amended by deleting the definition for the phrase “Auto Storage or Auto Auction” and adding a definition for the phrases “Vehicle Storage or Vehicle Auction” to read as follows

Vehicle storage or Vehicle auction: The storage, impoundment, or parking of three or more operable motor vehicles on a lot, tract, or roadway for the purpose of holding such vehicles pending sale or distribution regardless of whether such sale

or distribution occurs on the lot, tract, or roadway where the vehicle is stored, impounded or parked or at another location.

SECTION 3. All ordinances of the City of Highland Village related to the use and development of property within the City heretofore adopted and in effect upon the effective date of this Ordinance are and shall remain in full force and effect except to the extent amended by this Ordinance or to the extent there is an irreconcilable conflict between the provisions of said other ordinance and the provisions of this Ordinance, in which case the provisions of this Ordinance shall be controlling.

SECTION 4. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance or the Comprehensive Zoning Ordinance, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 6. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in Comprehensive Zoning Ordinance as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7. No person or entity shall acquire any vested interest in this Ordinance or any specific regulations contained herein. This Ordinance and any regulations may be amended or repealed by the City Council of the City of Highland Village, Texas, in the manner provided by law.

SECTION 8. This ordinance shall take effect immediately from and after its passage on Second Reading and publication of the caption in accordance with the provisions of the Charter of the City of Highland Village, and it is accordingly so ordained.

FIRST READ ON THE 24TH DAY OF SEPTEMBER 2019, BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 8TH DAY OF OCTOBER 2019.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:9/24/19:110077)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 18

MEETING DATE: 10/08/19

SUBJECT: Consider Resolution 2019-2846 Authorizing the City Manager to Negotiate and Execute the First Amendment to the Yard Waste Services Agreement with LETCO Group, LLC. for the City of Highland Village

PREPARED BY: Scott Kriston, Director of Public Works

BACKGROUND:

Previous Council action dated March 26, 2002 authorized the City Manager to negotiate and execute an Agreement with LETCO Group, LLC for yard waste composting services for the City. The Agreement with LETCO provides the following collection services:

- Receives compost materials collected by the City's solid waste contractor on the Monday collection schedule at two locations
- Provides the City with 50cu yds of finished compost material annually at no cost

The City's solid waste contract with CWD outlines that they are the hauler that collects, hauls and dumps the yard waste materials collected in the City to the LETCO sites.

The City averages 350 cu yds per month at \$3.00/cu yd and is represented as the Compost Fee on the Utility Bill.

LETCO has not asked for a price increase since the original Agreement executed in 2002. At this time LETCO is asking to increase the fee to \$3.15/cu yd.

IDENTIFIED NEED/S:

Staff is seeking Council authorization for the City Manager to negotiate and execute the first amendment to the Yard Waste Services Agreement with LETCO.

PROGRESS TO DATE: (if appropriate)

LETCO submitted their request to provide an additional drop point and a rate increase for their service on September 19, 2019. The City Attorney drafted the first amendment to the Agreement (enclosed).

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Currently, the City incurs a monthly average cost of \$1,140 to LETCO. The proposed increase of \$0.15/cu yd for the cost of this service would increase this amount by \$60 / mo. A \$.25 per billing cost has been assessed on residents' utility bills to cover this cost, however currently

withheld due to an accumulated balance from previous years. With current usage patterns, the credit balance will be exhausted in the Feb or March timeframe, with the \$.25 cent compost fee reinstated at that time.

RECOMMENDATION:

To approve Resolution 2019-2846.

FIRST AMENDMENT TO AGREEMENT FOR YARD WASTE SERVICES

This **First Amendment to Agreement for Yard Waste Services** ("First Amendment") is made as of the Effective Date by and between the **City of Highland Village**, a Texas home rule municipality ("City") and **The LETCO Group, LLC (f/k/a LETCO Acquisition, LLC)**, a Delaware limited liability company ("LETCO"). City and LETCO are hereafter collectively referred to herein as "the Parties" or individually as "Party."

