



## **A G E N D A**

**REGULAR MEETING  
OF THE CITY COUNCIL  
CITY OF HIGHLAND VILLAGE, TEXAS  
THURSDAY, MARCH 2, 2017, at 6:00 P.M.  
HIGHLAND VILLAGE CITY COUNCIL CHAMBERS  
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS**

**Convene Meeting in Open Session  
City Council Chambers – 6:00 P.M.**

**EARLY WORK SESSION  
City Council Chambers**

- 1. Discuss Development Agreement relating to a Request for a Variance from the Payment of Parkland Dedication Fees and Installation of a Water Line Extension associated with the Ladera Highland Village Development**
- 2. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of March 2, 2017**

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

**CLOSED SESSION  
City Manager's Conference Room**

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

**OPEN SESSION  
City Council Chambers – 6:30 P.M.**

- 4. Call to Order**
- 5. Prayer to be led by Councilmember Michael Lombardo**
- 6. Pledge of Allegiance to the U.S. and Texas Flags to be led by Councilmember Michael Lombardo**
- 7. Visitor Comments *(Anyone wishing to address the City Council must complete a Speakers' Request form and return it to the City Secretary. In accordance with the Texas Open Meetings Act,***

*the City Council is restricted in discussing or taking action on items not posted on the agenda. Action on your statement can only be taken at a future meeting. In order to expedite the flow of business and to provide all visitors the opportunity to speak, the Mayor may impose a three (3) minute limitation on any person addressing the City Council. A thirty (30) minute time allotment is set for this section, and the remaining speakers will be heard at the end of the Action Agenda.)*

**8. City Manager/Staff Reports**

- **Presentation of the State of the City Video**

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

- **Recognition of Stage Right Ministry, Footlight Dance Studio and Christian Youth Theater**
- **Recognition of the Heart Safe Community Designation**

**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 February 14, 2017**

**ACTION AGENDA**

- 11. 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)**
- 12. Consider a Preliminary Plat for 26.153± acres in the J. Edmondson Survey, Abstract No. 398 and the G.W. Jackson Survey, Abstract No. 1599, to be known as Ladera Highland Village as submitted by G&A Consultants, on behalf of The Integrity Group**
- 13. Consider a Final Plat for 26.153± acres in the J. Edmondson Survey, Abstract No. 398 and the G.W. Jackson Survey, Abstract No. 1599, to be known as Ladera Highland Village as submitted by G&A Consultants, on behalf of The Integrity Group**
- 14. Consider Resolution 2017-2675 Authorizing the City Manager to Negotiate and Execute a Development Agreement relating to a Request for a Variance from the Payment of Parkland Dedication Fees and Installation of a Water Line Extension associated with the Ladera Highland Village Development**
- 15. Discuss and Consider Cancellation of the March 14, 2017 City Council Meeting**

**LATE WORK SESSION**

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

16. 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 Project Update

17. 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 27<sup>th</sup> DAY OF FEBRUARY, 2017 NOT LATER THAN 4:00 P.M.



Angela Miller, City Secretary

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

Removed from posting on the \_\_\_\_\_ day of \_\_\_\_\_, 2017 at \_\_\_\_\_  
am/pm by \_\_\_\_\_.

## **CITY OF HIGHLAND VILLAGE**

### **COUNCIL BRIEFING**

**AGENDA# 1**

**MEETING DATE: 03/02/17**

**SUBJECT: Discuss a Development Agreement relating to a Request for a Variance from Payment of Parkland Dedication Fees and Installation of a Water Line Extension associated with the Ladera Highland Village Development**

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

### **BACKGROUND:**

At the February 16, 2017 Parks and Recreation Advisory Board meeting, the Board having received a request from the developer of the Ladera Development to waive the requirement to dedicate property for the development of a public park and/or the payment of moneys in lieu of such dedication as required by Section 4.2 of the City Subdivision Regulations, and having considered such request in light of the overall impact residents of the Development will have on the City's existing public parks and trails system, and the amenities and improvements relating to recreation and open space that the developer is required by the PD 2016-1201 regulations to construct in association with the Development.

Ordinance 2016-1201 that establishes the Ladera Development requires the construction of elements that are very similar to our current neighborhood park designation. The Ladera Development is constructing the following elements: an amenity center with meeting rooms, community pool, gazebos, pavilions, and sports court consisting of pickle ball and bocce ball. The Development is also providing designated open space of 40% or greater of the gross land area of the property which is being used for landscaping and trails around the entire perimeter of the property.

Ladera has also worked with the Chapel Hill Estates Subdivision HOA Board in acquiring additional ROW for the Chinn Chapel Road reconstruction; a designated right turn lane was required with the reconstruction of Chinn Chapel Road at the main entrance for the Development from Chinn Chapel Road. In exchange, Ladera is constructing over 1,760 feet of trail around the HOA common area in addition to a 60 foot walk bridge over the south end of their pond to provide access to the common area entirely around the HOA pond.

Ladera is also completing our final north to south waterline loop, connecting the Castlewood Subdivision and the Chapel Hill Subdivision along with providing the subdivision a second source for potable water. We have determined that in order to provide for an enhanced public water distribution system to the remainder of the City's system in this area, it is necessary for a water line to be laid through a bore under the Kansas City and Southern Rail right-of-way adjacent to the Development and recommends that the City participate in the cost of said extension and bore subject to execution of a development agreement with the developer. This will provide a completed loop system for an area of Highland Village, and will help in water quality and fire protection for two major existing subdivisions in Highland Village.

The Park Fee, consisting of a Neighborhood Park component, a Linear Park component, and a Community Park component, shall be imposed on all residential development in the City at the time of final plat approval.

The Park Fees determined for Ladera Highland Village (Service Area II) approved fee schedule is as follows:

Community Park, Service Area II	\$684.00 per dwelling unit
Linear Park, Service Area II	\$287.00 per dwelling unit
Neighborhood Park, Service Area II	\$1,097.00 per dwelling unit

Community Park	\$684.00 per dwelling unit x 100 = \$68,400
Linear Park	\$287.00 per dwelling unit x 100 = \$28,700
Neighborhood Park	\$1,097.00 per dwelling unit x 100 = \$109,700

Total park fees amount	\$206,800.00
Total per dwelling unit	\$2,068.00

Waterline participation: In the Utility Fund we have identified in 2018 the construction of a waterline along our west corporate limits completing our final north to south waterline loop, connecting the Castlewood subdivision and the Chapel Hill subdivision. This will allow City staff to redirect funds to other areas of M&O within the fund.

The Parks and Recreation Advisory Board has recommended the City Council grant a variance to the requirements of Section 4.2 of the City Subdivision Regulations by waiving the payment of Park Fees relating to the development of Linear and Neighborhood Parks. The Board voted 3 to 1 in granting the waiver of Linear and Neighborhood park fees.

The payment of Community Park Fees in the amount of \$68,400 (based on \$684.00 per dwelling unit x 100 dwelling units) shall be paid prior to issuance of the building permit for construction of the first dwelling unit to be constructed in the Development. The Community Park Fee is designated for use at Unity Park only.

