



A G E N D A

**REGULAR MEETING
OF THE HIGHLAND VILLAGE CITY COUNCIL
TUESDAY, OCTOBER 24, 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 Results of the Recent Solid Waste and Recycling Survey and the Upcoming Request for Proposals for Solid Waste and Recycling Services
2. Discuss Awarding of Grant Funds to Community Non-Profit Organizations for Fiscal Year 2017-2018
3. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of October 24, 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**

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

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

5. Call to Order
6. Prayer to be led by Councilmember Fred Busche
7. Pledge of Allegiance to the U.S. and Texas Flags to be led by Cub Scout Pack #1163
8. 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.)

9. City Manager/Staff Reports

- HVTV Update

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

- Proclamation – Art Month
- Proclamation – Domestic Violence Awareness Month
- Proclamation – Red Ribbon Week

CONSENT AGENDA

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

11. Consider Approval of Minutes of the Regular Meeting held on October 10, 2017

12. Consider Resolution 2017-2711 Authorizing the Purchase of a Submersible Pump from Xylem Water Solutions USA, Inc. for Lift Station #3

ACTION AGENDA

13. 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)

14. Consider Ordinance 2017-1235 Amending Section 20.05.001(b) of the Code of Ordinances relating to the Prohibition of Parking, Standing or Stopping of Vehicles on portions of Highland Forest Drive (2nd and final read)

15. Consider Approval of a Site Plan for the Property located at 2150 Village Parkway, Lot 7B, Block 2, The Marketplace at Highland Village, as submitted by ADR Designs on behalf of Helen Lee Corporation

16. Consider Resolution 2017-2714 Authorizing an Agreement with Solid Waste Specialists, LLC to Provide Professional Services for the Development of a Request for Proposal for Solid Waste Collection Services

17. Consider Ordinance 2017-1236 Amending the Code of Ordinances by Repealing the Composting and Household Hazardous Waste Programs Fee (1st of two reads)

18. Consider Resolution 2017-2712 Approving an Increase in Charges relating to an Annual Rate Adjustment pursuant to the Solid Waste and Recycling Service Contract with Waste Management
19. Consider Resolution 2017-2713 Awarding Grant Funds to Community Non-Profit Organizations for Fiscal Year 2017-2018

LATE WORK SESSION

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

20. Discuss the Use of Golf Carts in Highland Village
21. 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.)
22. 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 20TH DAY OF OCTOBER, 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: 10/24/17

**SUBJECT: Discuss Results of the Recent Solid Waste and Recycling
Citizen Survey and the Upcoming Request for Proposals for
Solid Waste and Recycling Services**

PREPARED BY: Angela Miller, City Secretary

COMMENTS

City staff will provide the results of the recent solid waste and recycling citizen survey, as well as a presentation and discussion on the upcoming Request for Proposals (RFP) for solid waste and recycling services.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 2

MEETING DATE: 10/24/17

SUBJECT: Discuss Award of Grant Funds to Community Non-Profit Organizations for Fiscal Year 2017-2018

PREPARED BY: Angela Miller, City Secretary

BACKGROUND:

Per Ordinance No. 03-919, community organizations desiring funding from the City must submit applications to the City Secretary's Office. Once all applications are received, the City Secretary processes the applications and submits the requests to the City Council for review.

Requests must meet the following criteria:

- Services to be provided by an organized civic, cultural, educational, or service group that is a non-profit organization with membership open to all citizens of Highland Village
- Services must be of economic benefit to the community or contribute to the quality of life in Highland Village by serving a municipal public purpose
- Services must be provided to the citizens of Highland Village on an equal basis
- The organization must enter into a written contract with the City of Highland Village for the provision of services

Examples of municipal public purpose include, but are not limited to:

- Preservation, promotion or development of historically sensitive areas of the City
- Promotion of the performing arts
- Activities promoting and improving the health, safety and welfare of the youth, adults or senior citizens in the City
- Educational programs promoting student and citizen participation in the electoral process and local government
- Crime awareness and prevention

City Council may consider written requests for financial assistance and determine allocation amounts, if any, for the community non-profit organizations. Council has historically allocated 0.15% of the City's Maintenance & Operations budget (excluding capital project or purchasing funds) for non-profit organizations. The funding allocated for Fiscal Year 2017-2018 is \$38,700.

