



A G E N D A

**REGULAR MEETING
OF THE CITY COUNCIL
CITY OF HIGHLAND VILLAGE, TEXAS
TUESDAY, JULY 12, 2016, at 6:00 P.M.
HIGHLAND VILLAGE CITY COUNCIL CHAMBERS
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS**

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

**EARLY WORK SESSION
Training Room**

1. Review and Discussion of Fiscal Year 2016-2017 Council Goals and Objectives
2. Clarification of Consent or Action Agenda Items listed on today's City Council Regular Meeting of July 12, 2016

(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)

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

4. Call to Order
5. Prayer to be led by Councilmember Barbara Fleming
6. Pledge of Allegiance to the U.S. and Texas Flags to be led by Councilmember Barbara Fleming
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. 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 Highland Village Balloon Festival Poster Contest Winners
 - Presentation of GFOA Distinguished Budget Presentation Award to the Finance Department
9. City Manager/Staff Reports
 - HVTU Update

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 Meeting held on June 28, 2016
11. Consider Ordinance 2016-1200 Amending the Code of Ordinances as it Relates to Applications and Permits for the Sale and/or Consumption of Alcoholic Beverages at One-Day Special Events (2nd of two reads)
12. Consider Resolution 2016-2643 Awarding the Bid and Authorizing a Contract for the Canyon Creek Drive Drainage Project
13. Consider Resolution 2016-2644 Awarding the Bid and Authorizing a Contract for the Pilot Knoll Boat Dock Extension/Renovation
14. Consider Resolution 2016-2646 authorizing the abandonment of a water line easement located on Lot 9, Block C, Wichita Estates, City of Highland Village, Texas

ACTION AGENDA

15. 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)
16. Consider Resolution 2016-2645 Affirming Support for the Lewisville Independent School District in Seeking Fair and Appropriate Methods for Educating Local Students

17. Conduct a Public Hearing and Consider Ordinance 2016-1201 amending the Comprehensive Zoning Ordinance and Zoning Map relating to the use and development of a 15.0969 ± acre tract of land located in the J. Edmonson Survey, Abstract No. 398, and an 11.05 ± acre tract of land located in the G. Jackson Survey, Abstract No. 1599, City of Highland Village presently zoned SF-40 Single Family Residential by creating Planned Development No 2016-01 for Detached Single Family Residential Condominium Development (1st of Two Reads)

LATE WORK SESSION

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

18. 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.)

- 35Express Update

19. 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 8th DAY OF JULY, 2016 NOT LATER THAN 4:00 P.M.



Karen Bradley, Administrative Assistant

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 _____, 2016 at _____ am/pm by

_____.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 1	MEETING DATE 07/12/2016
SUBJECT:	Review and Discussion of Fiscal Year 2016-2017 Council Goals and Objectives
PREPARED BY:	Michael Leavitt, City Manager

BACKGROUND

Attached are the proposed Goals & Objectives for Fiscal Year 2016-2017. They are a continuation from last year, with only minor modifications. Please review and provide comments if any identified adjustments need to be made.

Fiscal Year 2016 - 2017 Council Goals and Objectives

Council Goal: *Enhance the quality of life within Highland Village, while meeting the needs and expectations of the residential and business community.*

Continue to Provide Superior Public Safety, Customer Service, Social, and Health Services to the Community

- Maintain our recognized model in Police and Fire services, while continuing to explore and develop programs to discourage crime and enhance safety.
- Investigate operational efficiencies in regard to utilization of public safety resources without compromise to safety of residents and businesses.
- Promote proactive programs and agreements to provide public safety (i.e. Vacation Watch, Police Involving Parents, cooperative inter-agency and inter-local agreements, as well as high visibility and community involvement for our Police and Fire employees).
- Support social services such as Youth and Family Services, the Children Advocacy Center, and other community organizations that provide services to the residents in our region.
- Actively pursue effective Code Enforcement to maintain high standards throughout the community.
- Provide all City functions in a courteous, effective, and efficient manner, responding quickly to requests for service and providing timely responses to customer complaints.
- Investments in operations will continue to be made in technology that will optimize customer service.
- Promote responsible pet ownership through our Animal Services.
- Maintain effective emergency management disaster readiness.

Conduct the Business of the City in a Fiscally Responsible Manner

- Retain our current AA++ bond rating.
- Adhere to Financial Policies that are maintained to promote fiscal responsibility.
- Explore new and innovative revenue sources where appropriate, and pursue efficiencies to minimize expenditures.
- Promote and utilize Highland Village business whenever possible in making municipal purchases.
- Adopt City budgets within the confines of the existing tax rate and context of the five-year forecast to demonstrate sustainability and emphasize funding of capital projects when capacity is available.

Promote Quality Transportation Services

- Continue implementation of the Transportation Master Plan.
- Advocate the significance of DCTA rail and bus services for Highland Village residents and retail development shoppers, and secure adequate DCTA availability for residents.
- Identify and monitor the FM 2499 corridor to effectively accommodate vehicular traffic while protecting the integrity of our neighborhoods.
- Pursue infrastructure improvements to facilitate traffic and safety.
- Enhance pedestrian oriented means of travel in Highland Village and install improved pedestrian crossing systems aimed at enhancing public safety.
- Work with the Texas Department of Transportation (TXDOT) on the reconstruction of IH 35E from IH 635 to US 380, prioritizing availability of timely information regarding impact to residents.

Employ High Quality, Service Oriented Personnel

- Foster a work force comprised of professional, highly qualified, and customer friendly employees.
- Provide a work environment that promotes a high level of job satisfaction for employees.
- Promote educational standards and re-education opportunities that provide career development structure.
- Provide innovative and flexible compensation to ensure we remain competitive in our market.
- Provide succession planning for key positions throughout the City.

Provide for a Diversified Business Climate

- Promote existing and new retail businesses in Highland Village with the HVBA, emphasizing high quality retail and restaurants, including fuel stations.
- Enhance open communication between all government entities, the business community, City Hall, and City residents.
- Pursue Economic Development and redevelopment through the use of innovative programs to emphasize retention and the expansion of existing business, especially in older developments.
- Instill a sense of community in all of Highland Village's businesses and residential neighborhoods.
- Uphold and enhance our commitment to public education and communication through holiday promotions, special events, shopping center meetings, and other available venues.

Provide Quality Leisure Opportunities

- Review existing, and consider new, recreational offerings for the residential and business communities on a regular basis to satisfy the growing needs of the community.
- Continue to support community and special events.
- Continue Implementation of the Parks Master Plan as well as the Trail System Master Plan, and the related facilities and additions as deemed appropriate.
- Maintain the excellence of the Highland Village park system, maximizing the functionality of each park area.
- Continue to explore grant and alternative funding opportunities when possible.
- Connect the trail systems throughout the City, where feasible.

Work to Instill a "Sense of Community" in Highland Village Residents

- Continue to build a sense of community through avenues such as the newsletters and the City website.
- Work to find new ways to involve more residents in the civic process and to serve on Boards and Commissions, with the hope of developing new leaders from a cross section of the community.
- Create avenues that allow residents and members of the business community to have a sense of pride living and working in Highland Village.
- Utilize social media outlets to share information and involve residents with the City.
- Identify and facilitate volunteer activities that serve the community.

Expand the Leadership Role of the Entire Council by Active Participation in Community Groups and Professional Development

- Councilmember's will actively represent the City of Highland Village and participate in community groups, intergovernmental agencies, and professional associations that are consistent with Highland Village goals.

- Encourage participation of Boards and Commission members in City activities.
- Support and advance Highland Village's participation at the local, state, and national levels.
- Maintain contact with area schools and promote programs that have a positive influence for youth in the community.
- Councilmember's will utilize professional development opportunities provided by the Texas Municipal League (TML) and other professional groups.
- Continue exploring ways to inform residents and businesses about regional and state legislative developments that impact our City and its residents.

To Make Highland Village Developments and its Operations Sustainable so they Protect and Enhance the City's Quality of Life

- Evaluate City operations to identify areas where resources can be conserved in the provision of public service without significantly affecting the quality of service.
- Where financially and operationally practical, purchase supplies for City services that are comprised of recyclable materials and/or will minimally impact the environment with their use.
- Actively recycle materials to divert items from landfills, and initiate programs to promote recycling by the City's residents, businesses, and visitors.
- Uphold and enhance our commitment to public education and communication with regard to recycling and environmentally friendly programs.
- Enhance water conservation for the City and its customers.
- Maintain comprehensive programs to manage environmental and health concerns when possible, such as programs to address mosquito abatement that are appropriate and effective, with an emphasis on proactive action.

Mission Statement

To create a dynamic and vital City by providing the highest quality service in the most efficient, cost effective, and courteous manner possible and by forming partnerships with employees, citizens, and organizations in the constant pursuit of excellence and problem solving.

Organizational Values

Teamwork

We believe in the value of teamwork, empowerment, and a spirit of cooperative effort from all employee levels within the organization.

Service

We are committed to providing excellent service to the public in the most responsive, efficient, and effective manner.

People

We strive to treat all people with dignity, respect, and fairness. We believe that the employees of the City are our most valuable resource. Each employee's contribution is the key to our success.

Communication

We believe in simplicity, accuracy, and clarity in communications with the public and each other. We encourage the open exchange of ideas and information among all employees.

Integrity

We are dedicated to high ethical and moral standards and uncompromising honesty in our dealings with the public and each other.

Fiscal

We are committed to a financially responsible local government, one that is cost conscious and concerned about the effective and efficient delivery of services to the public.

Professional

We believe in high professional standards and attitudes, which dictate an objective analysis of issues, free of our personal biases.

Progressive

We value innovation and creativity, and support an orientation for change and reasonable risk-taking at all levels of the organization.

Responsive

We strive to be a responsive City organization, dedicated to maintaining a well-trained and competent work force that is in touch with the needs of the community, to enhance the quality of life in our City.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 6

MEETING DATE: 07/12/2016

SUBJECT: Pledge of Allegiance

PREPARED BY: Karen Bradley, Administrative Assistant

COMMENTS

A Councilmember will lead the Pledge of Allegiance to the U.S. and Texas Flags.

The Pledge to the Texas Flag is as follows:

“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 8

MEETING DATE: 07/12/2016

SUBJECT: Mayor and Council Reports on Items of Community Interest

PREPARED BY: Karen Bradley, Administrative Assistant

COMMENTS

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

- Highland Village Lion's Club Poster Contest Winner
- Presentation of GFOA Distinguished Budget Presentation Award to the Finance Department

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 10	MEETING DATE 07/12/16
SUBJECT:	Consider Approval of Minutes of the Regular Meeting held on June 28, 2016
PREPARED BY:	Angela Miller, City Secretary

BACKGROUND

Minutes are approved by 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 Department prior to the meeting with suggested changes. Upon doing so, the 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 June 28, 2016 Council Meeting minutes.

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS
HELD AT THE MUNICIPAL COMPLEX, 1000 HIGHLAND VILLAGE ROAD
TUESDAY, JUNE 28, 2016**

The City Council of the City of Highland Village, Texas, met in Early Work Session on the 28th day of June, 2016 at 6:00 p.m., prior to the Regular Council meeting.