RECITALS

WHEREAS, effective on or about March 26, 2002, City and LETCO Group Limited Partnership d/b/a Living Earth Technology Co. entered into that certain *Agreement for Yard Waste Services* ("Agreement") pursuant to which LETCO Group Limited Partnership agreed to provide City certain yard waste recycling services in accordance with the provisions of the Agreement; and

WHEREAS, with City's written consent, on or about April 22, 2008, the Agreement was assigned by LETCO Group Limited Partnership to LETCO; and

WHEREAS, LETCO has acquired an additional recycling site for yard waste within the Dallas/Fort Worth area and has requested the Agreement be amended to allow yard waste collected pursuant to the Agreement to be delivered to the new location; and

WHEREAS, LETCO has requested an adjustment in the rate to be charged for disposal of yard waste at LETCO's facilities; and

WHEREAS, City desires to agree to such requests as well as make certain amendments relating to delivery of notices under the Agreement;

NOW, THEREFORE, for and in consideration of the promises made herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged; the Parties agree as follows:

1. The Agreement is amended as follows:

A. Section 1 is amended to read as follows:

1. LETCO agrees to provide a recycling drop off locations at 1901 California Crossing, Dallas, Texas, and 3901 Haynes Road, Roanoke, Texas (collectively "the Facility") for yard waste ("Waste") collected at curbside by City or its designated contractor(s). City agrees to deliver Waste to the Facility collected at curbside by City or its designated contractor(s) and agrees that all collection and transportation services to the Facility shall be provided by and at the expense of City or its designated

contractor(s). Trucks used to haul Waste shall be capable of dumping the Waste unassisted at the Facility.

B. Section 2 is amended to read as follows:

2. The City agrees to pay LETCO the following amounts for loads of Waste in which any kraft paper bags or de minimis quantities of non-hazardous, non-yard waste materials are present:

- (a) From the effective date of this Agreement until October 31, 2019: THREE AND NO/100 DOLLARS (\$3.00) per cubic yard; and
- (b) Beginning November 1, 2019: THREE AND 15/100 DOLLARS (\$3.15) per cubic yard.

City or its designated contractor shall provide LETCO with the yardage capacity of the trucks used to haul Waste and shall keep an independent log of truckloads and yardage delivered to the Facility.

C. A new Section 15 is added to read as follows:

15. Any notice required or permitted to be delivered pursuant to this Agreement may be sent by first class mail, overnight courier, e-mail, or by confirmed telefax or facsimile to the address specified below, or to such other Party or address as either Party may designate in writing, and shall be deemed received three (3) days after delivery set forth herein:

If to City: City Manager
City of Highland Village
1000 Highland Village Road
Highland Village, Texas 75077

With copy to: Kevin B. Laughlin
Nichols, Jackson, Dillard,
Hager & Smith, L.L.P.
500 North Akard, Suite 1800
Dallas, Texas 75201

If to LETCO: LETCO Corporation
1901 California Crossing
Dallas, TX 75220
Attn: Eoin Lehane

With copy to: Goodwin Proctor LLP
The New York Times Building
620 Eighth Avenue
New York, NY 10018
Attn: Simone Greenspan

2. Except as modified by this Amendment, the Parties agree the Agreement remains in full force and effect without further amendment.
3. This Amendment will be effective on the date signed by authorized representatives of both Parties ("Effective Date").

SIGNED AND AGREED this _____ day of _____ 2019.

CITY OF HIGHLAND VILLAGE, TEXAS

By: _____
Michael Leavitt, City Manager

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND SUBSTANCE:

Kevin B. Laughlin, City Attorney

SIGNED AND AGREED this _____ day of _____, 2019.

THE LETCO GROUP, LLC

By: _____
Dan Wagner, Vice President of Finance

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2019-2846

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE AGREEMENT FOR YARD WASTE SERVICES WITH THE LETCO GROUP, LLC; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, effective on or about March 26, 2002, the City and LETCO Group Limited Partnership d/b/a Living Earth Technology Co. entered into that certain *Agreement for Yard Waste Services* ("Agreement") pursuant to which LETCO Group Limited Partnership agreed to provide City certain yard waste recycling services in accordance with the provisions of the Agreement; and

WHEREAS, with City's written consent, the Agreement was assigned by LETCO Group Limited Partnership to LETCO Acquisition, LLC, now known as The LETCO Group, LLC ("LETCO"); and

WHEREAS, LETCO has acquired an additional recycling site for yard waste within the Dallas/Fort Worth area and has requested the Agreement be amended to allow yard waste collected pursuant to the Agreement to be delivered to the new location; and

WHEREAS, LETCO has requested its first ever adjustment in the rate to be charged for disposal of yard waste at LETCO's facilities; and

WHEREAS, City Administration has reviewed the requested amendments and recommends that a contract amendment be negotiated and signed to provide for the requested amendments; and

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

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

SECTION 1. The City Manager is authorized to negotiate and execute on behalf of the City an amendment to the Agreement with LETCO to allow for a second yard waste disposal location and an increase in the charges to be paid to LETCO from \$3.00 per cubic yard to \$3.15 per cubic yard of yard waste delivered to LETCO's facilities.