A copy of all applications has been provided to Council for consideration, and Council received presentations from representatives of the following non-profit organizations at their regular meeting held October 10, 2017: CASA of Denton County, Chisholm Trail RSVP, Christian Community Action (CCA), Communities in Schools of North Texas, Denton County Friends of the Family, Friends of the Flower Mound Library, Greater Lewisville Community

Theatre, Highland Village Lions Club, Journey to Dream, Lewisville ISD Education Foundation (LEF), Lewisville Lake Symphony, PediPlace, The Salvation Army Lewisville, Studio B Performing Arts Center, Winning the Fight (WTF), and Youth and Family Counseling. Special Abilities of North Texas did not have a representative in attendance for the meeting.

Below is a listing of the non-profit organizations that filed an application requesting funding for Fiscal Year 2017-2018:

Non-Profit Organization	Funding Request
CASA of Denton County, Inc.	\$ 2,250
Chisholm Trail RSVP, Inc. dba RSVP Serving Denton County	\$ 2,500
Christian Community Action (CCA)	\$ 4,000
Communities in Schools of North Texas, Inc.	\$ 2,000
Denton County Friends of the Family, Inc.	\$ 5,000
Friends of the Flower Mound Library	\$ 1,500
Greater Lewisville Community Theatre - NEW APPLICANT	\$ 2,000
Highland Village Lions Club	\$ 4,500
Journey to Dream	\$ 5,000
Lewisville ISD Education Foundation (LEF)	\$ 5,000
Lewisville Lake Symphony	\$ 5,000
PediPlace	\$ 5,000
Salvation Army – Lewisville	\$ 3,750
Special Abilities of North Texas	\$ 7,500
Studio B Performing Arts Center	\$ 3,500
Winning The Fight	\$ 2,965.75
Youth and Family Counseling	\$ 5,000
TOTAL	\$66,465.75

Below is a listing of funding allocations that were awarded to each non-profit organization for the previous three (3) fiscal years:

NON-PROFIT FUNDING HISTORY			
Organization	FY 2016-2017	FY 2015-2016	FY 2014-2015
Associates of the Lewisville Sr Activity Center	\$1,000	\$ 500	n/a
CASA of Denton County	\$1,000	\$ 1,000	\$ 1,000
Chisholm Trail Retired Sr Volunteer Program	\$ 0	\$ 500	n/a
Christian Community Action - CCA	\$2,500	\$ 2,500	\$ 2,000
Communities in Schools of North Texas	\$2,000	\$ 1,500	\$ 1,000
Denton County Friends of the Family	\$2,500	\$ 3,000	\$ 2,500
Friends of the Flower Mound Library	\$ 500	\$ 500	\$ 500
Highland Village Lions Club	\$3,500	\$ 4,700	\$ 4,000
Journey to Dream	\$2,500	n/a	n/a
Lewisville ISD Education Foundation	\$3,500	\$ 3,000	\$ 2,500
Lewisville Lake Symphony	\$3,500	\$ 2,500	\$ 2,000
Marine Corps League #1300	\$ 0	\$ 500	n/a
PediPlace	\$2,500	\$ 3,500	\$ 3,000
Special Abilities of North Texas	\$2,500	\$ 3,000	\$ 2,500
Studio B Performing Arts Center	\$3,000	\$ 3,000	\$ 2,500

The Salvation Army - Lewisville	\$2,500	n/a	\$ 3,000
Winning the Fight - WTF	\$3,000	\$ 3,500	\$ 3,000
Youth and Family Counseling	\$3,000	\$ 5,500	\$ 5,000
TOTAL	\$39,077	\$38,700	\$34,500

**In reference to the table above:

n/a – The organization did not submit an application that year

\$ 0 – The organization submitted an application, however no funds were awarded that year

In addition to the funding awarded annually to non-profit organizations, the City purchases tables and individual tickets to special events that are held during the year by the organizations. In order to provide a better understanding of the monetary support of the City and City Council for local organizations, below is a listing of these purchases for the three (3) previous fiscal years:

ADDITIONAL SPONSORSHIPS / PURCHASES			
EVENT	FY 2016-2017	FY 2015-2016	FY 2014-2015
FM Chamber Fiesta Flower Mound	1 Table = \$1,500	1 Table = \$1,500	1 Table = \$1,200
Lewisville Chamber Awards Celebration	n/a	n/a	1 Ticket = \$50
State of the Cities Luncheon	1 Table = \$300	1 Table = \$300	1 Table = \$300
Unity in Communities Luncheon	1 Table = \$300	1 Table = \$300	9 Tickets = \$270
Mayor's Prayer Breakfast	1 Table = \$250	1 Table = \$250	1 Table = \$250
Children's Advocacy Center of Denton County	\$4,000 Funds included in PD Annual FY Budget	\$4,000 Funds included in PD Annual FY Budget	\$4,000 Funds included in PD Annual FY Budget
Special Olympics - Steaks and Stetsons	1 1/2 Tables = \$1,800	1 Table = \$1,200	n/a
TOTAL	\$ 8,150	\$ 7,550	\$ 6,070

This item provides for Council discussion to identify non-profit organizations that will receive funding as allocated in the Fiscal Year 2017-2018 budget. There is an item on the Action Agenda for formal action.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 7 **MEETING DATE: 10/24/17**

SUBJECT: Pledge of Allegiance

PREPARED BY: Angela Miller, City Secretary

COMMENTS

Cub Scout Pack #1163 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# 10

MEETING DATE: 10/24/17

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.

- Proclamation – Art Month
- Proclamation – Domestic Violence Awareness Month
- Proclamation - Red Ribbon Week



PROCLAMATION

Whereas, the City of Highland Village, located in Denton County, is a community of many artistic and creative people; and

Whereas, the arts enhances our quality of life and are vital to the cultural enrichment of the lives of our citizens; and

Whereas, professional artists inspire our citizens with works of art that reflect a wide range of talent; and

Whereas, to stimulate awareness of the art and artists in Highland Village and the surrounding communities, the Cross Timbers Artists Guild was established; and

Whereas, the Cross Timbers Artists Guild's 16th Annual Studio Tour set for November 11-12, 2017, invites our community to meet and visit with local artists in their working environment and view their creative, award winning work in a variety of media.

NOW THEREFORE, I, Charlotte Wilcox, Mayor of the City of Highland Village, do hereby proclaim November 2017 as:

"ART MONTH"

in the City of Highland Village.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed on this 24th day of October, 2017.

Charlotte J. Wilcox, Mayor



PROCLAMATION

WHEREAS, for the last thirty-seven years, Denton County Friends of the Family has provided compassionate, comprehensive services to those impacted by domestic violence in Denton County; and

WHEREAS, by working together, shelters, affiliated programs, municipalities, and concerned individuals can change social attitudes about, and in response to, partner violence; and

WHEREAS, all persons have the right to live without fear, abuse, or oppression; and

WHEREAS, Denton County Friends of the Family received more than 3,000 crisis calls from victims of domestic violence and provided 7,801 days of emergency shelter to women and children; and

WHEREAS, advocates, professionals, volunteers and community members concerned with domestic violence will devote the month of October to raising awareness about the causes, interventions and prevention of this devastating crime; and

WHEREAS, Highland Village, Texas is a place where citizens truly care about each other and work as a community dedicated to protecting our youth and helping them thrive and survive the horrors they have experienced.

NOW THEREFORE, I, Charlotte Wilcox, Mayor of the City of Highland Village, do hereby proclaim the month of October, 2017 as

"DOMESTIC VIOLENCE AWARENESS MONTH"

in the City of Highland Village.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Highland Village to be affixed on this the 24th day of October 2017.