Call to Order

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

Roll Call

Present:	Charlotte Wilcox	Mayor
	Michelle Schwolert	Mayor Pro Tem
	William Meek	Deputy Mayor Pro Tem
	Mike Lombardo	Councilmember
	Barbara Fleming	Councilmember
	Fred Busche	Councilmember
	John McGee	Councilmember
Staff Members:	Michael Leavitt	City Manager
	Kevin B. Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Doug Reim	Police Chief
	Scott Kriston	Public Works Director
	Linda Cornelius	Parks and Recreation Director
	Laurie Mullens	Public Affairs Manager
	Andrew Boyd	Senior A/V Technician
	Karen Bradley	Administrative Assistant

1. Discuss Capital Improvement Program (CIP) for Fiscal Year 2016-2017

Assistant City Manager Ken Heerman explained capital improvement projects are non-operational, "big ticket" items/projects that typically require outside funding sources, such as debt issuance, grant, or lease/purchase arrangements. The City Charter calls for submission to Council of a five-year CIP budget, which provides an opportunity for Council to see a multi-year outlook that helps for planning purposes and to provide the framework for consideration of the current year's budget.

Mr. Heerman provided information regarding capital improvement projects that are in process at this time:

Capital Projects Fund - Sellmeyer Road Improvements, Rehab of FM2499 Screening Walls, Drainage Improvements, Computer Aided Dispatch (CAD) Software, and Public Safety Radio System

HV Community Development Fund - Doubletree Ranch Park

Park Development Fee Fund – Dog Park

He also presented Future Projects for Consideration, totaling \$10,052,990:
Street Reconstruction Projects – Proposed Bond Project in FY 2018 (\$2,800,000)
Unity Park Improvements – Proposed Bond Project in FY 2018 (\$3,473,140)

Lower Sellmeyer Park Improvements – Proposed Bond Project in FY 2021 (\$30,400)

Lion's Club Park Improvements – Proposed Bond Project in FY 2021 (\$41,250)

Turpin Park Improvements – Proposed Bond Project in FY 2021 (\$22,000)

Develop Sunset Park – Consider with FY2016-2017 GF Budget in FY 2017 (\$166,000)

Pilot Knoll Park Improvements – Corps parks related to I-35 Remediation in FY 2017 (\$291,500)

Highland Shores Boulevard (Remington to Highland Village Road) – Initially funded with Utility Fund; reimbursed in FY 2020 (\$60,000)

Marauder Park Trail Head – Proposed Bond Project in FY 2019 (\$293,700)

Highland Village Road (Service Center to Lion's Club) – Proposed Bond Project in FY 2019 (\$165,000)

Highland Village Road (City Hall to Service Center) – Proposed Bond Project in FY 2019 (\$300,000)

Southwood Trail – Proposed Bond Project in FY 2019 (\$310,000)

Victoria Trail (remainder) – Proposed Bond Project in FY 2019 (\$2,100,000)

Mr. Heerman reported the preliminary look at the five-year projections shows the ability to fund identified capital projects maintaining the current tax rate and stay at a minimum desired fund balance level. He stated further discussion is anticipated in the budget process in regard to new programs and consideration of contingency for unexpected occurrences, such as a downturn in the economy. If considering bond issuance, target windows are FY 2018 and FY 2023, to coincide with reduction in existing debt service. A voter referendum would be suggested for issuance of debt for Parks projects, thus prompting voter approval for a street bond as well if issued at the same time.

Councilmember McGee asked about a place holder for the possibility of a new fire station, if monitoring and reevaluation determines it is warranted. City Manager Michael Leavitt stated there will also be a presentation in late work session that may also change near and long term projects, in which public safety would be a large part of that and it is on the radar to build a second fire station, if needed.

2. Discuss Highland Village Road Overlay Project

Public Works Director Scott Kriston reported the City requested bids for improvements to Highland Village Road from Highland Shores Blvd/Brazos Blvd to the KCS Railroad crossing. Also included in the bid were three alternate projects for overlay improvements to Nowlin Drive, Canyon Creek Drive and Stone Canyon Drive. The budget for the project was \$450,000, which is included in the General Fund. Bids were opened on June 16, 2016 and the low bid came in at \$345,810.25. Since the base bid came in enough under budget, staff recommends including all three alternate projects in the overall project.

3. Discuss Review of Highland Village City Charter with Respect to Possible Future Amendments

Mayor Wilcox suggested the City Attorney do a legal review and cleanup of the City Charter. The City Attorney would bring recommendations to Council that would include updates regarding state laws and the election code, and any language clarification. Councilmember McGee asked if there would be a charter review committee. City Attorney Kevin Laughlin stated it has just been a few years since the last amendments. He reported a charter review committee is usually brought in when a major re-write is warranted, usually every 10-20 years. Mayor Wilcox reported the proposed changes/updates would be brought back to Council for review and then approval. In

response to a question, Mr. Laughlin suggested the amendments be put before the voters not earlier than the May, 2017 election.

4. Clarification of Consent or Action Agenda Items listed on today's City Council Regular Meeting of June 28, 2016

Regarding Agenda Item #20, City Secretary Angela Miller stated, after the agenda packet went out last week, it was recommended the reference to one-day special events be updated since some events last more than one day. An updated draft was passed out to Council for review. Mr. Laughlin added there was also an addition that the type of TABC permit be noted on the application.

Mayor Wilcox stated since time allowed for discussion in Early Work Session, Agenda Item #21 would be moved up from Late Work Session.

21. Discuss Capital Improvement Program (CIP) for the Utility Fund for Fiscal Year 2016-2017

City Manager Michael Leavitt reported there are 30 acres (Bishop Property) located within the Highland Village corporate limits on both the east and west side of FM 2499, with an additional 80 acres located outside of Highland Village, within the Copper Canyon corporate limits. Mr. Leavitt was approached by the current owner of the property about getting water and sewer to that area. He reported when you look at the large capital investment involved for providing service to the smaller tract, there is not really a good return on investment. However when you look at the area as a whole and factor in greater good and cooperative spirit, it begins to make sense.

Mr. Leavitt stated that the City of Highland Village and Cross Timbers Water Supply are the current holders of the Certificates of Convenience and Necessity (CCN) for water service issued by the PUC. This is presently a joint service area for water and is serviced by both Highland Village and Cross Timbers. There is no wastewater provider within the area, as everything in this area is on a private septic system.

Regarding the subscription for wastewater treatment with the Upper Trinity Regional Water District (UTRWD), the City's current wastewater subscription is 1.65 million gallons per day (mgd). The City has identified an ultimate subscription with the UTRWD at 1.8 mgd. Our current domestic wastewater average daily flow is 1.2 mgd. Depending on development in the area of the Bishop Property, after adding the wastewater generated from Pilot Knoll Park, the estimated identified area average daily flow for the area will range from 0.16 mgd to 0.20 mgd.

Mr. Leavitt stated the estimated cost to run sanitary sewer service to the entire area is approximately \$2.1 million. There may also be a need for an additional lift station. He also reported once service is extended, there is the opportunity for development in that area.

He reported there is a meeting scheduled this week with the Town of Copper Canyon, UTRWD and the City to discuss possible development of the area, service plans and developments, and next steps regarding water and wastewater. He stated he thinks this is worth exploring and bringing back to review.

Councilmember Busche requested to meet in Closed Session regarding Agenda Item #3. Mayor Wilcox read the agenda for Item #5.

CLOSED SESSION

Council convened into Closed Session at 7:20 pm.

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)

Council concluded Closed Session at 7:24 pm.

Early Work Session ended at 7:24 pm.

OPEN SESSION

6. **Call to Order**

Mayor Wilcox called the Regular Meeting to order at 7:33 pm.

Roll Call

Present:	Charlotte Wilcox	Mayor
	Michelle Schwolert	Mayor Pro Tem
	William Meek	Deputy Mayor Pro Tem
	Mike Lombardo	Councilmember
	Barbara Fleming	Councilmember
	Fred Busche	Councilmember
	John McGee	Councilmember
Staff Members:	Michael Leavitt	City Manager
	Kevin B. Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Doug Reim	Police Chief
	Scott Kriston	Public Works Director
	Linda Cornelius	Parks and Recreation Director
	Laurie Mullens	Public Affairs Manager
	Andrew Boyd	Senior A/V Technician
	Karen Bradley	Administrative Assistant

7. **Prayer to be led by Councilmember Mike Lombardo**

Councilmember Mike Lombardo led the Invocation.

8. **Pledge of Allegiance to the U.S. and Texas Flags to be led by Councilmember Mike Lombardo**

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

9. Visitor Comments

Mayor Wilcox reported Mr. Rob Myers (3212 Parkhurst Circle) did not wish to speak but asked that his opposition be recorded in the official minutes that he is opposed to the Ladera condominium proposal being discussed at the next Council meeting.

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

Councilmember McGee stated he has noticed recent community blogs are reporting problems with rodents. He suggested citizens not leave garbage or pet food out, which might attract them. City Manager Michael Leavitt reported staff can come out to help residents identify where rodents may be nesting, such as in stacks of firewood or under storage buildings. He stated residents can contact animal control or inspections to set up for staff to come out to take a look.

Mayor Wilcox reminded everyone to use caution and to be on the lookout for snakes during this time of year. Mayor Pro Tem Schwolert reminded everyone about swimming pool safety, to keep children safe during this time of year, and recommended children wear floatation devices.

11. City Manager/Staff Reports

• HVTV Update

The latest video report from HVTV News was shown. The report included information on the following:

Volunteer for a Board or Commission – be a hero and volunteer to serve on one of the City's boards or commissions; applications will be accepted until July 29; you may submit your application online via the City's website: highlandvillage.org

Texting While Driving – this is a growing trend and national epidemic that is quickly becoming one of the country's top killers; texting while driving: causes 1,600,000 accidents per year, 330,000 injuries per year, 11 teen deaths every day, nearly 25% of ALL car accidents, is about 6 times more likely to cause an accident than driving intoxicated, the same as driving after 4 beers, is the number one driving distraction reported by teen drivers, makes you 23 times more likely to crash, is the same as driving blind for 5 seconds at a time, takes place by 800,000 drivers at any given time across the country, slows your brake reaction speed by 18%, leads to a 400% increase with eyes off the road. Your phone can wait; texting while driving is dangerous to both the driver and to everyone else on the road

Independence Day Safety Tips – remember to keep the holiday safe by Staying Hydrated by drinking water and avoiding sugary and alcoholic drinks which will dehydrate you fast; Fight the Bite of mosquito bites by avoiding being outside during dawn and dusk, wear long sleeves, drain standing water to reduce mosquito breeding areas; and remember Fireworks are Prohibited in Highland Village city limits

Weather and Traffic Alerts – never miss weather, traffic alerts, or important information from the City; text your zip code to 888777 or register at HVPD.com and search “E-Watch Sign Up” to receive important public safety texts and email messages

CONSENT AGENDA

12. **Consider Approval of Minutes of the Special Meeting held on May 17, 2016 and the Regular Meeting held on May 24, 2016**
13. **Consider Ordinance 2016-1198 Repealing Code of Ordinances Section 14-03-003 Establishing Procedures and Guidelines for the Naming of Municipal Parks (2nd and final read)**
14. **Consider Resolution 2016-2640 Authorizing a Parking License Agreement with Denton County Transportation Authority (DCTA)**
15. **Consider Resolution 2016-2641 Authorizing a Cooperation Purchasing Agreement with the Town of Flower Mound**
16. **Consider Resolution 2016-2642 Awarding the Bid and Authorizing a Contract for the Highland Village Road Overlay KCS Railroad to Brazos Boulevard) Project**
17. **Receive Budget Report for the Period Ending April 30, 2016**

Motion by Deputy Mayor Pro Tem Meek, seconded by Councilmember Lombardo, to approve Consent Agenda Items #12 through #17. Motion carried 7-0.