In the Utility Fund we have identified in 2018 the construction of a waterline along our west corporate limits completing our final north to south waterline loop, connecting the Castlewood subdivision and the Chapel Hill subdivision. This will allow City staff to redirect funds to other areas of M&O within the fund. The funding participation for the waterline bore under the KCS railroad and the tapping valve will be from the Utility Fund with no impact to the Fund.

There is an item on tonight's Regular Agenda for Council consideration of proposed Resolution 2017-2675 authoring the City Manager to Negotiate and Execute a Development Agreement relating to a request for variance from payment of Parkland Dedication Fees and Installation of a Water Line Extension associated with the Ladera Highland Village Development.

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

**AGENDA# 6**                      **MEETING DATE: 03/02/17**

**SUBJECT:            Pledge of Allegiance**

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

**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# 9**

**MEETING DATE: 03/02/17**

**SUBJECT: Mayor and Council Reports on Items of Community Interest**

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

**COMMENTS**

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

- Recognition of Stage Right Ministry, Footlight Dance Studio and Christian Youth Theater
- Recognition of the Heart Safe Community Designation

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

<b>AGENDA#</b> 10	<b>MEETING DATE</b> 03/02/17
<b>SUBJECT:</b>	<b>Consider Approval of Minutes of the Regular Meeting held on February 14, 2017</b>
<b>PREPARED BY:</b>	<b>Angela Miller, City Secretary</b>

**BACKGROUND:**

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

**IDENTIFIED NEED/S:**

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

**OPTIONS & RESULTS:**

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

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

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

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

N/A

**RECOMMENDATION:**

To approve the February 14, 2017 City Council meeting minutes.



**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS  
HELD IN THE MUNICIPAL COMPLEX, LOCATED AT 1000 HIGHLAND VILLAGE ROAD  
TUESDAY, FEBRUARY 14, 2017**

The City Council of the City of Highland Village, Texas met in Early Work Session on the 14<sup>th</sup> day of February, 2017, prior to the Regular Council Meeting.

**Call to Order**

Mayor Charlotte Wilcox called the meeting to order at 5:30 p.m.

**Roll Call**

Present:	Charlotte J. Wilcox	Mayor
	Michelle Schwolert	Mayor Pro Tem
	Mike Lombardo	Councilmember
	Barbara Fleming	Councilmember
	John McGee	Councilmember
	Fred Busche	Councilmember
	William Meek	Deputy Mayor Pro Tem
Staff Members:	Michael Leavitt	City Manager
	Kevin B. Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Scott Kriston	Public Works Director
	Jana Onstead	Human Resources Director
	Doug Reim	Police Chief
	Bobby Doyle	Police Lieutenant
	Jason Collier	Assistant Fire Chief
	Travis Nokes	Deputy Fire Chief
	Sunny Lindsey	Information Services Director
	Laurie Mullens	Public Affairs Manager
	Andrew Boyd	Media Specialist
	Karen Bradley	Administrative Assistant

**EARLY WORK SESSION**

**1. Presentation from Destination Imagination Group regarding their Community Event at Unity Park**

Members from Destination Imagination - Maci Miltz, Marissa Miltz, Ellie Newton, and Brynn Harper - spoke to Council regarding their recent Messy Mutts' Arty Party event and the impact of the event in the community. The team saw a need to promote the opening of the Highland Village Dog Park. The girls worked together and the idea of the Messy Mutts' Arty Party event was born. Their event was held on January 21, from 1-3:00 p.m. at Unity Park. The event featured pet registration, low-cost vaccinations, paw print painting, a photo booth, and paw print ornaments. The group secured over sixteen (16) sponsors, thirteen (13) dogs were registered with the City, and over sixty (60) low-cost vaccines were provided. In addition, the group raised funds that will be used toward purchasing items needed for the dog park.

The team reported they will be competing with other groups in the area to present their project in hopes of moving on to the next competition level. In the challenge program, students learn and experience the creative process from imagination to innovation and learn skills needed to succeed in school, career and life. If they win, the team will compete in the state competition, and then move on to the national competition.

Mayor Wilcox and members of the Council thanked the girls for their hard work.

## **2. Tour of Public Safety Dispatch Operations Facility**

Police Chief Doug Reim, Information Services Director Sunny Lindsay, and City Manager Michael Leavitt led the City Council on a tour of the Public Safety Dispatch Operations Facility. As part of the 2015-2016 budget, the City transitioned to a new Computer Aided Dispatch and Records Management System, new digital radio system and implemented upgrades to the Dispatch Center.

## **3. Discussion and Presentation on the following Public Safety Related Items: Update on Response Times, Overlapping Calls for Fire & Emergency Medical Services (EMS), and Implementation of the Emergency Care Attendant (ECA) Program**

City Manager Michael Leavitt reported on the following:

Update on Response Times – Mr. Leavitt compared EMS response times from 2015 and those from July through Dec, 2016 with the NFPA Standard. Mr. Leavitt reported response times are at the 90% percentile as compared to the NFPA Standard. He also reported although we have improved tremendously, there are still areas where improvement is needed. Chief Reim stated although they have gained almost 2 minutes in response time, the push right now is back on the Chiefs to fine tune the system and the data entry. Mr. Leavitt also showed a map that highlighted hot spot locations for medical emergency calls. He reported the most active area is where the Rambling Oaks Courtyard Assisted Living Residence is located. In addition, Mr. Leavitt showed a map that pinned the location of each medical emergency call and response times for each of those calls.

Overlapping Calls/Emergency Medical Services (EMS) Transport Overlap – Mr. Leavitt reported when the Fire Department resources (Medic 481 and Engine 481) are on a call for service and a second 9-1-1 call comes in to dispatch, those calls become “overlapping calls”. He provided the following breakdown for July 1 through December 31, 2016:

- ❖ Fire and EMS calls for service (CFS) that were received - 585
- ❖ Medical emergency CFS that were received – 239
- ❖ There were 134 CFS that were overlapping calls or there were 67 overlapping “events” (23%)
- ❖ Highland Village Fire Department responded to 108 of the 134 overlapping calls (81%)
- ❖ Of the 134 overlapping calls, 26 required medic or engine mutual aid (19%)

In management of resources on overlapping calls, he provided the following:

- ❖ Of the 67 overlapping events, 45 of the first CFS required transport by the Highland Village Fire Department (67%)
- ❖ Of the 134 overlapping calls, 15 events of both the first and second CFS required transports (22%)
- ❖ Of the 67 overlapping events, 24 of the second CFS required transport (37%)

Of the 24 second CFS requiring transport:

- ❖ 10 were managed and transported by the Highland Village Fire Department (Engine & Medic)
- ❖ 7 transports were supported by mutual aid
  - Flower Mound – 3 Medics/3 Engines
  - Lewisville – 1 Medic
- ❖ 7 transports were all by mutual aid
  - Flower Mound – 5
  - Lewisville – 2
- ❖ 2 non-transports by all mutual aid
  - Flower Mound – 1 Medic/1 Engine
  - Lewisville – 1 Medics/1 Engine
- ❖ A total of 4% of the 239 medical emergency CFS were provided by mutual aid.