Charlotte J. Wilcox, Mayor



PROCLAMATION

WHEREAS, The City of Highland Village values the health and safety of all our citizens; and

WHEREAS, substance abuse is particularly damaging to one of our most valuable resources, our children; and

WHEREAS, it is the goal of Red Ribbon Week to involve families, schools, businesses, churches, law enforcement agencies and service organizations in all aspects of this campaign and establish an atmosphere that supports awareness, and education of the effects of living a healthy life; and

WHEREAS, the Red Ribbon Week Campaign theme "Your Future is Key, So Stay Drug Free" promotes family and individual responsibilities for living healthy, drug-free lifestyles, without illegal drugs or the illegal use of legal drugs; and

WHEREAS, all LISD Schools in Highland Village are participating in Red Ribbon Week and educating students on the effects of drug use; and

NOW THEREFORE, I, Charlotte Wilcox, Mayor of the City of Highland Village, do hereby proclaim October 23rd -27th, 2017 as:

"Red Ribbon Week"

in the City of Highland Village and encourage everyone to participate in Red Ribbon activities throughout the week,

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Highland Village to be affixed on this the 24th day of October, 2017.

Charlotte J. Wilcox, Mayor

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 11

MEETING DATE: 10/24/17

SUBJECT: Consider Approval of Minutes of the Regular Meeting held on October 10, 2017

PREPARED BY: Angela Miller, City Secretary

BACKGROUND:

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

IDENTIFIED NEED/S:

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

OPTIONS & RESULTS:

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

PROGRESS TO DATE: (if appropriate)

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

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

To approve the October 10, 2017.

**MINUTES OF THE REGULAR MEETING OF THE
HIGHLAND VILLAGE CITY COUNCIL
HELD AT THE HIGHLAND VILLAGE MUNICIPAL COMPLEX
LOCATED AT 1000 HIGHLAND VILLAGE ROAD
TUESDAY, OCTOBER 10, 2017**

The City Council of the City of Highland Village, Texas met in Early Work Session on the 10th day of October, 2017 prior to the Regular Council Meeting.

Call to Order

Mayor Pro Tem Michelle Schwolert called the meeting to order at 6:02 p.m.

Roll Call

Present:	Michelle Schwolert Michael Lombardo Barbara Fleming Fred Busche John McGee Daniel Jaworski	Mayor Pro Tem Councilmember Deputy Mayor Pro Tem Councilmember Councilmember Councilmember
Absent:	Charlotte J. Wilcox	Mayor
Staff Members:	Michael Leavitt Kevin Laughlin Ken Heerman Angela Miller Brad Goudie Sunny Lindsey Laurie Mullens Andrew Boyd Karen Bradley	City Manager City Attorney Assistant City Manager City Secretary Fire Chief IT Director Director of Commic and Marketing Media Specialist Administrative Assistant

EARLY WORK SESSION

1. Receive Presentation from Non-Profit Organizations Requesting Funding for Providing Services, Programs and/or Benefits Serving a Public Purpose to City Residents

City Manager Michael Leavitt thanked the representatives from each organization for attending the meeting. He gave a brief explanation of the guidelines in order for organizations to be considered. He also reported that Council has historically allocated 0.15% of the City's Maintenance & Operations budget (excluding capital project or purchasing funds) to be available for funding services provided by eligible non-profit organizations. There is \$38,700 included in the Fiscal Year 2017-2018 budget for funding community services and activities provided by non-profit organizations.

Council received brief presentations from the following non-profit organizations that have requested funding from the City of Highland Village for Fiscal Year 2017-2018:

- Christian Community Action (CCA) – Chasz Parker
- Greater Lewisville Community Theatre (NEW APPLICANT) – Nancy Thorne and Chris Robinson
- Salvation Army of Lewisville – Steve Thomas
- PediPlace – Larry Robins

- Youth and Family Counseling – Mike Walker and Terry Dunsbar
- Lewisville ISD Education Foundation (LEF) – Ray Hernandez
- Communities in Schools of North Texas, Inc. – Katie Kellet
- Highland Village Lions Club – Harry Dinsmore
- Denton County Friends of the Family, Inc. – Tony Mowles
- Studio B Performing Arts Center – Elizabeth Nowell
- Lewisville Lake Symphony – Nancy Wright
- Winning The Fight – Kathy O’Keefe
- Friends of the Flower Mound Library – Ann Martin
- CASA of Denton County, Inc. – Debbie Jensen
- Journey to Dream – Nesa Grider
- Chisolm Trail RSVP, Inc. dba RSVP Serving Denton County – Diana Corona

Special Abilities of North Texas did not have a representative at the meeting.