ACTION AGENDA

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

No action was taken as a result of Closed Session.

19. **Receive Capital Improvement Program (CIP) for Fiscal Year 2016-2017**

Assistant City Manager Ken Heerman stated that looking at the CIP budget is the first step in the budget process this year. Looking at the capital projects provides a backdrop where we look at big ticket items over a five year window. Mr. Heerman explained that the current status of projects required issuing a \$1.5 M tax note this year to address targeted Public Safety and Public Works issues, with all of the following projects in process:

Capital Projects Fund - Sellmeyer Road Improvements, Rehab of FM2499 Screening Walls, Drainage Improvements, Computer Aided Dispatch (CAD) Software, and Public Safety Radio System

HV Community Development Fund - Doubletree Ranch Park

Park Development Fee Fund – Dog Park

Mr. Heerman also presented the following future projects, totaling \$10,052,990, for consideration:

Street Reconstruction Projects – Proposed Bond Project in FY 2018 (\$2,800,000)

Unity Park Improvements – Proposed Bond Project in FY 2018 (\$3,473,140)

Lower Sellmeyer Park Improvements – Proposed Bond Project in FY 2021 (\$30,400)

Lion's Club Park Improvements – Proposed Bond Project in FY 2021 (\$41,250)

Turpin Park Improvements – Proposed Bond Project in FY 2021 (\$22,000)

Development of Sunset Park – Consider with FY 2016-2017 GF Budget in FY 2017 (\$166,000)

Pilot Knoll Park Improvements – Corps parks related to I-35 Remediation in FY 2017 (\$291,500)

Highland Shores Boulevard (Remington to Highland Village Road) – Initially funded with Utility Fund; reimbursed in FY 2020 (\$60,000)

Marauder Park Trail Head – Proposed Bond Project in FY 2019 (\$293,700)

Highland Village Road (Service Center to Lion's Club) – Proposed Bond Project in FY 2019 (\$165,000)

Highland Village Road (City Hall to Service Center) – Proposed Bond Project in FY 2019 (\$300,000)

Southwood Trail – Proposed Bond Project in FY 2019 (\$310,000)

Victoria Trail (remainder) – Proposed Bond Project in FY 2019 (\$2,100,000)

Mr. Heerman summarized the five year outlook stating that maintaining sufficient fund balance levels is a key measure of evaluation. Financial policies require a minimum of a 15% fund balance; however, 20% is the desired level. Preliminary projections will be refined during the budget process over the summer months. He stated that over the last several years, 380 economic development incentive payments (\$2M) were anticipated in FY 2016 through FY 2018 - based on achieving sales tax thresholds established with The Shops at Highland Village development. Based on recent history of collected sales tax receipts, it does not appear these thresholds will be achieved. Mr. Heerman stated that while this affords the City some flexibility, a focus on impending build-out requires a disciplined approach to manage the growth in operation costs and reduction in the overall debt-service load. Debt service represented approximately 20% of the tax rate in years prior to FY 2015. As revenues flatten with build-out, a continued focus on managing debt service is critical.

20. Consider Ordinance 2016-1200 Amending the Code of Ordinances as it Relates to Applications and Permits for the Sale and/or Consumption of Alcoholic Beverages at One-Day Special Events (1st of two reads)

APPROVED 1ST READ W/ REVISIONS

City Manager Leavitt reported in reviewing the existing ordinance, there is a requirement that a permit must be obtained for special events where the sale and/or consumption of alcoholic beverages will occur. In order to be eligible to file an application for a permit, the applicant must be a resident of the City. The City Attorney updated that portion of the ordinance and also did an overall legal review of the entire ordinance. After the agenda packet went out last week, it was recommended the reference to one-day special events be updated since some events are longer than one day. An updated draft was passed out to Council for review in Early Work Session.

The existing ordinance required that the Chief of Police shall issue or refuse to issue a requested permit not later than the third day after submission of the application. Mr. Laughlin reported he and Police Chief Reim suggest changing that to not later than the tenth business day. In addition, they suggested changing the requirement that applications be submitted no later than ten days before the date of a scheduled event to thirty days prior to a scheduled event.

Motion by Mayor Pro Tem Schwolert, seconded by Councilmember McGee, to approve the first read of Ordinance 2016-1200, with the inclusion of the above revisions. Motion carried 7-0.

LATE WORK SESSION

Mayor Wilcox stated since time allowed for discussion in Early Work Session, Agenda Item #21 would be moved up from Late Work Session.

- 22. Status Reports on Current Projects and Discussion on Future Agenda Items (A Councilmember may inquire about a subject of which notice has not been given. A statement of specific 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.)**

- **35Express Update**

City Manager Leavitt provided the following update regarding the 35Express Project:

Flagging operations will be in effect on eastbound and westbound Highland Village Road near the southbound I-35E frontage road nightly from 8 p.m. until 5 a.m. until Saturday, July 2. The flagging operation is for utility work in the area related to the 35Express Project.

Mr. Leavitt also reported all five of our water wells went online last week to accommodate increased usage. We are anticipating a repeat of last year's weather pattern – abundant rain through spring and early summer to a hot and dry summer. We are communicating to residents to anticipate an increase in their utility bill again as many will be cranking up their irrigation systems for the first time this season. We also want to remind residents Phase 1 Water Conservation is in effect which means sprinkler systems should be set to run between 10 p.m. and 6 a.m.

Mayor Wilcox asked for an update on the following:

Doubletree Ranch Park - Parks and Recreation Director Linda Cornelius reported Friday, August 12 is the ribbon cutting for the park, which will feature a concert. Soccer season starts on August 20.

Dog Park - Mayor Wilcox asked if there was a possibility of the dog park opening sooner. Ms. Cornelius reported the dog park will be completed by September 18.

FM 2499 Turn Area at The Shops – Mr. Leavitt reported TxDOT has awarded the project, which is included with their 377 project; it's the first thing the contractor is to begin after July 4th.

23. Adjournment

Mayor Wilcox adjourned the meeting at 8:15 p.m.

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 11	MEETING DATE: 07/12/16
SUBJECT: Consider Second Read of Ordinance 2016-1200 Amending the Code of Ordinances as it Relates to Applications and Permits for the Sale and/or Consumption of Alcoholic Beverages at Special Events	
PREPARED BY: Angela Miller, City Secretary	

BACKGROUND

In anticipation of the opening of Doubletree Ranch Park, City staff reviewed the City's ordinances and regulations relating to the operation of parks and special events. The existing ordinance includes a requirement that a permit must be obtained for special events where the sale and/or consumption of alcoholic beverages will occur. In order to be eligible to file an application for a permit, the applicant must be 18 years of age or older, and a resident of the City.

IDENTIFIED NEED/S:

City staff asked the City Attorney to review the current ordinance to revise the manner in which permits for certain one day events involving alcoholic beverages are issued, specifically the requirement that the applicant be a resident of Highland Village. Upon review by the City Attorney, he recommended a review of the entire section of the code.

OPTIONS & RESULTS:

The proposed ordinance raises the age requirement of the applicant to 21 years or older, and removes the requirement that an applicant be a resident of the City. It also includes other housekeeping items and a legal cleanup, as presented by the City Attorney in his review.

PROGRESS TO DATE: (if appropriate)

Council approved the first read of Ordinance 2016-1200 at their June 24, 2016 meeting; tonight will be the second read of Ordinance 2016-1200.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

To approve Ordinance 2016-1200.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2016-1200

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AMENDING IN ITS ENTIRETY CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE, CHAPTER 6 "BUSINESS REGULATIONS," ARTICLE 6.02 "ALCOHOLIC BEVERAGES," SECTION 6.02.004 "PERMIT FOR SALE OR CONSUMPTION AT ONE-DAY SPECIAL EVENTS" RELATING TO THE APPLICATION FOR AND ISSUANCE OF APPLICATIONS FOR THE SALE, DISTRIBUTION AND/OR CONSUMPTION OF ALCOHOLIC BEVERAGES AT CERTAIN SPECIAL EVENTS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in reviewing the City's ordinances and regulations that may impact the operation of Doubletree Ranch Park, City Administration has determined that, without amendment, Section 6.02.004 relating to obtaining permits for special events where the sale or consumption alcoholic beverages may limit the ability of the Park to be used to its fullest; and

WHEREAS, City Administration has recommended the City Council take this opportunity to amend the Code of Ordinances to revise the manner in which permits for certain one day events involving alcoholic beverages are issued; and

WHEREAS, the City Council finds it to be in the public interest to adopt the recommended amendment;

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

SECTION 1. Chapter 6 "Business Regulations," Article 6.02 "Alcoholic Beverages," Section 6.02.004 "Permit for Sale or Consumption at One-Day Special Events" of the Code of Ordinances of the City of Highland Village is renamed and amended in its entirety to read as follows:

Sec. 6.02.004 Permit for sale or consumption at special events

(a) Permit required. It shall be unlawful for any person to conduct a special event for which a permit is required pursuant to Division 6 of Article 14.04 of this Code and at which the sale, distribution and/or consumption of alcoholic beverages will occur without first having obtained a permit issued by the chief of police as provided in paragraph (d) of this section

(b) Application for permit.

(1) Each application for a permit issued pursuant to this section shall be on a form provided by the City and contain, as a minimum, the following information:

(A) Name of the applicant and the applicant's permanent residence; provided that if the applicant is not an individual, the address of the applicant's primary office in the State of Texas;

(B) If the person signing the application is signing as an authorized officer, agent, or representative of the applicant, the name and business address of the person signing the application;

(C) The time, date, location, and general description of the proposed special event; provided, if the special event requires additional time for set-up prior to the commencement of the event and/or break down after the conclusion of the event, the times and dates for such periods before and after the special event must also be included;

(D) Estimated attendance at the special event;

(E) Traffic plan for the special event, inclusive of any requests for street and/or lane closures, desires temporary no parking areas;

(F) Whether or not the applicant and/or person representing the applicant has ever been:

(i) Convicted of a felony or misdemeanor involving moral turpitude; and/or

(ii) Refused a permit to sell and/or consume alcoholic beverages, including beer, for a special event, including the reason for such refusal; and

(G) The type of license(s) or permit(s) the applicant intends to obtain from the Texas Alcoholic Beverage Commission in order to authorize the sale or distribution of alcoholic beverages at the special event and the proposed effective dates of said license(s) or permit(s).

(2) The applicant for a permit issued pursuant to this section, if the applicant is an individual, and the person signing of behalf of the applicant, if the applicant is not an individual, must be 21 years of age or older at the time of signing the application.