Overall, Mr. Leavitt reported improvement is needed in the time a call is received to when a unit dispatched. He further reported on goals for the next 6 months, which include:

- Time between when a call is dispatched and the time staff is leaving the station – 2 minutes or less (Highland Village Fire Department)
- Overlapping calls – time between when a call is received and the time a unit is dispatched – 1.5 minutes or less (Highland Village Dispatch)
- AVL – expansion closest unit dispatch and capture start & ending time (IT)
- Quality Control – call types/disposition codes/times (City Manager, Fire & Police Department Administration)
- ECA Program – start capturing “First Unit” on scene (Highland Village Police Department & Dispatch)

Councilmember Fleming asked what happens when someone requests to be transported to an out of area hospital. Mr. Leavitt reported the primary hospitals we use are Medical City Lewisville, Denton Regional Medical Center and Flower Mound Presbyterian. Mr. Leavitt reported in most cases, the City is trying to get away from that practice because of the amount of time responders are taken out of the City.

Implementation of Emergency Care Attendant (ECA) Program – Chief Reim reported the program was a recommendation of the Fire Department Service Level Task Force in 2016 and was budgeted for this fiscal year. The program provides police officers the training and equipment necessary to provide life support and on-scene emergency medical care while waiting for EMS to arrive. The program is a cooperative partnership with the Highland Village Fire Department and local area Medical Director. Police patrol personnel (Sergeant and below) will be trained and certified as Emergency Care Attendants. Personnel must pass an examination through the National Registry of Emergency Medical Responders, licensing through the Texas Department of State Health Services (TDSHS) and local procedural testing. Scene safety and security receives initial police priority over medical service, such as in domestic assault situations or major vehicle accident scenes.

Chief Reim reported implementation of the program is being completed in phases, which started in September of 2016 and will continue through June of 2017. Twenty (20) patrol officers are now ECA certified as of February, 2017. Chief Reim thanked Fire Chief Goudie and Deputy Fire Chief Travis Nokes for their time and effort in the training.

Mayor Wilcox and members of the Council thanked everyone for their service and commitment to providing such excellent service to the community.

**4. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of February 14, 2017**

Relating to Agenda Item #21, Mayor Wilcox reported City Attorney Kevin Laughlin had an update on this item. Mr. Laughlin reported while working on Proposition No. 5 of the proposed resolution, he initially proposed repealing the language in the Charter providing for the creation of the Parks and Recreation Advisory Board (Board) and moving the information to the existing section in the Code of Ordinances regarding the Board. He was concerned the perception of someone reading the ballot language might interpret the proposed repeal as an elimination of the Board. Mr. Laughlin reported he is instead proposing an amendment to that section of the Charter that keeps establishment of the Board in the City Charter, but will require specific responsibilities and duties of the Board be adopted in the Code of Ordinances.

Early Work Session ended at 6:59 p.m.

**CLOSED SESSION**

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

Council did not meet in Closed Session.

**RECEPTION**

**6. Reception for Retirees Martha Butz and Charles Mitchell**

A reception was held to celebrate retiree Martha Butz, Human Resources Director, and the upcoming retirement of Charles Mitchell, Street Supervisor.

**OPEN SESSION**

**7. Call to Order**

Mayor Wilcox called the meeting to order at 7:30 p.m. She welcomed Cub Scout Pack #298 who was attending the meeting.

**Roll Call**

Present:	Charlotte J. Wilcox Michelle Schwolert Mike Lombardo Barbara Fleming John McGee Fred Busche William Meek	Mayor Mayor Pro Tem Councilmember Councilmember Councilmember Councilmember Deputy Mayor Pro Tem
Staff Members:	Michael Leavitt Kevin B. Laughlin Ken Heerman Angela Miller	City Manager City Attorney Assistant City Manager City Secretary

Scott Kriston  
Charles Mitchell  
Jana Onstead  
Laurie Mullens  
Andrew Boyd

Public Works Director  
Street Supervisor  
Asst Director of Human Resources  
Public Affairs Manager  
Media Specialist

**8. Prayer to be led by Mayor Charlotte J. Wilcox**

Mayor Wilcox gave the invocation.

**9. Pledge of Allegiance to the U.S. and Texas Flags to be led by Mayor Charlotte J. Wilcox**

Mayor Wilcox led the Pledge to the U.S. and Texas Flags.

**10. Visitor Comments**

The following person spoke:

Deborah French (3445 Hermalinda, Denton, TX) – Ms. French stated she is a realtor with Ebby Halliday and is representing seven (7) homeowners on Edgewood that have their property for sale. She stated the investor that owns the property to the east of Edgewood is marketing this area as a master-planned development. Ms. French stated the current property owners wish to work with the City and the investor on the project.

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

- **Proclamation – Martha Butz Day**

Mayor Wilcox presented Ms. Butz with a proclamation celebrating February 14, 2017 as Martha Butz Day. Ms. Butz is retiring after 17 years with the City of Highland Village.

- **Proclamation – Charles Mitchell Day**

Mayor Wilcox presented Mr. Mitchell with a proclamation celebrating January 24, 2017 as Charles Mitchell Day. Mr. Mitchell is retiring after 25 years with the City of Highland Village and over 40 years in municipal government.

Mayor Wilcox announced the 12<sup>th</sup> Annual McAuliffe Elementary Chili Cook Off will be held at the school on Thursday, February 23<sup>rd</sup> from 5:00 p.m. to 8:00 p.m. In addition, she also announced this year's Heritage Elementary Hawkfest will feature a community carnival, which will be held on Saturday, April 1<sup>st</sup> on the grounds of Pediatric Dental World from 1:00 p.m. to 5:00 p.m. As part of the event, she reported the Council has been invited to participate in a Lip Sync battle. She encouraged all City Council members to participate in the battle.

**12. City Manager/Staff Reports**

- **Gears of Highland Village – Parks and Recreation**

City Manager Michael Leavitt reported instead of the HVTU Update, the latest edition of the Gears of Highland Village would be presented, which focused on the services and amenities provided by the Parks and Recreation Department:

### **CONSENT AGENDA**

Councilmember Busche suggested moving Agenda Item #19 up to the Consent Agenda. With no objections, Mayor Wilcox moved the item up to the Consent Agenda.

13. **Consider Approval of Minutes of the Regular Meeting held on January 24, 2017**
14. **Consider Resolution 2017-2673 Providing for the Rescheduling of the February 28, 2017 City Council Meeting**
15. **Consider Resolution 2017-2674 Appointing an Associate Judge to the City of Highland Village Municipal Court**
16. **Receive Investment Report for Quarter Ending December 31, 2016**
17. **Receive Budget Report for Period Ending December 31, 2016**
19. **Consider Resolution 2017-2671 Ordering a General Municipal Election to be held on May 6, 2017 for the Purpose of Electing Councilmembers to Places 3, 5, and 7; Authorizing a Joint Election with other Denton County Political Subdivisions; and Authorizing a Contract for Election Services with Denton County**

***Motion by Councilmember McGee, seconded by Deputy Mayor Pro Tem Meek, to approve Consent Agenda Items #13 through #17, and Agenda Item #19. 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 TAKEN**

Council did not meet in Closed Session; no action was taken.