Mayor Pro Tem Schwolert thanked all the non-profit representatives for attending and for providing information for Council regarding their organizations. She advised that the Council would consider funding allocations at the next Council meeting to be held on October 24, 2017.

2. Clarification of Consent or Action Items listed on today’s City Council Regular Meeting Agenda of October 10, 2017

Relating to Agenda Item #12, Councilmember Lombardo asked if the premium amount was on target for the amount that was budgeted. Assistant City Manager Ken Heerman reported it was.

Early Work Session ended at 7:26 p.m.

CLOSED SESSION

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

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

Council did not meet in Closed Session.

OPEN SESSION

4. Call to Order

Mayor Pro Tem Michelle Schwolert called the meeting to order at 7:35 p.m.

Roll Call

Present:	Michelle Schwolert	Mayor Pro Tem
	Michael Lombardo	Councilmember
	Barbara Fleming	Deputy Mayor Pro Tem
	Fred Busche	Councilmember
	John McGee	Councilmember
	Daniel Jaworski	Councilmember

Absent:	Charlotte J. Wilcox	Mayor
Staff Members:	Michael Leavitt Kevin Laughlin Ken Heerman Angela Miller Doug Reim David Harney Bobby Doyle Brad Goudie Laurie Mullens Andrew Boyd	City Manager City Attorney Assistant City Manager City Secretary Police Chief Corporal Lieutenant Fire Chief Director of Communic and Marketing Media Specialist

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

Deputy Mayor Pro Tem Fleming gave the invocation.

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

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

7. Visitor Comments

No one wished to speak.

8. City Manager/Staff Reports

- HVTV Update**

Restaurant Week – this week-long restaurant promotion runs October 15-21; participating restaurants will donate a percentage of their sales to the Fallen Officer Fund; the schedule and participating restaurants can be found at www.thehvba.com.

Sponsor a Veteran – the next Salute Our Veterans Luncheon will be held on Friday, November 10 from 11:00 am to 1:00 pm at the Hilton Garden Inn in Lewisville; contact Crystal Babcock regarding sponsorships to allow veterans and a guest to attend at no charge; sponsorships start at \$40.00, which covers the cost of two lunches, and continues in \$20 increments

Bond Election – a bond election will be held on November 7 to consider propositions for street and park improvements; early voting will begin on October 23 and qualified registered voters may vote at any Denton County polling location during that time

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

- Swearing In of Police Officers Joshua Elliott and Michael Lazard**

Police Chief Doug Reim swore in Officer Joshua Elliott. His family was in attendance and his fiancée Priscilla pinned his badge.

Police Chief Doug Reim swore in Officer Michael Lazard. His family was in attendance and his mom pinned his badge.

- **Proclamation – Fallen Officer Day**

Mayor Pro Tem Schwolert presented a proclamation to Chief Reim, Lieutenant Bobby Doyle and Corporal David Harney with a proclamation to bring awareness and to honor October 21, 2017 as Fallen Officer Day in Highland Village.

CONSENT AGENDA

10. **Consider Approval of Minutes of the Regular Meeting held on September 26, 2017**
11. **Consider Resolution 2017-2708 Authorizing Various Purchases and Agreements relating to Replacement of the City's Security Camera System**
12. **Consider Resolution 2017-2709 Authorizing the City Manager to Continue an Interlocal Agreement with TML Intergovernmental Risk Pool for Purposes of Providing City Liability Insurance**
13. **Consider Resolution 2017-2710 Authorizing the Purchase of a Kawasaki Mule Utility Vehicle and Accessories for the Police Department**
14. **Receive Budget Report for Period Ending August 31, 2017**

Motion by Councilmember McGee, seconded by Councilmember Lombardo, to approve Consent Agenda Items #10 through #14. Motion carried 6-0.

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)**

NO ACTION TAKEN

16. **Consider Ordinance 2017-1235 Amending Section 20.05.001(b) of the Code of Ordinances relating to the Prohibition of Parking, Standing or Stopping of Vehicles on portions of Highland Forest Drive (1st of two reads)**

APROVED 1ST READ w/ MODIFICATION (6 – 0)

City Manager Michael Leavitt reported in 2003, the City Council determined that commercial development in the vicinity of Highland Forest Drive and Nelson Parkway required certain parking restrictions be enacted. At that time, Ordinance 03-923 was passed which, in part, prohibits parking on the west side of Highland Forest Drive from Justin Rd north four hundred and fifty-one (451) feet.