(3) In signing the application, the person signing shall be required to sign an affidavit stating that the statements made in the application are true and correct to the best of the person's knowledge and belief on the date the application is signed and continues to be true and correct on the date the application is submitted to the chief of police.

(c) Permit processing fee; investigation of applicant. An application for a permit to be issued pursuant to this section shall be filed with the chief of police not later than the thirtieth (30) day before the date scheduled for the

commencement of the special event accompanied by a permit processing fee equal to \$50.00 or such other amount as may be adopted from time to time by resolution of the City Council and set forth in the City's Fee Schedule maintained in the office of the City Secretary. Upon the filing of an application for a permit and payment of the required permit processing fee, the chief of police shall investigate each applicant for a permit under this section and make a report to the city manager before issuance of such permit.

(d) Issuance of permit. Not later than the tenth (10th) business day after submission of the application for a permit pursuant to this section and the payment of the required processing fee, the chief of police shall issue or affirmatively refuse to issue the requested permit under this section. If the chief of police refuses to issue the permit, the chief of police shall send to the applicant, by certified mail, return receipt requested, a written notice of such refusal and the reasons for the refusal. Such notice shall also inform the applicant of the applicant's right to appeal the decision of the chief of police to the city council.

(e) Appeals. If the chief of police refuses to issue a permit under this section, the applicant shall have the right to appeal such decision to the city council for its review and/or consideration at its next regularly scheduled council meeting. All determinations/decisions of the city council shall be final.

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

SECTION 3. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 4. This ordinance shall take effect upon 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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 28TH DAY OF JUNE, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 12TH DAY OF JULY, 2016.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:6/28/16:77523)

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 12	MEETING DATE: 07/12/2016
SUBJECT:	Consider Resolution 2016-2643 of the City Council of the City of Highland Village, Texas awarding and authorizing a contract with SJ&J Construction, LLC for the Canyon Creek Drive Drainage Improvements.
PREPARED BY:	Scott Kriston, Director of Public Works

BACKGROUND:

Previous Council action dated May, 2015 approved engineering design of the Canyon Creek Drainage Improvements Project. Erosion has been occurring around the culverts in the creek under Canyon Creek Drive, and the culverts are exhibiting failure, which is causing damage to the pavement in Canyon Creek Drive. Consequently, the City is in need of construction services to address this situation and provide for replacement drainage facilities at this location. Easement acquisition took several months to complete in order to design the permanent resolution. The work for this proposed project consists of furnishing all materials, labor, equipment, tools and incidentals necessary to construct the Project and generally consists of removal of the existing 72" corrugated metal pipe, construction of approximately 60 linear feet of two 8'x5' reinforced concrete boxes, and removal and replacement of approximately 45 linear feet of 6" water line and approximately 85 linear feet of asphalt pavement. Bids were received on Tuesday, June 21, 2016 for the project from eight general contractors. The base bid total for each contractor is provided below:

	SJ&J Const.	Reytech Services	Four Star Excavation	Reyes Group	Atkins Brothers	Nu_Way Co.	Canary Const.	White-water Const.
TOTAL BID	\$260,572	\$270,189	\$286,104	\$293,539	\$303,688	\$311,380	\$380,843	\$550,040

The lowest bidder is SJ&J Construction, LLC with a total bid in the amount of \$260,572.00. The low bid has been reviewed and evaluated. SJ&J Construction, LLC has sufficient resources to construct this project.

IDENTIFIED NEED/S:

The City is in need of construction services to address a critical situation resulting from erosion occurring around the culverts in the creek under Canyon Creek Drive. The culverts are exhibiting failure, causing damage to the pavement in Canyon Creek Drive. The City needs to address this situation and provide for replacement drainage facilities at this location.

OPTIONS & RESULTS:

The Canyon Creek Drive Drainage Improvements will provide for replacement culverts and for repair and replacement of the damaged pavement on Canyon Creek Drive.

PROGRESS TO DATE: (if appropriate)

Easement acquisition is complete and the project is designed. Bids were received from eight contractors for the construction of the Canyon Creek Drive Drainage Improvements. The lowest responsible bidder is SJ&J Construction, LLC in the amount of \$260,572.00.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

A budget amount of \$150,000 was provided with the 2016 Tax Note Issue. In addition, a FEMA reimbursement is anticipated in the amount of \$105,000 – this offsetting the majority of the amount exceeding budget in the proposed bid of \$260,572.00.

RECOMMENDATION:

Approve Resolution 2016-2643.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2016-2643

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AWARDED AND AUTHORIZING A CONTRACT WITH SJ&J CONSTRUCTION, LLC FOR CONSTRUCTION OF THE CANYON CREEK DRIVE DRAINAGE IMPROVEMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City administration, having solicited, received, and reviewed the bids to construct the Canyon Creek Drive Drainage Improvements (the "Project"), has determined that SJ&J Construction, LLC has submitted the lowest most responsible bid in an amount of \$260,572.00, and recommends awarding a contract for the Project to said bidder; and

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

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

SECTION 1. The City Manager is hereby authorized to execute a contract with SJ&J Construction, LLC in the amount of \$260,572.00 for the Project and, subject to applicable state laws, city policies, and, in the event change order(s) result in an increase in the contract amount, the availability of funds for such purpose, to negotiate and sign such change order(s) to said contract as the City Manager determines to be in the best interest of the City.

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

PASSED AND APPROVED THIS 12th DAY OF JULY, 2016.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:7/6/16:77704)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 13

MEETING DATE: 07/12/2016

SUBJECT: Consider Resolution 2016-2644 Authorizing a Contract for the Pilot Knoll Park Boat Dock Extension and Renovation Project

PREPARED BY: Linda Cornelius, Director of Parks and Recreation

BACKGROUND

The Texas State Boating Access Program provides 75% matching fund grant assistance to construct new, or renovate existing, public boat ramps that provide public access to public waters for recreational boating.

The State Boating Access Program receives funding from the Federal Aid in Sport Fish Restoration Act. Funds for the federal program are derived from the federal gasoline tax generated by sales of gasoline for recreational motorboats and a federal excise tax on the sale of fishing tackle and trolling motors. Fifteen percent of the State's annual apportionment from this federal program must be used to provide public recreational boating access.

Facilities eligible for funding assistance include boat docks.

On October 22, 2013, the City Council authorized, by resolution, the application to the Texas Parks & Wildlife Department Boating Access Grant Program seeking grant funds to extend the existing dock at Pilot Knoll Park to include additional renovations. On July 11, 2014, Tim Hogsett, the Director of Recreation Grants with the Texas Parks & Wildlife notified the City Manager that the Boat Access Review Committee had awarded the City the grant.

The City received the TPWD Local Grant Agreement on May 17, 2016 approving the project with a federal grant awarded in the amount of \$24,622.

The project was bid with bids closing on June 30, 2016.

Two bids were submitted:

Dock Master USA (Keller, Texas)	\$34,640.00
Meeco Sullivan, LLC (McAlester, OK)	\$56,267.00

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Overall project cost: \$34,640

The City will fund \$10,018 of the project cost and \$24,622 will be reimbursed through the Texas Parks & Wildlife Grant. Funds have been approved for the project and are budgeted in the Corps of Engineers General Fund Budget.

RECOMMENDATION:

Approve Resolution 2016-2644 Authorizing a Contract for the Pilot Knoll Park Boat Dock Extension and Renovation Project.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2016-2644

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AWARDED A BID AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND SIGN A CONTRACT FOR THE RENOVATION AND EXTENSION OF THE BOAT DOCK AT PILOT KNOLL PARK TO DOCK MASTER USA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Highland Village, Texas ("City") desires to make improvements to a boating access facility on Lake Lewisville in Pilot Knoll Park ("the Facility"); and

WHEREAS, the improvements to the Facility would benefit citizens of the City and Denton County as well as transient recreational boaters from the State of Texas and other states; and

WHEREAS, having solicited and received bids for the extension and renovation of the boat dock, City Administration has determined that Dock Master USA, from Keller, Texas has provided the lowest responsive bid and recommends awarding the bid to and entering into a contract with Dock Master USA the amount of \$34,640; and

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

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

SECTION 1. The City Manager is hereby authorized to negotiate and sign on behalf of the City a contract with Dock Master USA for boat dock renovation and extension at Pilot Knoll Park in the amount of \$36,640. The City Manager is further authorized to execute such change orders to said contract as he deems reasonable and necessary to the extent allowed by law and city policy and subject to the availability of current funds for said purpose.

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

PASSED AND APPROVED this the 12th day of July, 2016.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:7/5/16:77681)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 14

MEETING DATE: 07/12/2016

SUBJECT: Consider Resolution 2016-2646 authorizing abandonment of a water line easement located on Lot 9, Block C, Wichita Estates, City of Highland Village

PREPARED BY: Scott Kriston, Director of Public Works

BACKGROUND

In order to facilitate the development of Lot 9, Block C, Wichita Estates, the owner of the property has requested a water line easement. The water line that was in the easement to be abandoned has been replaced by a new line located in an easement dedicated as part of the plat for Wichita Estates. As a result, staff is of the opinion the identified easement is not needed for public use and can be abandoned and vacated without any detriment to the public.

IDENTIFIED NEED/S:

In order for the proposed development to be constructed a section of water line is required to be abandoned and relocated.

OPTIONS & RESULTS:

Failing to approve the requested abandonment will limit the ability to develop Lot 9, Block C of the subdivision. Approving the request will allow Lot 9 to be developed in a manner consistent with the remainder of the subdivision.

PROGRESS TO DATE: (if appropriate)

The property owner has submitted a survey of the portion of the water line easement for which abandonment is being requested. Construction of the replacement water line has been completed and accepted by the Director of Public Works.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

No budgetary impact.

RECOMMENDATION:

Approve Resolution 2016-2646

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2016-2646

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS ABANDONING AND VACATING A PORTION OF A FIFTEEN FOOT (15.0') WIDE WATER LINE EASEMENT LOCATED ON LOT 9, BLOCK C, WICHITA STATES, AN ADDITION TO THE CITY OF HIGHLAND VILLAGE, TEXAS; DIRECTING THE RECORDING OF A COPY OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Highland Village, Texas, acting pursuant to law and upon the request of the purported owner of the underlying fee title of the property described in Exhibit "A," attached hereto and incorporated herein by reference, is of the opinion and finds that said tract is not needed for public use and should be abandoned and vacated and deems it advisable and in the public interest to abandon and quitclaim the hereinafter described interests in real property subject to the reservations and conditions of this document;

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

SECTION 1. The City of Highland Village hereby abandons, vacates, and quitclaims all right, title, and interest in and to the portions of that certain fifteen foot (15.0') wide water line easement described in Exhibit "A" and depicted in Exhibit "B," attached hereto and made a part hereof for all purposes, the same as if fully copied herein, subject to all existing easement rights of others, if any, whether apparent or non-apparent.

SECTION 2. The City Council by this Resolution does not authorize the abandonment of any other interest other than the City's interest in the water line easement to the extent described in Exhibit "A." hereto.

SECTION 3. Pursuant to Section 1, above, the City Secretary shall file a certified copy or duplicate original of this resolution in the Official Public Records of Denton County, Texas.