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

PASSED AND APPROVED THIS 8TH DAY OF OCTOBER 2019.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:9/30/19:111222)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 19

MEETING DATE: 10/08/19

SUBJECT: Consider Resolution 2019-2847 Rejecting All Bids for the Street Improvements Project – Phase 2 (Oak Forest Drive, Winding Creek Drive, Canyon Creek Drive, Dickinson Drive and E. Whittier Street)

PREPARED BY: Scott Kriston, Director of Public Works

BACKGROUND:

In November 2017, City voters approved the sale of bonds to fund for Street Improvements. Twenty-three (23) streets were identified as part of the bond project.

Staff split the 23 streets into four separate projects to better manage the work load in City staff.

PROGRESS TO DATE: (if appropriate)

Streets Improvements Project - Phase 2 was advertised for bids.

Bids for the Project were received and opened on September 26, 2019. The five (5) bids received are summarized below. All bids exceeded the \$500k amount estimated for the Project.

FoutsCo Paving Co., LLC	Pavecon Public Works, LP	Reynolds Asphalt & Const. Co.	TexasBit	Rock Solid
\$927,294.00	\$775,524.80	Non-responsive bid	\$738,840.39	\$638,448.30

Staff is re-evaluating the scope of the project and will revise the project to seek better pricing through economy of scale.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

No funds will be allocated to the Project at this time.

RECOMMENDATION:

To approve Resolution 2019-2847 rejecting all bids for the Street Improvements Project – Phase 2.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2019-2847

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, REJECTING ALL BIDS FOR THE STREETS IMPROVEMENTS PROJECT - PHASE 2, AND PROVIDING AN EFFECTIVE DATE

WHEREAS, having received five bids for the Streets Improvements Project – Phase 2 (“the Project”) and finding such proposals exceed the amount of funds budgeted for the Project, City Administration has recommended the rejection of all bids for the Project; and

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

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

SECTION 1. All bids for the Streets Improvements Project – Phase 2 received and opened on September 26, 2019, are hereby rejected.

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

PASSED AND APPROVED this the 8TH day of October 2019.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:9/30/19:111264)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 20

MEETING DATE: 10/08/19

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 2.037

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.

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 records and performance of the current members of the various City boards and commissions whose terms do not expire in 2019, in accordance with Code of Ordinances Section 2.04.037.

RECOMMENDATION:

Discuss the attendance records and performance of the members of the various City boards and commissions during the last year whose terms do not expire in 2019 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: 10/08/19

SUBJECT: Consider Resolution 2019-2849 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 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.

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.

In addition, a call for volunteers was advertised in the June, July and August utility bill inserts, the Summer edition of the Village Newsletter, the City's Facebook Page, HVTN News, and on the City's website. Citizens interested in volunteering their time by serving on a board, commission or committee have submitted an application to the City Secretary's Office for consideration by Council. For reference, a listing of all new applicants and currently serving board/commission members is provided in the agenda packet and indicates their preferred board choice(s).

IDENTIFIED NEED/S:

There are eighteen (18) positions with terms that expire in 2019.

Following is a list of all positions and current members of each board and commission. The highlighted positions have terms that will expire this year.