The restricted parking distance of 451 feet ends approximately half-way in front of the residence located at 2041 Highland Forest Drive. This is the only location affected and does not allow the resident or their visitors to park in front of their home.

With additional parking now available in the area for nearby businesses, the homeowner has requested removal of the parking restriction in front of the residence. City staff has reviewed the need to restrict parking in this area and has determined there would be no

negative impact in shortening the restricted distance from 451 feet to 429 feet. The amended distance provides a small 5 foot buffer between the end of the restricted parking area and the beginning of the property line at 2041 Highland Forest Drive, which begins at 434 feet. This change would allow lawful street parking directly in front of the residence.

Councilmember Jaworski stated although no plans have been submitted, there has been talk of another building being constructed behind Hidden Pines in the future and questioned the impact of additional parking in the area. He stated that only moving the no parking sign down a few feet did not really help the homeowner very much and asked if the sign could be removed all together. Chief Reim reported the down side would be any future planning, which could be addressed at that time. Chief Reim further reported the resident's complaint was that she could not park in front of her house and staff thought that moving the sign down to 5' beyond her property line would accommodate the homeowner, while still addressing any concerns at the intersection.

Motion by Councilmember Jaworski, seconded by Councilmember McGee, to approve first read of Ordinance 2017-1235 as presented amending Section 20.05.001(b) of the Code of Ordinances relating to the prohibition of parking, standing or stopping of vehicles on portions of Highland Forest Drive, with the exception that the distance of the prohibited parking area from the Highland Forest Drive and Justin Road intersection shall be changed to read "419 feet". Motion carried 6-0.

LATE WORK SESSION

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

City Manager Michael Leavitt reported there is a scheduling conflict on October 28 when the Planning Session was scheduled. Council discussed several different dates. Mr. Leavitt reported staff would follow up again with potential dates to reschedule.

18. Adjournment

Mayor Pro Tem Schwolert adjourned the meeting at 8:22 p.m.

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 12	MEETING DATE: 10/24/17
SUBJECT:	Consider Resolution 2017-2711 Authorizing the Purchase of a Submersible Pump from Xylem Water Solutions USA, Inc.
PREPARED BY:	Scott Kriston, Director of Public Works

BACKGROUND:

During the budget process, Utility Operations identified the submersible pump at lift station #3 on the equipment replacement schedule. The City criteria for equipment replacement is based on the repair history, age, hours of service and increased needs for each division. Lift station #3 is the City's largest lift station located on Timbercrest Lane. The pump proposed to be replaced is estimated to be 20+ years old. According to UT Div. records, it has been rebuilt 4 times. The efficiency rating of the existing pump is less than 60% on its pump curve. The proposed replacement pump has an efficiency rating of 83% on its pump curve with current pump technology construction.

IDENTIFIED NEED/S:

Staff identified the need to purchase one (1) submersible pump that has met the City's criteria for replacement.

PROGRESS TO DATE: (if appropriate)

In the process of taking bids as required by state law, we have found that in working with Xylem directly, they meet or exceed all specifications for pumps and provide the best price.

<u>Division</u>	<u>Quantity</u>	<u>Description</u>	<u>Cost</u>
UT	1	Model NP-3202.095 pump	\$44,448.88
Total Purchase Cost			\$44,448.88

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Funded in FY 2017-2018 Utility Operations Budget.

RECOMMENDATION:

To approve Resolution 2017-2711.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2017-2711

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING THE PURCHASE OF A SUBMERISBLE PUMP FROM XYLEM WATER SOLUTIONS USA, INC FOR LIFT STATION #3 IN AN AMOUNT NOT TO EXCEED \$44,448.88; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to its review of the City's equipment in accordance with the City's replacement policies, City Administration has identified the need to purchase one (1) submersible pump for the Utilities/Streets Department to replace the pump at Lift Station #3; and

WHEREAS, City Administration, while in the process of soliciting bids in accordance with state law, determined that the purchase of equipment that complies with City specifications can be made for the lowest price from Xylem Water Solutions USA, Inc., and recommends such purchases from said vendor; and

WHEREAS, the City Council of the City of Highland Village finds it to be in the public interest to authorize the above-described purchase;

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 purchase one (1) submersible pump from Xylem Water Solutions, Inc. in an amount not to exceed \$44,448.88 to replace the existing pump for Lift Station #3.