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

PASSED AND APPROVED THIS 12th DAY OF JULY, 2016.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl 7/8/16:77726)

Resolution No. 2016-2646
Exhibit "A" –Description of Abandoned Water Line Easement

15' WATER LINE EASMENT ABANDONMENT
0.053 ACRES
CITY OF HIGHLAND VILLAGE, DENTON COUNTY, TEXAS

BEING all that certain lot, tract or parcel of land situated in the W. P. Pearce Survey, Abstract Number 1015, City of Highland Village, Denton County, Texas, and being a part of that certain tract of land described by deed to Jaramco Investments, LLC, recorded under Document Number 2013-134849 of the Real Property Records of Denton County, Texas, and being all that certain tract of land described by deed to Urban Services, Inc., recorded in Volume 572, Page 195 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

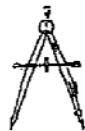
BEGINNING at a 3/8 inch iron rod found for the southeast corner of said Jaramco tract, the northeast corner of Lot 12, Block 4, Highland Hills Addition, Seconds Section, an addition to the City of Highland Village, Denton County, Texas, according to the plat thereof recorded in Volume 16, Page 47 of the Plat Records of Denton County, Texas, and being in the west line of Lot 11 of said Block 4;

THENCE North 88 degrees 09 minutes 22 seconds West, with the north line of said Lot 12, a distance of 15.00 feet to a point for corner, being the southwest corner of said Urban Services tract;

THENCE North 02 degrees 00 minutes 48 seconds East, with the west line of said Urban Services tract, a distance of 154.40 feet to a point for corner, being the northwest corner thereof;

THENCE South 88 degrees 09 minutes 22 seconds East, with the north line of said Urban Services tract, a distance of 15.00 feet to a point for corner, being in the west line of that certain tract of land described by deed to Jaramco Investments, LLC, recorded under Document Number 2013-141858 of the Real Property Records of Denton County, Texas;

THENCE South 02 degrees 00 minutes 48 seconds West, with the east line of said Urban Services tract, passing at a distance of 15.26 feet, a 1/2 inch iron rod found for the northwest corner of said Lot 11 of said Block 4, and continuing for a total distance of 154.40 feet to the **POINT OF BEGINNING**, and containing 0.053 acres of land, more or less.



Arthur Surveying Co., Inc.

Professional Land Surveyors

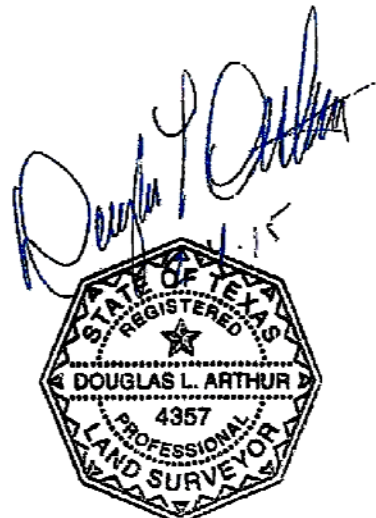
972-221-9439 ~ Fax 972-221-4675

220 Elm Street, Suite 200 ~ P.O. Box 54

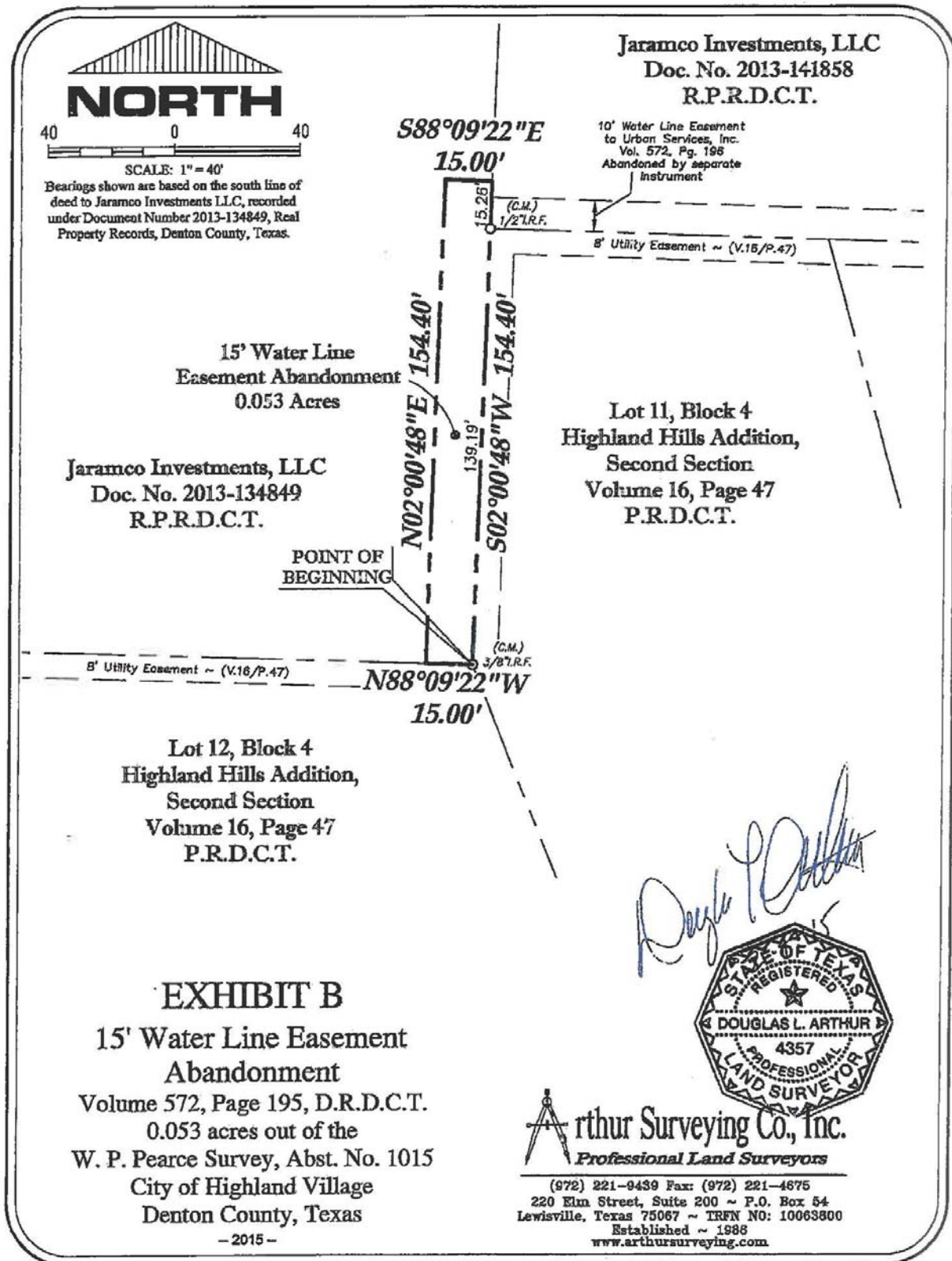
Lewisville, Texas 75067 - TFRN No. 10063800

Established 1986

www.arthursurveying.com



Resolution No. 2016-2646
Exhibit "B" - Survey Plat of Abandoned Water Line Easement



CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 16

MEETING DATE 07/12/2016

**SUBJECT: Consider Resolution 2016-2645 Affirming Support for the
Lewisville Independent School District in Seeking Fair and
Appropriate Methods for Educating Local Students**

PREPARED BY: Karen Bradley, Administrative Assistant

BACKGROUND

This item was placed on the agenda at the request of Mayor Wilcox.

IDENTIFIED NEED/S:

Students enrolled in public school systems across the country must adhere to mandated standardized testing requirements. At its own expense, LISD has uncovered grading errors in a significant sample of the state standardized tests that were administered to local students during the 2015-2016 academic year. These test scores are the primary means of state-assigned grades for public school campuses, and a pattern of errors in grading raises doubts about the validity of any campus designations that are based on those test scores.

LISD Board of Trustee members Angie Cox and Kristi Hassett contacted Mayor Wilcox asking for the City's support in their efforts to promote fairness and consistency in the state testing system, and in their efforts to seek restitution for the expenses incurred attempting to correct grading errors made on the state standardized tests.

OPTIONS & RESULTS:

N/A

PROGRESS TO DATE: (if appropriate)

The City of Lewisville and Town of Flower Mound have both passed similar resolutions.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

To approve Resolution 2016-2645.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2016-2645

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AFFIRMING ITS SUPPORT FOR THE LEWISVILLE INDEPENDENT SCHOOL DISTRICT IN SEEKING FAIR AND APPROPRIATE METHODS FOR EDUCATING LOCAL STUDENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Highland Village values its relationship with the Lewisville Independent School District ("LISD") as a partner in building high quality of life and a thriving and prosperous community; and

WHEREAS, LISD schools have been providing local students with a quality education for over a century; and

WHEREAS, it has recently come to the City's attention that LISD – at its own expense, costing the taxpayers of Lewisville ISD – has uncovered serious grading errors in a significant sample of state standardized tests administered to local students during the 2015-2016 academic year; and

WHEREAS, these standardized test scores are the primary means of state-assigned "grades" for public school campuses, and a pattern of errors in grading raises doubts about the validity of any campus designations that are based on those tests scores; and

WHEREAS, final accountability for local public schools should rest with local school boards and the local taxpayers who elect them;

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

SECTION 1. The City of Highland Village declares its unwavering support for the educational efforts of the Lewisville Independent School District and proudly affirms its valued partnership with LISD in building a better community.

SECTION 2. The City of Highland Village expresses its sincere concern raised by the grading errors recently uncovered by the LISD, and the resulting doubts it creates as to the lack of validity for any individual campus assessments that might be assigned based on those tests.

SECTION 3. The City of Highland Village supports the LISD in its effort to promote fairness and consistency in the state testing system and to seek restitution for the expenses it incurred attempting to correct grading errors made on the state standardized tests.

SECTION 4. This Resolution shall become effective immediately upon passage.

PASSED AND APPROVED THIS 12th DAY OF JULY, 2016.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:7/7/16:77723)

CITY OF HIGHLAND VILLAGE
CITY COUNCIL

AGENDA# 17

MEETING DATE: 07/12/2016

SUBJECT: Conduct Public hearing and consider any ordinance amending the zoning of an approximately 15.0969 ± tract of land located in the J. Edmonson Survey, Abstract No. 398, and an approximately 11.05 ± acre tract of land located in the G. Jackson Survey, Abstract No. 1599, said property generally located on the East side of Chinn Chapel Rd., South of the Railroad Tracks, directly north of Chapel Hill Estates, Phase II, from Residential Zoning SF-40 to a Planned Development District for Detached Residential Condominium Development, including adoption of development restrictions (including age restrictions), concept plan, landscape plan, and elevations. (First Read of Ordinance 2016-1201).

PREPARED BY: Autumn Aman, Community Development Coordinator

BACKGROUND

The City has received an application from G&A Consultants, on behalf of the Integrity Group, requesting to change the current zoning on the property from SF-40 to a Planned Development District for a Detached Residential Condominium Development consisting of approximately (100) homes. The applicant is proposing an age restricted, maintenance free, gated residential community integrated with quality amenities such as walking trails, parks, and open space areas that provide for and enhances the quality of life for active adults seeking a maintenance free lifestyle.