19. **Consider Resolution 2017-2671 Ordering a General Municipal Election to be held on May 6, 2017 for the Purpose of Electing Councilmembers to Places 3, 5, and 7; Authorizing a Joint Election with other Denton County Political Subdivisions; and Authorizing a Contract for Election Services with Denton County**

#### **APPROVED WITH CONSENT AGENDA**

Agenda Item #19 was moved up to the Consent Agenda.

20. **Conduct 2<sup>nd</sup> Public Hearing on Potential Amendments to the Highland Village City Charter**

#### **PUBLIC HEARING CONDUCTED**

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

**21. Consider Resolution 2017-2672 Ordering a Special Election to be held on May 6, 2017 for the Purpose of Considering Charter Amendments; Authorizing a Joint Election with other Denton County Political Subdivisions; and Authorizing a Contract for Election Services with Denton County**  
**APPROVED WITH AMENDMENT (7 – 0)**

City Attorney Kevin Laughlin stated this resolution calls for a Special Election of proposed amendments to the City Charter. Based on discussion of Council at several meetings, there are eleven (11) propositions being brought forth. The proposed resolution sets forth language as it would appear on the ballot. Also included as an exhibit to the resolution is a redline version of the current City Charter that shows the proposed changes.

Mr. Laughlin stated all proposed amendments are the same as presented previously, except for Proposition No. 5. Mr. Laughlin reported while working on Proposition No. 5 of the proposed resolution, he initially proposed repealing the language in the Charter providing for the creation of the Parks and Recreation Advisory Board (Board) and moving the information to the existing section in the Code of Ordinances regarding the Board. He was concerned the perception of someone looking at the ballot language might interpret the proposed repeal as an elimination of the Board. Mr. Laughlin reported he is instead proposing an amendment to that section of the Charter that keeps establishment of the Board in the City Charter, but will require specific responsibilities and duties of the Board be adopted in the Code of Ordinances.

***Motion by Councilmember McGee, seconded by Councilmember Fleming, to approve Resolution 2017-2672 ordering a Special Election to be held on May 6, 2017 for the purpose of considering Charter Amendments.***

Mayor Wilcox stated she would like to voice her concerns regarding Proposition No. 2, which proposes to eliminate the requirement that ordinances be read two (2) times. She stated she understands that many cities in the area only have one (1) read and that Council discussed changing to one (1) read because of timing requirements, but she still feels that two (2) reads is appropriate and necessary due to transparency and perception. She further stated while she has been on Council there has never been a problem calling a special meeting, if needed, when timing on an item was an issue. She stated two (2) reads has worked and that she trusts will continue in the future. She said she realizes that tabling and/or postponing an ordinance is an option with one (1) read, but wonders if that would actually happen. Mayor Wilcox stated many times the public is not aware of an ordinance until after the first read. Having the second read allows time for the public to become aware, allows time for residents to address the Council before the next meeting, and then for residents to attend the next Council meeting and to speak before Council. She further stated this has always been an important part of the Highland Village process and she personally feels it does not need to be changed.

Councilmembers McGee and Busche stated this had been discussed at length at the previous Council meeting and the vote was to proceed as originally planned. Councilmember Busche also stated the opportunity will still exist to have a second. Councilmember McGee stated there have been very few times the vote on a second read was different than on the first read. Mayor Pro Tem Schwolert stated she agrees with Mayor Wilcox about having two (2) reads for transparency purposes.

***Motion by Mayor Wilcox, seconded by Mayor Pro Tem Schwolert, to remove Proposition No 2 from Resolution 2017-2672. Motion carried 4–3 with the following vote:***

***Mayor Wilcox – Aye  
Mayor Pro Tem Schwolert – Aye  
Councilmember Lombardo – Aye  
Councilmember Fleming – Nos  
Councilmember Busche – Nos  
Councilmember McGee – Nos  
Deputy Mayor Pro Tem Meek – Aye***

***The amendment to the main motion having been adopted, a vote was taken on the main motion, as amended, to approve Resolution 2017-2672 ordering a Special Election to be held on May 6, 2017 for the purpose of considering Charter Amendments. Motion carried 6-1 with the following vote:***

***Mayor Wilcox – Aye  
Mayor Pro Tem Schwolert – Aye  
Councilmember Lombardo – Aye  
Councilmember Fleming – Aye  
Councilmember Busche – Nos  
Councilmember McGee – Aye  
Deputy Mayor Pro Tem Meek – Aye***

## **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 Project Update**

Mr. Leavitt provided the following update regarding the 35Express Project:

- ❖ The northbound I-35E exit ramp to Garden Ridge Boulevard will be closed nightly from 9:00 p.m. until 6:00 a.m. from Monday, February 13 through Sunday, February 19. During this ramp closure, traffic will take the northbound I-35E exit ramp at FM 407 and continue north along the frontage road to Garden Ridge Boulevard.
- ❖ Work on Highland Village Road at the I-35E southbound frontage road is scheduled for completion by spring of 2017.
- ❖ Construction of Copperas Branch Park and Highland Lakes Park is scheduled to begin this spring.

Mr. Leavitt announced the next regularly scheduled City Council meeting set for February 28, 2017 has been rescheduled for March 2, 2017 due to Council's attendance at Denton County Days in Austin.

**23. Adjournment**

Mayor Wilcox adjourned the meeting at 8:30 p.m.



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Charlotte J. Wilcox, Mayor

**ATTEST:**

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Angela Miller, City Secretary

## **CITY OF HIGHLAND VILLAGE**

### **CITY COUNCIL**

**AGENDA# 12**

**MEETING DATE: 03/02/17**

**SUBJECT:** Consider a Preliminary Plat for 26.153± Acres in the J. Edmonson Survey, Abstract No. 398 and the G.W Jackson Survey, Abstract No. 1599, to be known as Ladera Highland Village as submitted by G&A Consultants, on behalf of The Integrity Group

**PREPARED BY:** Autumn Aman, Community Development Coordinator

### **BACKGROUND:**

An application for review and consideration of the Preliminary Plat, Tree Plan, and Landscape Plan was submitted for Ladera Highland Village.

The approximate total 26.153 acre tract, located on the East side of Chinn Chapel Rd., South of the railroad tracks, directly north of Chapel Hill Estates II, was purchased by The Integrity Group for development of a Detached Residential Condominium Development consisting of 100 dwelling units on one lot. This development will be an age restricted, maintenance free, gated residential community integrated with amenities such as walking trails, community pool, gazebos and pavilions, sports court, parks, and open space.

On July 26, 2016, the City Council approved Ordinance No. 2016-1201 (attached for reference), changing the zoning of the property from SF-40 to a Planned Development in order to allow the property to be developed as described above setting forth the standards on how the property shall be developed.

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

N/A

### **OPTIONS & RESULTS:**

Review the preliminary plat application as presented by City staff with respect to approval of the preliminary plat with or without modification or conditions. For reference, Ordinance No. 2016-1201 has been included.

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

City staff and the City's engineer have reviewed the application relating to drainage, utilities, and the tree mitigation plan, landscape plan, and submitted comments back to the applicant. Based on review of the application, City staff is of the opinion the preliminary plat complies with the City's existing regulations.

City staff presented the Preliminary Plat to the Parks and Recreation Advisory Board on February 16, 2017, which recommended on a vote of 4 to 0 the application be approved as presented.