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

PASSED AND APPROVED this the 24th day of October, 2017.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:10/16/17:92237)

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 14

MEETING DATE: 10/24/17

SUBJECT: Consider Ordinance 2017-1235 Amending Section 20.05.001(b) of the Code of Ordinances of the City of Highland Village Relating to the Prohibition of Parking, Standing or Stopping of Vehicles on portions of Highland Forest Drive (2nd and final read)

PREPARED BY: Doug Reim, Police Chief

BACKGROUND:

In 2003, the City Council determined that commercial development in the vicinity of Highland Forest Drive and Nelson Parkway required certain parking restrictions be enacted. At that time, Ordinance 03-923 was passed which, in part, prohibits parking on the west side of Highland Forest Drive from Justin Road north four hundred and fifty-one (451) feet.

IDENTIFIED NEED/S:

The restricted parking distance of 451 feet ends approximately half-way in front of the residence located at 2041 Highland Forest Drive. This is the only location affected and does not allow the resident or their visitors to park in front of their house.

PROGRESS TO DATE: (if appropriate)

Staff reviewed the need to restrict parking in this area and have determined there would be no negative impact in shortening the restricted distance from 451 feet to a proposed 429 feet. The amended distance provides a small 5 foot buffer between the end of the restricted parking area and the beginning of the property line at 2041 Highland Forest Drive which begins at 434 feet. This change would allow lawful street parking directly in front of the residence.

At the October 10, 2017 City Council meeting, Council approved Ordinance 2017-1235, with the exception that the distance of the prohibited parking area from the Highland Forest Drive and Justin Road intersection be changed to read "419" feet.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

No budgetary impact other than Street Department staff relocating an existing "No Parking" sign. Ordinance update required.

RECOMMENDATION:

Staff recommends Council approve the second read of Ordinance 2017-1235.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2017-1235

AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 20 "TRANSPORTATION AND TRAFFIC", ARTICLE 20.05 "PARKING", SECTION 20.05.001 "PROHIBITED ON CERTAIN STREETS" BY AMENDING ; SUBSECTION (b) RELATING TO THE PROHIBITION OF PARKING, STANDING, OR STOPPING VEHICLES ON HIGHLAND FOREST DRIVE; CONTAINING A SAVINGS CLAUSE; CONTAINING A SEVERABILITY CLAUSE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$200.00; AND PROVIDE AN EFFECTIVE DATE

WHEREAS, having considered the recommendation of City Administration, the City Council of the City of Highland Village, Texas, finds it to be in the public interest to amend the Code of Ordinances of the City of Highland Village to reduce the area on the west side of Highland Forest Drive in which the parking, standing, or stopping of vehicles is presently prohibited.

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

SECTION 1. Code of Ordinances, Chapter 20 "Transportation and Traffic", Article 20.05 "Parking", Section 20.05.001 "Prohibited on Certain Streets" is amended by amending Subsection (b) with respect to Highland Forest Drive to read as follows:

Highland Forest Drive:

- (1) East side, from the intersection of Justin Road north to the southeast corner of Pinehurst Court.
- (2) West side, from its intersection with Justin Road (F.M. 407) north 419 feet.

SECTION 2. All ordinances or parts thereof expressly in conflict with this ordinance are hereby repealed.

SECTION 3. Appropriate signs prohibiting parking at the places and during the times consistent with this Ordinance shall be installed and maintained by City forces.

SECITON 4. Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined a sum not to exceed TWO HUNDRED DOLLARS (\$200.00).

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

SECTION 6. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged to be invalid or unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than the portion so decided to be invalid or unconstitutional.