IDENTIFIED NEED/S:

To request the change of zoning on the property, public hearings are required to be conducted by both the Planning and Zoning Commission and City Council. All public hearing notifications requirements have been satisfied.

OPTIONS & RESULTS:

Options are to recommend that the application be (1) approved as submitted, (2) approved with modifications, (3) deny the request, or (4) postpone for additional information.

PROGRESS TO DATE: (if appropriate)

At the March 15, 2016, Planning and Zoning Commission meeting, the applicant gave a presentation only to the Commission on the proposed development with a notice of possible quorum of City Council.

At the July 21, 2016, Commission meeting, after an extensive public hearing and deliberation relating to a draft ordinance presented to the Commission for consideration, the Commission voted 5 to 0 to recommend the City Council approve the requested rezoning subject to the proposed ordinance as revised in accordance with the motion approved by the Commission

As of the date of preparation of this briefing, July 7, 2016, staff has received a total of (10) emails only regarding this item.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

An Ordinance is required. A copy of the draft ordinance prepared by the City Attorney containing the text of the development regulations recommended by the Planning and Zoning Commission is included with the agenda packet.

RECOMMENDATION:

The Planning and Zoning Commission has recommended approval of the ordinance setting forth the requested rezoning.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2016-1201

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, DENTON COUNTY, TEXAS, AMENDING THE HIGHLAND VILLAGE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP RELATING TO THE USE AND DEVELOPMENT OF A 15.0969 ± ACRE TRACT OF LAND LOCATED IN THE J. EDMONSON SURVEY, ABSTRACT NO. 398, AND AN 11.05 ± ACRE TRACT OF LAND LOCATED IN THE G. JACKSON SURVEY, ABSTRACT NO. 1599, CITY OF HIGHLAND VILLAGE, DENTON COUNTY, TEXAS, PRESENTLY ZONED SF-40 SINGLE FAMILY RESIDENTIAL BY CREATING PLANNED DEVELOPMENT NO 2016-01 FOR DETACHED SINGLE FAMILY RESIDENTIAL CONDOMINIUM DEVELOPMENT AND ADOPTING DEVELOPMENT REGULATIONS, A CONCEPT PLAN, LANDSCAPE PLAN, AND BUILDING ELEVATIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING 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 situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that the Comprehensive Zoning Ordinance and Zoning Map of the City of Highland Village, Texas, as previously amended, should be further amended.

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

SECTION 1. The Comprehensive Zoning Ordinance ("CZO") and the Zoning Map of the City of Highland Village, Denton County, Texas, as previously amended, be further amended relating to the use and development of a 15.0969± acre tract of land located in the J. Edmonson Survey, Abstract No. 398, and a 11.05± acre tract of land located in the G. Jackson Survey, Abstract No. 1599, City of Highland Village, Denton County, Texas, being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference ("the Property"), which is presently zoned as "SF-40" Single Family Residential, by establishing Planned Development No. 2016-01 for Detached Single Family Residential Condominium Development to be used and developed in accordance with the use and development regulations set forth in Section 2 of this Ordinance.

SECTION 2. The Property shall be developed and used in accordance with the applicable provisions of the CZO, as amended, except to the extent modified by the Development Regulations set forth below:

- A. BASE ZONING DISTRICT:** The Property shall be developed and used only in accordance with the standards of the CZO for Single Family Residential development, except as otherwise provided herein.
- B. PERMITTED USES:** The Property may be only used and developed as a single family detached residential development with the following accessory uses located as shown on the Concept Plan:

- (1) Amenity Center, for purpose of housing on-site sales and management office and common use rooms for use by occupants of dwelling units within the Property
- (2) Community Pool
- (3) Gazebos and Pavilions
- (4) Sport Courts (e.g. basketball, racquet ball, pickle ball, bocce ball, volleyball, tennis, both indoor and outdoor), provided, however, no outdoor sport courts shall be lighted for night time use unless a lighting plan has been approved by the City Manager or designee which shows that the light from any lighting fixtures does not extend beyond the boundary of the Property.

C. DEED RESTRICTIONS: Prior to or concurrently with the recording of a plat for the Property, the owner of the Property shall establish a restrictive covenant on the Property by executing and recording an instrument approved by the City Attorney pursuant to which the Property shall be limited (other than for exceptions therein contained) to residential uses by people fifty-five (55) years of age or older consistent with the Federal Fair Housing Act and other applicable law. The restrictive covenant may be contained within the document establishing the condominium regime for the Property or in a separate instrument. Such restrictive covenant shall provide that the above described age restrictions may not be amended or terminated without the prior approval of the City Council of the City of Highland Village as expressed by adoption of an ordinance or resolution authorizing such amendment or termination unless such amendment is necessary to allow the terms of the restrictive covenant to comply with applicable laws, for which notice to the City Council is required, but not the approval of the City Council; provided, however, such change does not eliminate the primary purpose of such restriction to limit the age of residents of the Property to 55 years and older.

D. PLATTING REQUIREMENTS AND CONDOMINIUM REGIME: The Property may be platted as a single lot, if, and only if, the Property is established as a condominium development pursuant to Chapter 82 of the Texas Property Code, as amended. The final plat of the Property may not be approved unless and until the City Council, following recommendation of the Planning and Zoning Commission, has approved the condominium plat of the Property which will become part of the condominium declaration to which the Property will be subjected. Not later than sixty (60) days after the recording of the plat, the Owner of the Property shall provide a copy of the proposed condominium declaration to the City Attorney for approval. Upon approval of the proposed form of the declaration by the City Attorney, the Owner shall record the approved declaration in the Official Public Records of Denton County, Texas, and provide a copy of the recorded document to the City. Until the declaration has been recorded, no building permits of any type shall be issued. As a minimum, such condominium plat shall be substantially consistent with the the provisions of this Ordinance and, to the extent not shown on the Concept Plan, show the location of the individual ownership dwelling units and all common areas of the Property.

E. CONCEPT PLAN: The Property shall be developed in general conformance with the Concept Plan attached hereto as Exhibit "B" and incorporated herein by reference ("the Concept Plan"). Minor modifications to street alignments that do not alter the general alignment shown on the Concept Plan may be made at the time of platting.

F. BUILDING ELEVATIONS: Buildings constructed on the Property shall be designed and constructed in substantial conformance with the Building Elevations attached hereto as Exhibit "C" and incorporated herein by reference and subject to the following:

- (1) All dwelling units and the Amenity Center shall be constructed with 100% masonry materials subject to the following:
 - (a) The first floor of each building shall be 100% brick and/or stone; and
 - (b) For two (2) stories, not less than 85% of the exterior façade materials for any dwelling unit or the Amenity Center shall be a masonry product, brick and/or stone.

The percentage calculations for this subparagraph (1) shall be based on the areas of the building exterior other than windows and doors.

- (2) Garage doors shall have a wood or aluminum carriage-style or barn-door style design in earth tone colors that complement the color of brick and/or stone used on the front façade of the dwelling unit.

G. LANDSCAPING: The Property shall be landscaped substantially in accordance with the Landscape Concept Plan attached hereto as Exhibit "D" and incorporated herein by reference. Other than the front yard trees required by Subparagraph 2, below, no certificate of occupancy shall be issued for any residential unit constructed on the Property prior to completion of the installation of all required landscaping within the landscape buffers, open areas, entrance features, and Amenity Center and related irrigation systems except to the extent as authorized in writing by the City Manager when time of year or limitations on irrigation of new landscape materials pursuant to applicable water conservation and drought contingency regulations would reasonably result in damage or destruction of such plant materials. In addition:

- (1) Landscape buffers with a width of not less than twenty feet (20.0') shall be established as common areas along the following property lines of the Property in accordance with the Landscape Concept Plan as follows:
 - (a) Adjacent to Chinn Chapel Road;
 - (b) Adjacent to the railroad right of way; and
 - (c) Adjacent to Lot 1-4, Block F, Lots 18-25, Block G, and Lot 1, Block H, Chapel Hill Addition Phase II, an addition to the City of Highland Village according to the plat thereof recorded in Cabinet U, Page 377, Plat Records, Denton County, Texas; provided, however, the City Manager shall be authorized to consent to a modification of the landscape buffer adjacent to said Lot 1, Block H if, upon the advice of the City Engineer, such modification is necessary to prevent the flow of the drainage of surface water to or from the detention basin presently constructed on Lot 1, Block H in accordance with any City-approved drainage plan or applicable ordinances and regulations.
- (2) Not less than one (1) canopy tree from the approved plant list for the City of Highland Village shall be planted in the front yard of each dwelling unit and irrigated by an automatic drip irrigation system. Unless otherwise approved by the City Manager, the certificate of occupancy for the dwelling unit may not be granted until the required tree and irrigation system is installed. Each such tree shall be not less than (i) twelve (12) feet tall and (ii) have a trunk diameter of not less than three (3) caliper inches measured between six (6) inches and twelve (12) inches above the base of the tree at the time of planting.

- (3) The Homeowner's Association for Ladera Highland Village shall be required to maintain all landscaping, trees (canopy, accent), shrubs and entrance features, screening walls/fences required in accordance with the Concept Landscape Plan, including replacement trees planted as required by Paragraph M, below, and foundation plantings for each unit required to be installed pursuant to the declaration of condominium.

H. **BUILDING SEPARATIONS AND SETBACKS:** Buildings constructed on the Property shall be separated from each other and setback from the internal drives as follows:

Side Yard Setback (Between Buildings)	Not less than six (6) feet
Side Yard Setback (Adjacent to Street)	Not less than fifteen (15) feet
Front Yard Setback (measured from Front of Building to Street Back of Curb)	Not less than twenty (20) feet
Rear Yard Setback (Between Buildings)	Not less than twenty (20) feet Minimum

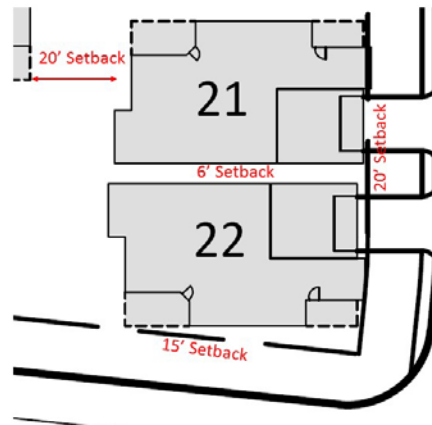


Illustration of Minimum Setback and Separation

Notwithstanding the provisions of this Paragraph H to the contrary, the building separations shall not be less those which are required by the City's Fire Code and other building regulations in effect at the time of issuance of the building permit for the structure as determined by the City's Fire Marshall and Building Official.

I. **SCREENING:** Screening on the Property shall be constructed and installed at the various locations shown on Landscape Concept Plan subject to the following:

- (1) The main entrance to the Property (i.e. the driveway entrance off of Chinn Chapel Road located at the southwest of the Property) shall be required to feature enhanced landscaping and a water feature. Lighting for the entry feature shall be solely ground up lighting or back lighting.