City staff presented the Preliminary Plat to the Planning and Zoning Commission on February 21, 2017, which recommended on a vote of 5 to 0 that the application be approved as presented.

Representatives from the engineer and developer will be present to answer any questions from City Council.

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

No ordinance change is required.

**RECOMMENDATION:**

Staff concurs in the recommendations of the Parks and Recreation Advisory Board and Planning and Zoning Commission recommending approval of the Preliminary Plat.

**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.

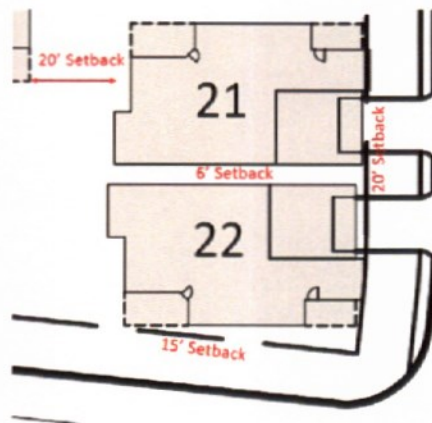
**G. LANDSCAPING:** The Property shall be landscaped substantially in accordance with the Landscape Concept Plan attached hereto as Exhibit "D" and incorporated herein by reference. Other than the front yard trees required by Subparagraph 2, below, no certificate of occupancy shall be issued for any 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.

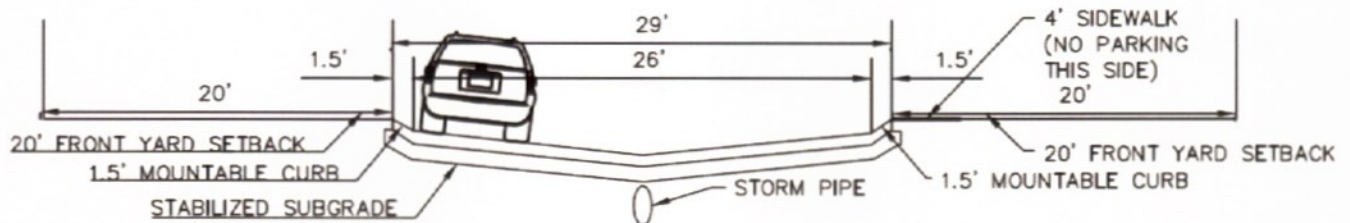
**K. INTERNAL DRIVES AND ACCESS EASEMENTS**

- (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:



PROPOSED STREET SECTION (NTS)

\*PARKING ALLOWED ON ONE SIDE OF STREET ONLY, OPPOSITE SIDE OF SIDEWALK

**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.

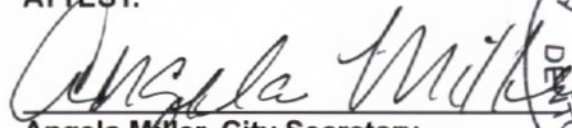
**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 12TH DAY OF JULY, 2016.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 26TH DAY OF JULY, 2016.**

APPROVED:

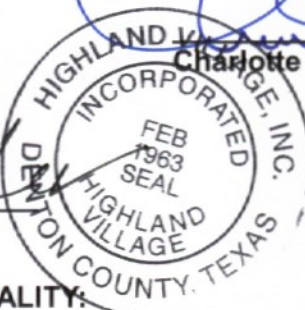
  
Charlotte J. Wilcox, Mayor

ATTEST:

  
Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

  
Kevin B. Laughlin, City Attorney





**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;

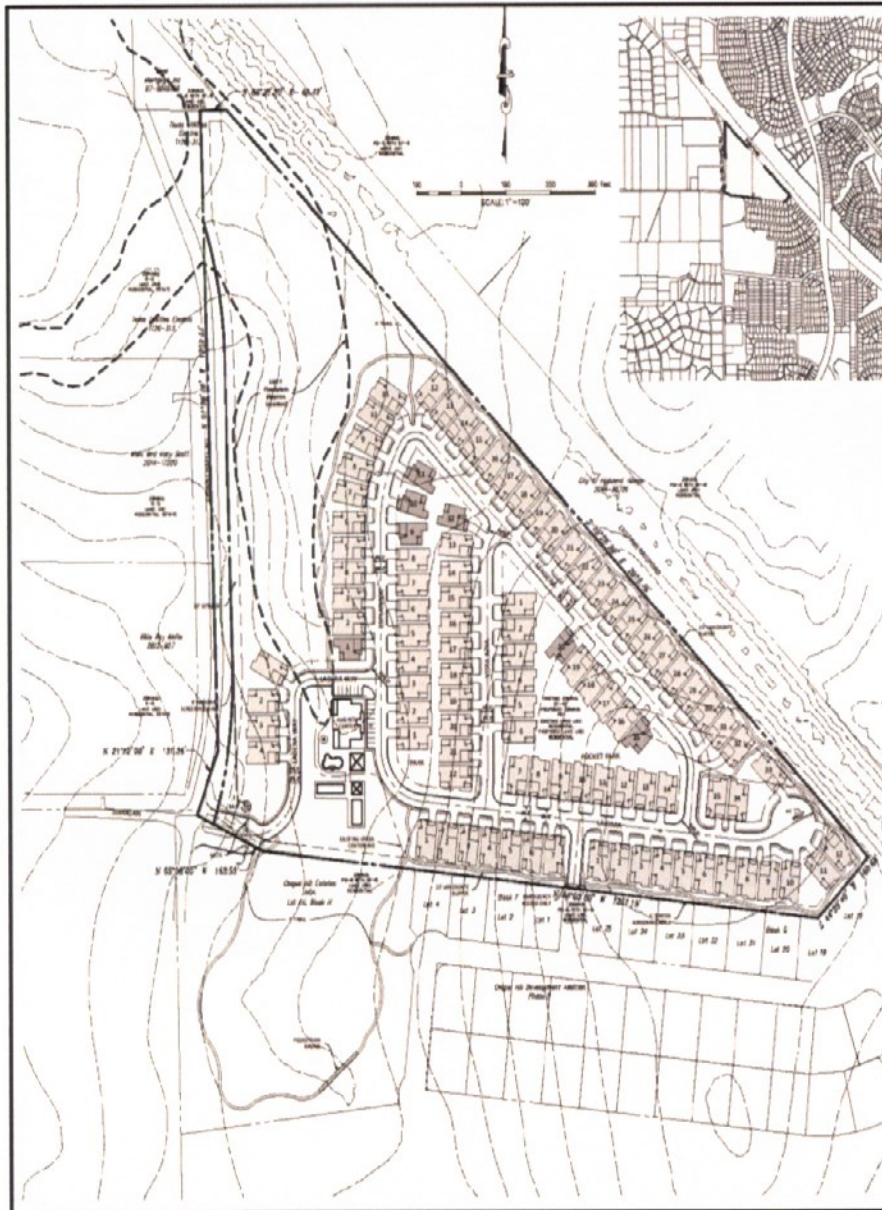
THENCE S 44°38'40" E, 160.68 feet with the south line of said Marschel tract and the north line of said Chapel Hill Addition to a 1/2" capped rebar set (G&A), from which a 1/2" rebar found bears S 77°33'15" W, 1.0 foot;