BOARD OF ETHICS			
<i>Board Member Name</i>	<i>Board Choice</i>	<i>Place</i>	<i>Original Appt Date</i>
Steven Deel	---	N/A	10-2016
Kevin McMahan	Same Board	N/A	09-2017
Brian Tackett	---	N/A	03-2017
James Burmeister	Same Board	N/A	09-2017
Benjamin Somero	Same Board	N/A	09-2017
HV COMMUNITY DEVELOPMENT CORPORATION (4B)			
Dale Butler	Same Board	Citizen Rep	09-2017
Mike Lombardo	Same Board	Council Rep	06-2018
Manika Kataria	---	Citizen Rep	09-2018
Elisabeth Mechem	---	Citizen Rep	09-2018
Barbara Fleming	Same Board	Council Rep	09-2017
Tom Heslep	Same Board	Council Rep	05-2019
Charlotte Wilcox	---	Council Rep	06-2014
PARKS AND RECREATION ADVISORY BOARD			
William Irwin	---	Place 1	10-2016
Janet Gershenfeld	---	Place 2	03-2018
Dave Rush	---	Place 3	09-2013
Gary Patz	Same Board	Place 4	09-2015
Kenneth Koonsman	Same Board	Place 5	09-2017
Kevan Fenderson	Same Board	Alternate Place 1	09-2018
Vanessa Boyd	---	Alternate Place 2	09-2018
PLANNING AND ZONING COMMISSION			
Richard Turner	Same Board	Place 1	09-2014
Stan Lemko	---	Place 2	09-2013
James Romo	---	Place 3	09-2017
Deedee Ricketts	Has Reached Term Limit	Place 4	09-2011
Angelina Robinson	Same Board	Place 5	09-2018
Dee Leggett	Same Board	Alternate Place 1	05-2019
Denver Kemery	---	Alternate Place 2	09-2018
ZONING BOARD OF ADJUSTMENT			
Christian Hart	Same Board	Place 1	09-2015
Richard Holderby	Does Not Wish to Serve Again	Place 2	10-2016
Thomas Peck	Same or Different Board	Place 3	09-2015
Richard Metivier	---	Place 4	09-2012
Darrah Boxberger-Torres	---	Place 5	09-2013
Guy Skinner	Different Board	Alternate Place 1	09-2017
Annette Brunken	---	Alternate Place 2	09-2018
David Smith	---	Alternate Place 3	10-2016

OPTIONS & RESULTS:

Council to discuss making appointments to the Board of Ethics, Highland Village Community Development Corporation (4B), Parks and Recreation Advisory Board, Planning and Zoning Commission, and Zoning Board of Adjustment.

PROGRESS TO DATE: (if appropriate)

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

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

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

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

Council was provided with copies of all applications received by the City Secretary's Office for their review and consideration during the early work session held at their September 10, 2019 meeting. Attendance records for the various board and commissions have also been provided to Council. Council hosted a "Meet and Greet" event on September 24, 2019 to allow an opportunity for applicants and Council to meet.

RECOMMENDATION:

Council to appoint members to various positions on City Boards and Commissions and approve Resolution 2019-2849.

BOARD AND COMMISSION MEMBER PREFERENCES

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

BOARD AND COMMISSION MEMBER PREFERENCES

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

BOARD AND COMMISSION APPLICANT PREFERENCES

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

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2019-2849

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, 2019, 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, 2019, and ending as indicated below:

Name	Place	Expiration
_____	N/A	September 30, 2021
_____	N/A	September 30, 2021
_____	N/A	September 30, 2021

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, 2019, and ending as indicated below:

Name	Place	Expiration
_____	Citizen Member	September 30, 2021
_____	City Representative	September 30, 2021
_____	City Representative	September 30, 2021
_____	City Representative	September 30, 2021

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, 2019, and ending as indicated below:

Name	Place	Expiration
_____	Place 4	September 30, 2021
_____	Place 5	September 30, 2021
_____	Alternate 1	September 30, 2021
_____	Alternate 2	September 30, 2020 (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, 2019, and ending as indicated below:

Name	Place	Expiration
_____	Place 1	September 30, 2021
_____	Place 4	September 30, 2021
_____	Place 5	September 30, 2021
_____	Alternate 1	September 30, 2021
_____	Alternate 2	September 30, 2020 (if needed)

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, 2019, and ending as indicated below:

Name	Place	Expiration
_____	Place 1	September 30, 2021
_____	Place 2	September 30, 2021
_____	Place 3	September 30, 2021
_____	Alternate 1	September 30, 2021
_____	Alternate 2	September 30, 2020 (if needed)
_____	Alternate 3	September 30, 2020 (if needed)

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

PASSED AND APPROVED THIS THE 8TH DAY OF OCTOBER, 2019.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:10/3/19:111337)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 23

MEETING DATE: 10/08/19

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

PREPARED BY: Karen McCoy, Administrative Assistant to City Secretary

COMMENTS

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



UPCOMING EVENTS

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

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

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

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

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

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

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

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

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

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

December 5, 2019 Zoning Board of Adjustment Mtg. 7:00 pm (if needed)

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

Note - Please visit www.highlandvillage.org or the City Hall bulletin board for the latest meeting additions and updates.

By: Karen McCoy, Administrative Assistant - City Secretary Office