- (2) An ornamental metal fence not less than six (6) feet in height shall be required along the north-eastern property line adjacent to the railroad, as indicated on the Landscape Concept Plan.
- (3) A six (6) foot Simtek screening wall shall be constructed along the southern property line as shown on the Landscape Concept Plan and shall be substantially designed and constructed as shown on the Screening Wall Detail attached hereto as Exhibit "E" and incorporated herein by reference.
- (4) A six (6) foot wrought iron fence with stone columns spaced at 100 foot intervals shall be required along the western property line until it reaches residential lots; at which point a six (6) foot masonry screening wall shall be constructed.
- (5) No certificate of occupancy for any building constructed on the Property shall be granted until the City's Chief Building Official has determined all screening elements required by this Paragraph I are completed in accordance with this Ordinance and any required building permit.

J. PARKING:

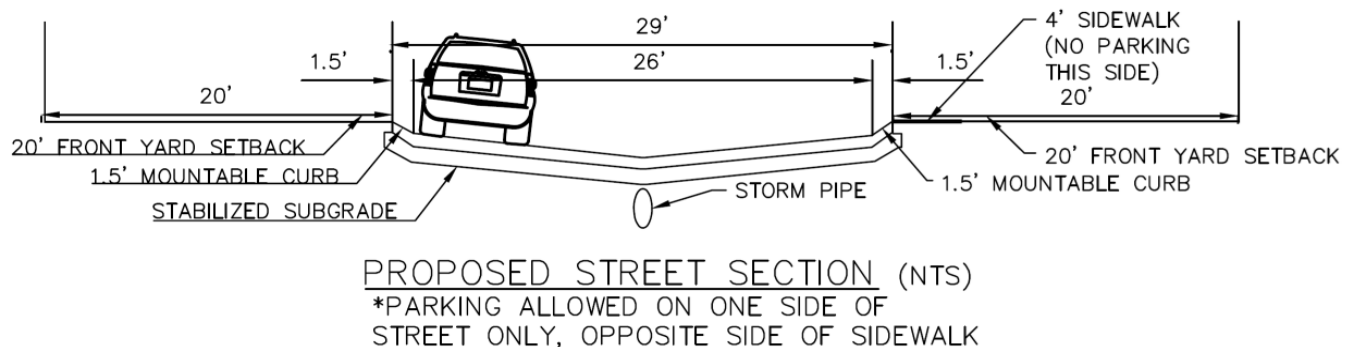
- (1) Off street parking shall be allowed only in areas shown on the Concept Plan.
- (2) On street parking shall be allowed on one side of the street opposite the side where sidewalks are installed as shown on the approved Concept Plan.
- (3) Each dwelling unit shall be constructed with two (2) garage-enclosed and two (2) off-street driveway parking spaces.
- (4) Seventeen (17) parking spaces plus one (1) additional space per each 200 square feet above 3500 square feet of air conditioned space within the Amenity Center shall be constructed and located adjacent to the Amenity Center as shown on the Concept Plan.

K. INTERNAL DRIVES AND ACCESS EASEMENTS

- (1) The final plat of the Property shall establish a mutual access easement internal to the Property (the "Internal Driveways") granting to all owners of any portion of the Property the right of ingress, egress, and passage over the Internal Driveways both within the Property and to and from Chinn Chapel Road.
- (2) The final plat of the Property shall dedicate over all Internal Driveways an easement granting the right to all federal, state, county, or municipal governmental entities, any special districts, and their respective departments or agencies, the right to enter onto such Internal Driveways to perform law enforcement, firefighting, emergency medical services, solid waste collection services, public utility repairs and maintenance and other activities necessary for the enforcement of laws and regulations applicable to the Property and the preservation and protection of people and public and private property; provided, such easement shall not be required to authorize the entry of such governmental entities into individually owned dwelling units or any other structure constructed on the Property.
- (3) The entrances to the Property from Chinn Chapel Road and Limburg Drive shall be equipped with an electronically operated gate opener which shall be equipped with a Knox Box or other means of allowing the gate to be opened by fire, emergency

medical services, or law enforcement personnel when needing to enter the Property during times when the gate is closed and unmanned.

- (4) The entrance to the Property shown on the Concept Plan from Limburg Drive shall remain closed and used solely for emergency access for public safety. Construction traffic shall be prohibited from using Limburg Drive during development of the Property.
- (5) All Internal Driveways shall be constructed to the same standards as required of all public streets within the City at the time of construction.
- (6) The Internal Driveways shall have a cross-section designed and constructed substantially as follows:



L. OPEN SPACE AND TRAILS

- (1) The minimum required designated open space area shall be not less than forty percent (40%) of the gross land area of the Property.
- (2) A five (5) foot wide trail shall be constructed around the perimeter of the Property as shown on the Concept Plan prior to issuance of a certificate of occupancy for the first residential unit constructed on the Property.
- (3) Subject to an agreement with the Chapel Hill Homeowner's Association, the perimeter trail described in subparagraph 2, above, may be continued offsite to connect with any existing or future trail constructed on Lot 1, Block H, Chapel Hill Addition Phase II, an addition to the City of Highland Village according to the plat thereof recorded in Cabinet U, Page 377, Plat Records, Denton County, Texas, to provide a loop around the existing pond with a pedestrian bridge crossing at the southern end of the pond, as shown on the approved Concept Plan. In the event the owner of the Property and/or the homeowner's association established pursuant to the declaration of condominium obtains title to said Lot 1, Block H, the members of the Chapel Hill Homeowner's Association, the members of their families, and their tenants shall have the continuing right to use the trail constructed on said Lot 1, Block H. The area of Lot 1, Block H shall not be included in the calculation of the minimum open space area required by subparagraph 1, above, unless fee simple title to said Lot 1, Block H is conveyed to the owner of the Property or to the homeowner's association established pursuant to the declaration of condominium.

- (4) Park-type amenities such as shade structures, picnic tables, and benches may be located within the open space areas.

M. TREE CONSERVATION PLAN: No trees shall be removed from the Property and no approval of the final plat of the Property shall occur until a tree conservation and mitigation agreement has been prepared and approved and signed by the Owner of the Property and the City which, as a minimum:

- (1) Incorporates the approved tree survey prepared in accordance with City's Subdivision Regulations, as amended ("the Tree Survey");
- (2) Authorizes the removal of the trees identified for removal on the Tree Survey;
- (3) Requires the replacement of trees that have a caliper measurement of sixteen (16) inches or greater measured at 3.5 feet above the base of the trunk of the tree (measured from the soil line) at a ratio of one (1) caliper inches of replacement trees for each one (1) caliper inches of trees removed; provided, however, nothing herein shall be construed as exempting the development of the Property from any requirements relating to preparation of a tree survey and protect and mitigate the removal of trees in accordance with other applicable City ordinances;
- (4) Requires the replacement trees to be of a species on the City's approved tree species list as set forth in Appendix A of the Subdivision Regulations, as amended;
- (5) Provides that the trees required to be planted pursuant to Paragraph G(2) of this Section 2 shall not be counted toward the total caliper inches of trees to be replaced; and
- (6) Requires all replacement trees shall have a trunk measurement of not less than three (3) caliper inches measured at six (6) inches and twelve (12) inches above the base of the tree at the time of planting.

N. MISCELLANEOUS DEVELOPMENT STANDARDS: The following additional development standards shall apply to the use and development of the Property:

- (1) **Lot Coverage:** The maximum lot coverage shall not exceed 60% of the gross area of the Property.
- (2) **Minimum Dwelling Unit Size:** No dwelling unit constructed on the Property shall have an area of less than 1,519 square feet of air conditioned space.
- (3) **Maximum Height:** No building constructed on the Property shall exceed two (2) stories, and, in no case, shall the building height be greater than thirty-five (35) feet but excluding the height of any roof-mounted mechanical and similar equipment and the building feature used to screen such equipment.
- (4) **Density:** The density of dwelling units constructed on the Property shall not exceed 3.82 dwelling units per gross acreage, based on a gross acreage of 26.153 acres.
- (5) **Phasing:** The development of the Property and construction of all required public improvements shall be constructed in a single phase.
- (6) **Water for Irrigation and Water Features:** All water for consumption by humans and other domestic uses shall be supplied to the Property through connections to the

City's public water supply system. Water to be used for irrigation of landscaping, providing water for water features, and supplementing surface water supplies for purpose of maintaining water levels in ponds may be provided by a water well drilled on the Property provided that (i) the well is drilled, completed, and operated in accordance with all applicable federal, state, and local laws, regulations, and ordinances, and (ii) the well is not drilled in such a manner that upon completion the well is drawing water from the Trinity Sands formation.

SECTION 3. To the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Highland Village governing the use and development of the Property and which are not expressly amended by this Ordinance, 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 the Comprehensive Zoning Ordinance and Code of Ordinances of the City of Highland Village, 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.

SECTION 7. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Highland Village, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE ____ DAY OF _____, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE ____ DAY OF _____, 2016.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:7/7/16:77279)

ORDINANCE NO. 2016-1201
EXHIBIT "A"
BOUNDARY DESCRIPTION OF THE PROPERTY

26.153 ACRES

Being all that certain lot, tract or parcel of land situated in the James Edmonson Survey, Abstract Number 398 and the G. W. Jackson Survey, Abstract Number 1599, City of Highland Village, Denton County, Texas, and being all that certain called 26.153 acre tract of land described in deed to Kay Marschel recorded in Instrument Number 2004-118736 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at the westerly southwest corner of said Marschel tract, being in Chinn Chapel Road and being an angle point in the north line of Lot 1, Block H of Chapel Hill Addition, Phase II according to the plat thereof recorded in Cabinet U, Page 377 of the Plat Records of Denton County, Texas, and being the southwest corner of that certain called 0.1 acre tract of land described in deed to Mr. And Mrs. W. E. Vaughan recorded in Volume 1564, Page 326 of the Real Property Records of Denton County, Texas, from which a "PK" nail found bears N 48°33'30" W, 1.0 foot;T

THENCE N 21°12'00" E, with the west line of said Marschel tract and the west line of said 0.1 acre tract in Chinn Chapel Road, passing at 9.3 feet the southeast corner of Decker Estates according to the plat thereof recorded in Cabinet S, Page 161 of the Plat Records of Denton County, Texas, continuing with the west line thereof a total distance of 131.36 feet to the north corner of said 0.1 acre tract, from which a 1/2" capped rebar found (4857 AAS) bears N 57°10'10" W, 0.8 foot;

THENCE N 01°38'10" W, with the west line of said Marschel tract and the east line of said Decker Estates, in Chinn Chapel Road, passing at 738.6 feet the northeast corner of said Decker Estates, being the southeast corner of that certain called 10.915 acre tract described in deed to Texas Power and Light Company recorded in Volume 1126, Page 313 of the Deed Records of Denton County, Texas, continuing with the east line thereof a total distance of 1209.44 feet to a 5/8" rebar found at the northwest corner of said Marschel tract and the northeast corner of said Texas Power and Light Company tract, being on the south line of that certain called 0.505 acre tract of land described as Parcel 5 in deed to Beal Development, Ltd., recorded in Document Number 1997-49166 of the Real Property Records of Denton County, Texas;

THENCE N 88°38'30" E, 59.45 feet with the north line of said Marschel tract and the south line of said Beal Development tract to the west line of that certain called 12.59 acre tract described in deed to the Gulf, Colorado and Santa Fe Railway Company recorded in Volume 438, Page 576 of the Deed Records of Denton County, Texas, being the northeast corner of said Marschel tract and the southeast corner of said Beal Development tract;

THENCE S 45°20'50" E, 2015.20 feet with the east line of said Marschel tract and the west line of said Gulf, Colorado and Santa Fe tract to a 5/8" capped rebar found (Survcon) at the southeast corner of said Marschel tract, being the north corner of Lot 18, Block G of the aforementioned Chapel Hill Addition;

THENCE S 44°38'40" E, 160.68 feet with the south line of said Marschel tract and the north line of said Chapel Hill Addition to a 1/2" capped rebar set (G&A), from which a 1/2" rebar found bears S 77°33'15" W, 1.0 foot;

THENCE N 84°04'50" W, 1251.19 feet with the south line of said Marschel tract and the north line of said Chapel Hill Addition to a 5/8" capped rebar found (Survcon);

THENCE N 65°08'00" W, 163.53 feet with the south line of said Marschel tract and the north line of said Chapel Hill Addition to the POINT OF BEGINNING and containing approximately 26.153 acres of land.