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 "B"  
CONCEPT PLAN



**LEGAL DESCRIPTION**  
26.153 ACRES

Being all that certain lot, tract or parcel of land situated in the James Edmondson 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 Marschal 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 Marschal 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 177 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;

**THENCE** N 21°12'00" E, with the west line of said Marschal tract and the west line of said 0.1 acre tract in Chinn Chapel Road, passing at 9.3 feet the southeast corner of Decier 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 133.36 feet to the north corner of said 0.1 acre tract, from which a 1/2" capped rebar found (4857 AAS) bears N 5°10'10" W, 0.8 foot;

**THENCE** N 01°36'30" W, with the west line of said Marschal tract and the east line of said Decier Estates, in Chinn Chapel Road, passing at 788.6 feet the northeast corner of said Decier Estates, being the southeast corner of that certain called 18.903 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 northeast corner of said Marschal 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, 58.45 feet with the north line of said Marschal 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 436, Page 576 of the Deed Records of Denton County, Texas, being the northeast corner of said Marschal tract and the southeast corner of said Beal Development tract;

**THENCE** S 45°39'50" E, 2015.20 feet with the east line of said Marschal tract and the west line of said Gulf, Colorado and Santa Fe tract to a 5/8" capped rebar found (Surveys) at the southeast corner of said Marschal tract, being the north corner of Lot 18, Block G of the aforementioned Chapel Hill Addition;

**THENCE** S 44°38'40" E, 140.68 feet with the south line of said Marschal tract and the north line of said Chapel Hill Addition to a 1/2" capped rebar set (GBA), from which a 1/2" rebar found bears S 77°33'35" W, 1.0 foot;

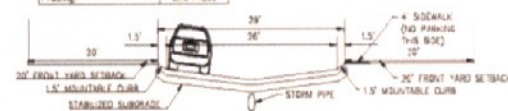
**THENCE** N 84°04'50" W, 1251.19 feet with the south line of said Marschal tract and the north line of said Chapel Hill Addition to a 5/8" capped rebar found (Surveys);

**THENCE** N 65°08'00" W, 163.51 feet with the south line of said Marschal tract and the north line of said Chapel Hill Addition to the POINT OF BEGINNING and containing approximately 26.153 acres of land.

Side Yard Setback (Between Buildings)	0' Minimum
Side Yard Setback (Adjacent to Street)	15' Minimum
Front Yard Setback (Front of Building to Street Back of Curb)	20' Minimum
Rear Yard Setback (Between Buildings)	20' Minimum

Site Data Summary	
Average of Proposed Phase:	26.153
Total Number of Dwelling Units by Type:	
Type 1: 48 x 75	91
Type 2: 42 x 70	7
Total	100
Minimum Dwelling Unit Size:	1,539 S.F.
Minimum Open Space:	40% (10,464)
Maximum Lot Coverage:	60% (15,484)
Maximum Lot Density:	8.82 du/acre
Maximum Number of Units:	360
Phasing:	One Phase

1. Ladera Highland Village shall be completed in one phase.
2. The Ladera HOA shall be responsible for the maintenance of all yards, open space, and landscape.
3. On-street parking shall be defined as parallel parking on one side of the street, as shown in the street section below. Off-street parking shall be defined as parking in residential driveways, garages or "head-in" parking spaces for the amenity center.



PROPOSED STREET SECTION (N/T)  
PARKING ALLOWED ON ONE SIDE OF STREET ONLY, OPPOSITE SIDE OF SIDEWALK

Type 1	
Type 2	

DESIGNED BY: [Firm Name]  
15045  
C1

**LEGAL DESCRIPTION**  
26.153 ACRES

**CONCEPT PLAN**

**EXHIBIT B**

**15045**

**C1**



**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**

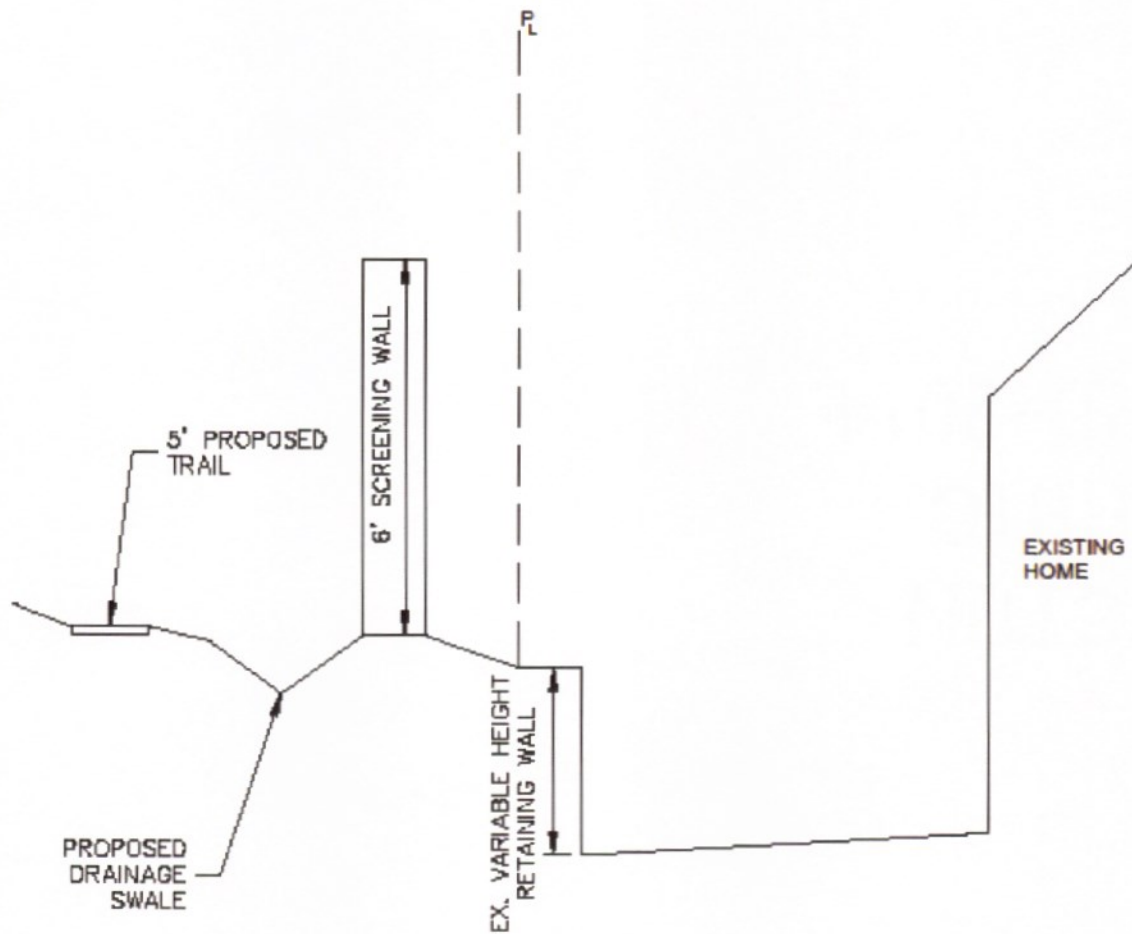


**ORDINANCE NO. 2016-1201**  
**EXHIBIT "C"**  
**BUILDING ELEVATIONS cont.**

**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**

### **CITY COUNCIL**

**AGENDA# 13**

**MEETING DATE: 03/02/17**

**SUBJECT:** Consider a Final Plat for 26.153± Acres in the J. Edmonson Survey, Abstract No. 398 and the G.W Jackson Survey, Abstract No. 1599, to be known as Ladera Highland Village as submitted by G&A Consultants, on behalf of The Integrity Group

**PREPARED BY:** Autumn Aman, Community Development Coordinator

### **BACKGROUND:**

An application for review and consideration of the Final Plat, Tree Plan, and Landscape Plan was submitted for Ladera Highland Village.