ORDINANCE NO. 2016-1201
EXHIBIT "C"
BUILDING ELEVATIONS



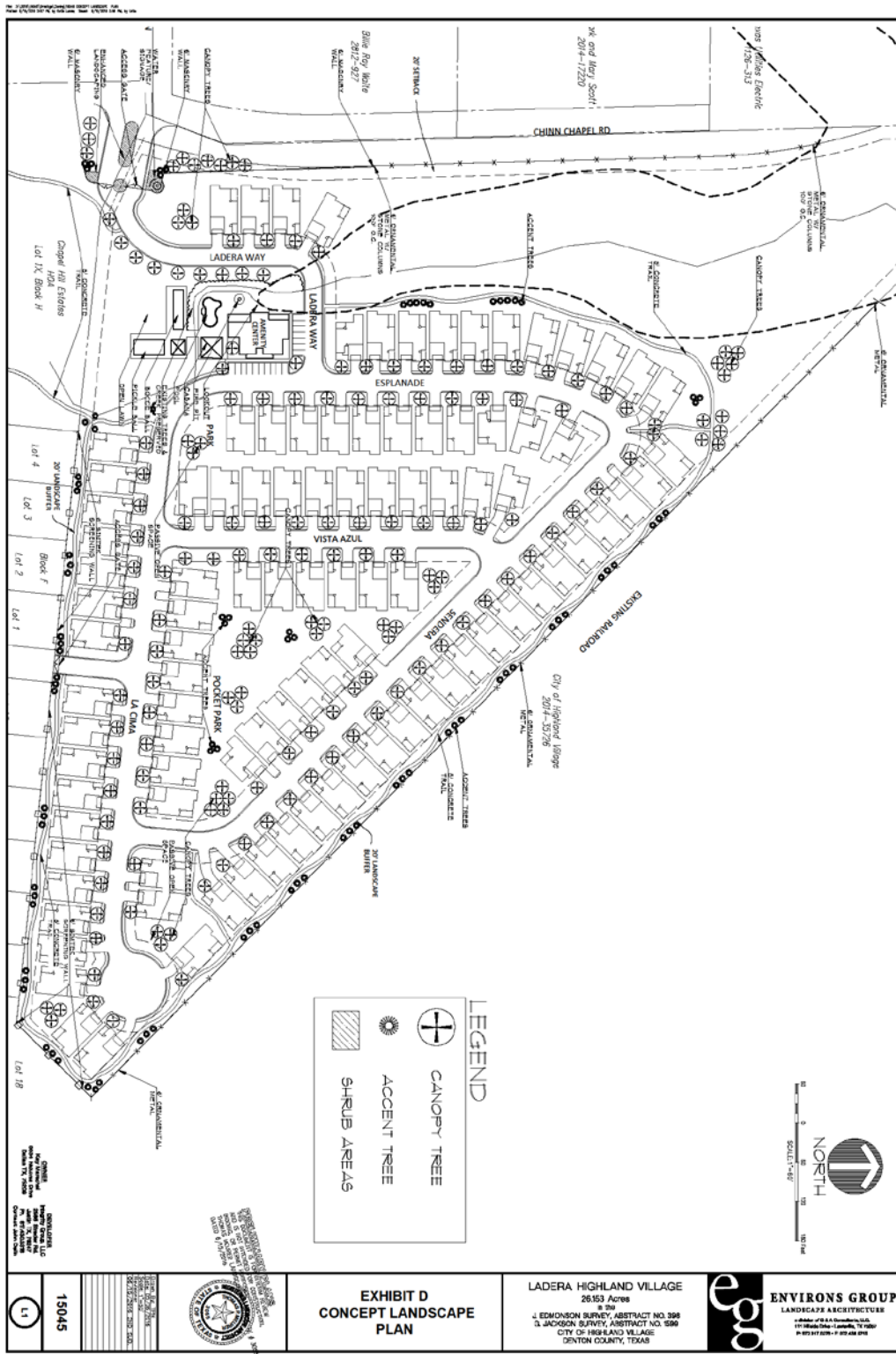
ORDINANCE NO. 2016-1201
EXHIBIT "C"
BUILDING ELEVATIONS cont.



ORDINANCE NO. 2016-1201
EXHIBIT "C"
BUILDING ELEVATIONS cont.



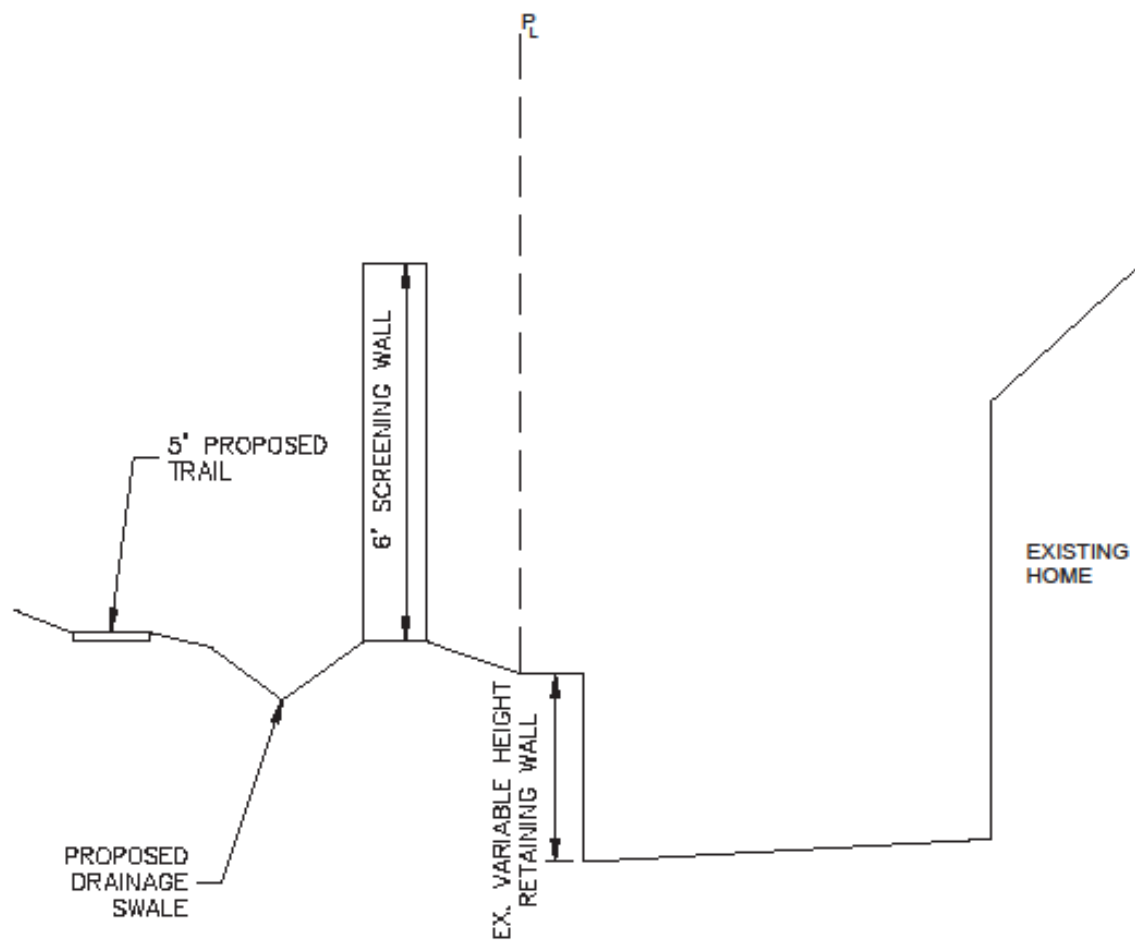
ORDINANCE NO. 2016-1201
EXHIBIT "D"
LANDSCAPE CONCEPT PLAN



ORDINANCE NO. 2016-1201
EXHIBIT "C"
BUILDING ELEVATIONS cont.

EXHIBIT E
ILLUSTRATION AND CROSS-SECTION OF 6' SIMTEK SCREENING
WALL ALONG SOUTHERN PROPERTY LINE





**TYPICAL SCREENING
WALL CROSS SECTION**
(N.T.S.)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 18

MEETING DATE: 07/12/2016

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

PREPARED BY: Karen Bradley, Administrative Assistant

COMMENTS

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

- 35Express Update



UPCOMING EVENTS

Expected Absences: Councilmember Meek 7/26/2016

July 12, 2016 **Regular City Council Mtg. 7:30 pm**

July 18, 2016 Park Board Mtg. 6:00 pm (if needed)

July 19, 2016 Planning & Zoning Commission Mtg. 7:00 pm (if needed)

June 21, 2016 Public Art Advisory Board Mtg. 7:00 pm (if needed)

July 26, 2016 **Regular City Council Mtg. 7:30 pm**

August 4, 2016 Zoning Board of Adjustment Mtg. 7:00 pm (if needed)

August 9, 2016 **Regular City Council Mtg. 7:30 pm**

August 15, 2016 Park Board Mtg. 6:00 pm (if needed)

August 16, 2016 Planning & Zoning Commission Mtg. 7:00 pm (if needed)

August 18, 2016 Public Art Advisory Board Mtg. 7:00 pm (if needed)

August 23, 2016 **Regular City Council Mtg. 7:30 pm**

September 1, 2016 Zoning Board of Adjustment Mtg. 7:00 pm (if needed)

September 5, 2016 **Labor Day Holiday – City Offices Closed**

September 13, 2016 **Regular City Council Mtg. 7:30 pm**

September 15, 2016 Public Art Advisory Board Mtg. 7:00 pm (if needed)

September 19, 2016 Park Board Mtg. 6:00 pm (if needed)

September 20, 2016 Planning & Zoning Commission Mtg. 7:00 pm (if needed)

September 27, 2016 **Regular City Council Mtg. 7:30 pm**

Please visit www.highlandvillage.org or the City Hall bulletin board for latest additions, updates and changes

By: Karen Bradley, Administrative Assistant, City Secretary Office