The approximate total 26.153 acre tract, located on the East side of Chinn Chapel Rd., South of the railroad tracks, directly north of Chapel Hill Estates II, was purchased by The Integrity Group for development of a Detached Residential Condominium Development consisting of 100 dwelling units on one lot. This development will be an age restricted, maintenance free, gated residential community integrated with amenities such as walking trails, community pool, gazebos and pavilions, sports court, parks, and open space.

On July 26, 2016, the City Council approved Ordinance No. 2016-1201, changing the zoning of the property from SF-40 to a Planned Development in order to allow the property to be developed as described above setting forth the standards on how the property shall be developed.

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

N/A

### **OPTIONS & RESULTS:**

Options are to recommend approval as submitted, approve subject to requested modifications, deny or postpone for additional information.

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

City staff and the City's engineer have reviewed the application relating to drainage, utilities, and the tree mitigation plan, landscape plan, and submitted comments back to the applicant. Based on review of the application, City staff is of the opinion the Final Plat complies with the City's existing regulations.

City staff presented the Final Plat to the Parks and Recreation Advisory Board on February 16, 2017, which on a vote of 4 to 0 recommended the application be approved as presented.

City staff presented the Final Plat to the Planning and Zoning Commission on February 21, 2017, which on a 5 to 0 vote recommended the application be approved as presented.

Representatives from the engineer and developer will be present to answer any questions from City Council.

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

No ordinance change is required.

**RECOMMENDATION:**

Staff concurs in the recommendations of the Parks and Recreation Advisory Board and Planning and Zoning Commission recommending approval of the Final Plat.

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

**AGENDA# 14**

**MEETING DATE: 03/02/17**

**SUBJECT: Consider Resolution 2017-2675 Authorizing the City Manager to Negotiate and Execute a Development Agreement relating to a Request for a Variance from Payment of Parkland Dedication Fees and Installation of a Water Line Extension associated with the Ladera Highland Village Development**

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

**BACKGROUND:**

At the February 16, 2017 Parks and Recreation Advisory Board meeting, the Board having received a request from the developer of the Ladera Development to waive the requirement to dedicate property for the development of a public park and/or the payment of moneys in lieu of such dedication as required by Section 4.2 of the City Subdivision Regulations, and having considered such request in light of the overall impact residents of the Development will have on the City's existing public parks and trails system, and the amenities and improvements relating to recreation and open space that the developer is required by the PD 2016-1201 regulations to construct in association with the Development.

Ordinance 2016-1201 that establishes the Ladera Development requires the construction of elements that are very similar to our current neighborhood park designation. The Ladera Development is constructing the following elements: an amenity center with meeting rooms, community pool, gazebos, pavilions, and sports court consisting of pickle ball and bocce ball. The Development is also providing designated open space of 40% or greater of the gross land area of the property which is being used for landscaping and trails around the entire perimeter of the property.

Ladera has also worked with the Chapel Hill Estates Subdivision HOA Board in acquiring additional ROW for the Chinn Chapel Road reconstruction; a designated right turn lane was required with the reconstruction of Chinn Chapel Road at the main entrance for the Development from Chinn Chapel Road. In exchange, Ladera is constructing over 1,760 feet of trail around the HOA common area in addition to a 60 foot walk bridge over the south end of their pond to provide access to the common area entirely around the HOA pond.

Ladera is also completing our final north to south waterline loop, connecting the Castlewood Subdivision and the Chapel Hill Subdivision along with providing the subdivision a second source for potable water. We have determined that in order to provide for an enhanced public water distribution system to the remainder of the City's system in this area, it is necessary for a water line to be laid through a bore under the Kansas City and Southern Rail right-of-way adjacent to the Development and recommends that the City participate in the cost of said extension and bore subject to execution of a development agreement with the developer. This will provide a completed loop system for an area of Highland Village, and will help in water

quality and fire protection for two major existing subdivisions in Highland Village.

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

The Park Fee, consisting of a Neighborhood Park component, a Linear Park component, and a Community Park component, shall be imposed on all residential development in the City at the time of final plat approval.

The Park Fees determined for Ladera Highland Village (Service Area II) approved fee schedule is as follows:

Community Park, Service Area II	\$684.00 per dwelling unit
Linear Park, Service Area II	\$287.00 per dwelling unit
Neighborhood Park, Service Area II	\$1,097.00 per dwelling unit

Community Park	\$684.00 per dwelling unit x 100 = \$68,400
Linear Park	\$287.00 per dwelling unit x 100 = \$28,700
Neighborhood Park	\$1,097.00 per dwelling unit x 100 = \$109,700

Total park fees amount	\$206,800.00
Total per dwelling unit	\$2,068.00

Waterline participation; In the Utility Fund we have identified in 2018 the construction of a waterline along our west corporate limits completing our final north to south waterline loop, connecting the Castlewood subdivision and the Chapel Hill subdivision. This will allow City staff to redirect funds to other areas of M&O within the fund.

### **OPTIONS & RESULTS:**

The City Council of the City of Highland Village shall find it to be in the public interest to concur in the foregoing recommendations or to require full payment of associated fees and cost at the developers full expense.

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

The Parks and Recreation Advisory Board has recommended the City Council grant a variance to the requirements of Section 4.2 of the City Subdivision Regulations by waiving the payment of Park Fees relating to the development of Linear and Neighborhood Parks. The Board voted 3 to 1 in granting the waiver of Linear and Neighborhood park fees.

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

The payment of Community Park Fees in the amount of \$68,400 (based on \$684.00 per dwelling unit x 100 dwelling units) shall be paid prior to issuance of the building permit for construction of the first dwelling unit to be constructed in the Development. The Community Park Fee is designated for use at Unity Park only.

In the Utility Fund we have identified in 2018 the construction of a waterline along our west corporate limits completing our final north to south waterline loop, connecting the Castlewood

subdivision and the Chapel Hill subdivision. This will allow City staff to redirect funds to other areas of M&O within the fund. The funding participation for the waterline bore under the KCS railroad and the tapping valve will be from the Utility Fund with no impact to the Fund.

**RECOMMENDATION:**

City staff recommends the City Council of the City of Highland Village shall find it to be in the public interest to concur in the participation and the foregoing recommendations and approve Resolution 2017-2675.



**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2017-2675**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING NEGOTIATION AND EXECUTION OF A DEVELOPMENT AGREEMENT RELATING TO THE DEVELOPMENT OF THE LADERA HIGHLAND VILLAGE ADDITION, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the property to be platted and known as the Ladera Highland Village Addition (“the Development”) is subject to the use and development regulations of Planned Development No. 2016-01 (“PD 2016-01”) which requires the development of various amenities including recreational facilities, trails, and open space areas; and

**WHEREAS**, the developer of the Development has entered into, or intends to enter into, an agreement with the Chapel Hill Estates Homeowners’ Association, Inc. (“the HOA”) to develop with certain trails and recreational amenities a common area owned by the HOA described as Lot 1, Block H of Chapel Hill Addition Phase II, an addition to the City of Highland Village, Denton County, Texas, as recorded in Cabinet U, Page 377 in the Plat Records of Denton County, Texas; and

**WHEREAS**, the Parks and Recreation Advisory Board, having received a request from the developer of the Development to waive the requirement to dedicate property for the development of a public park and/or the payment of moneys in lieu of such dedication as required by Section 4.2 of the City Subdivision Regulations, and having considered such request in light of the overall impact of that residents of the Development will have on the City’s existing public parks and trails system, and the amenities and improvements relating to recreation and open space that the developer is required by the PD 2016-01 regulations to construct in association with the Development; the Parks and Recreation Advisory Board has recommended the City Council grant a variance to the requirements of Section 4.2 of the City Subdivision Regulations by waiving the payment of Park Fees relating to the development of linear and neighborhood parks; and

**WHEREAS**, City Administration has determined that in order to provide for a more efficient manner of connecting the Development’s public water distribution system to the remainder of the City’s system, it is necessary for a water line to be laid through a bore under the Kansas City and Southern Rail right of way adjacent to the Development and recommends that the City participate in the cost of said extension and bore subject to execution of a development agreement with the developer; and

**WHEREAS**, the City Council of the City of Highland Village finds it to be in the public interest to concur in the foregoing recommendations;

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

**SECTION 1.** The City Manager is authorized to negotiate and sign on behalf of the City a development agreement with the owner of the Development which, as a minimum, sets forth the following terms:

- A. Upon completion of construction of (i) the amenity center, community pool, gazebos and pavilions, and sports courts authorized to be constructed by Section 2.B. of Ordinance No. 2016-1201, and (ii) the trails and other improvements required to be constructed in accordance with Section 2.L. of Ordinance No. 2016-1201, parkland dedication fees to be collected in association with the development of linear parks and neighborhood parks shall be deemed waived;
- B. The payment of parkland dedication fees in association with the development of community parks in the amount of \$68,400 (based on \$684.00 per dwelling unit times 100 dwelling units) shall be paid prior to issuance of the building permit for construction of the first dwelling unit to be constructed in the Development; provided, however, if more than 100 dwelling units are constructed in the Development, the community park fee of \$684.00 per dwelling unit shall be paid and collected at the time of issuance of the building permit for the original construction of each dwelling unit after the 100<sup>th</sup> dwelling unit;
- C. The City will participate in the cost, not to exceed \$55,000, of construction of a segment of 8-inch diameter water line connecting the public water distribution system constructed in association with the Development, through a bore under the KCS Rail right-of-way to the City's existing public water distribution system on the easterly side of the rail right-of-way, such participation to be limited to costs relating to obtaining authorization for the bore, the creation of the bore; and
- D. The City will pay an amount not to exceed \$2,000.00 in association with the installation of one water tapping valve installed in association with the water line referenced in Paragraph C, above.

Nothing in the Section 1 shall be construed as limiting the City Manager to including such other conditions and obligations to be satisfied by the developer that the City Manager determines to be in the best interest of the City and the public.

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

**PASSED AND APPROVED this the 2<sup>nd</sup> day of March, 2017.**

**APPROVED:**

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Charlotte J. Wilcox, Mayor

**ATTEST:**

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Angela Miller, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

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Kevin B. Laughlin, City Attorney  
(kbl: 2/23/2017:84070)

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

**AGENDA# 15**

**MEETING DATE: 03/02/17**

**SUBJECT: Discuss and Consider Cancelling the March 14, 2017 City Council Meeting**

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

**BACKGROUND**

Section 3.13 of City of Highland Village City Charter states that the City Council shall have as many regular meetings as it shall deem necessary, provided it shall have at least one meeting each month to be held within the City limits. If (i) the business of the City is such that the number of items requiring City Council discussion and/or approval are too few to justify the staff time and costs related to preparing for a city council meeting, and (ii) matters pending which do require council approval can be delayed to a later meeting, then cancelation of a council meeting is from time to time proposed.

**IDENTIFIED NEED/S:**

The Regular City Council meeting scheduled for Tuesday, March 14, 2017 conflicts with the spring break holiday for Lewisville ISD students, which is March 13 – 17, 2017.

**OPTIONS & RESULTS:**

Cancelling the Regular City Council meeting scheduled for March 14 would allow Council and staff the opportunity to enjoy this time with their families.

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

City Administration has reviewed pending and anticipated business items which will require City Council approval and have determined that no project or other matter will be negatively impacted or delayed if the identified meetings are cancelled.

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

None.

**RECOMMENDATION:**

To make a motion cancelling the March 14, 2017 City Council meeting.

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

**AGENDA# 16**

**MEETING DATE: 03/02/17**

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

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

**COMMENTS**

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

- 35Express Update



## **UPCOMING EVENTS**

**Expected Absences:** Councilmember McGee (3/14/2017 & 3/28/2017)

**February 28, 2017      Regular City Council Mtg. 7:30 pm - RESCHEDULED**

**March 2, 2017      City Council Meeting 6:30 pm**

**March 14, 2017      Regular City Council Mtg. 7:30 pm**

March 16, 2017      Public Art Advisory Board Mtg. 7:00 pm (if needed)

March 20, 2017      Park Board Mtg. 6:00 pm (if needed)

March 21, 2017      Planning & Zoning Commission Mtg. 7:00 pm (if needed)

**March 28, 2017      Regular City Council Mtg. 7:30 pm**

April 6, 2017      Zoning Board of Adjustment Mtg. 7:00 pm (if needed)

**April 11, 2017      Regular City Council Mtg. 7:30 pm**

April 17, 2017      Park Board Mtg. 6:00 pm (if needed)

April 18, 2017      Planning & Zoning Commission Mtg. 7:00 pm (if needed)

April 20, 2017      Public Art Advisory Board Mtg. 7:00 pm (if needed)

**April 25, 2017      Regular City Council Mtg. 7:30 pm**

May 4, 2017      Zoning Board of Adjustment Mtg. 7:00 pm (if needed)

**May 9, 2017      Regular City Council Mtg. 7:30 pm**

May 15, 2017      Park Board Mtg. 6:00 pm (if needed)

May 16, 2017      Planning & Zoning Commission Mtg. 7:00 pm (if needed)

May 18 2017      Public Art Advisory Board Mtg. 7:00 pm (if needed)

**May 23, 2017      Regular City Council Mtg. 7:30 pm**

\*\*\*Please visit [www.highlandvillage.org](http://www.highlandvillage.org) or the City Hall bulletin board for latest additions, updates and changes\*\*\*

By: Karen Bradley, Administrative Assistant - City Secretary Office