SECTION 7. This ordinance shall take effect from and after its passage and the publications of the caption of said ordinance as the law and the City Charter in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS ON THE FIRST READING, THIS THE 10TH DAY OF OCTOBER, 2017.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS ON THE SECOND READING, THIS THE 24TH DAY OF OCTOBER, 2017.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:10/10/17:91368)

Highland Forest Dr No Parking Ordinance 2017-1235



CITY OF HIGHLAND VILLAGE
CITY COUNCIL

AGENDA# 15

MEETING DATE: 10/24/17

SUBJECT: Consider Approval of a Site Plan for the Property located at 2150 Village Parkway described as Lot 7B, Block 2, The Marketplace at Highland Village, as submitted by ADR Designs on behalf of Helen Lee Corporation

PREPARED BY: Autumn Aman, Community Development Coordinator

BACKGROUND:

An application was received for a site plan to construct an approximately 13,994 square foot building for retail use. The site plan package includes a site plan, building elevations, signage, lighting plan, and landscape plans.

The property is currently zoned Planned Development Retail (PD-R).

The proposed site plan is the second phase of the applicant's project and is very similar to the site plan that was approved by City Council on May 23, 2017 for Highland Village Phase I, 2100 Village Parkway, Lot 7A, Block 2, in the Marketplace at Highland Village.

IDENTIFIED NEED/S:

N/A

OPTIONS & RESULTS:

Options are to recommend approval of the site plan package as it has been submitted, to recommend approval subject to revisions, or to deny the site plan package upon a finding that it does not comply one or more requirements of the PD zoning or City Ordinances for the property.

PROGRESS TO DATE: (if appropriate)

City staff and the City's Engineer have reviewed the site plan package and finds that the proposed site plan conforms with applicable City Ordinances.

At the September 19, 2017 Planning and Zoning meeting, the site plan was presented to the Commission. During the review process and after much discussion with the general contractor and owner of the property, the property owner chose to postpone the review of the site plan to a future meeting date so that they would be able to address some of the Planning and Zoning Commissions concerns and make any necessary modifications if needed.

At the October 17, 2017, Planning and Zoning meeting, the Commission recommended to

send the site plan forward to City Council for approval as submitted with a vote of (5-0).

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

No Ordinance change is required.

RECOMMENDATION:

That Council review and consider the recommendation of the Planning and Zoning Commission to approve the site plan as submitted.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 16

MEETING DATE: 10/24/17

SUBJECT: Consider Resolution 2017-2714 Authorizing an Agreement with Solid Waste Specialist, LLC for Professional Services for the development of a Request for Proposal for Solid Waste Collection Services

PREPARED BY: Scott Kriston, Director of Public Works

BACKGROUND:

The term of the City's current solid waste contract with Waste Management will end on August 31, 2018. Staff desires to engage the services of Solid Waste Specialist, LLC, to provide consulting services relating to the preparation of a request for proposal (RFP) relating to the solicitation of proposals for the provision of solid waste, recycling, hazardous waste, yard refuse and textile collection services. Staff conducted a citizen survey to get a feel for what solid waste services are desired by the residents. The results were presented in early work session. In order to achieve maximum benefit from an RFP, the RFP is recommended to be advertised as early as November, 2017 and have a contractor selected and, if possible, under contract by March, 2018. A 180-day Notice-To-Proceed period will allow the contractor to have all required equipment on hand and ready to mobilize on September 1, 2018.

IDENTIFIED NEED/S:

Staff is seeking input from Council as to what desires the Council has regarding solid waste, recycling, hazardous waste, yard refuse and textile collection services.

OPTIONS & RESULTS:

The City needs a solid waste contract to remove the residential and commercial solid waste generated within the City's corporate limits. The current contract is termed out as of August 31, 2018.

PROGRESS TO DATE: (if appropriate)

A proposal was solicited and received from Solid Waste Specialists, LLC, for the provision of professional services required for this project for a fee in the amount of \$32,600. The City Attorney developed an Agreement for both parties to execute. Citizen survey was conducted by staff.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

The cost for these professional services is \$32,600. Funding is to be provided from a surplus of collected fees related to Compost services, the surplus resulting from associated costs being less than anticipated.

RECOMMENDATION:

To approve Resolution 2017-2714.

STATE OF TEXAS §
§
COUNTY OF DENTON § **AGREEMENT FOR PROFESSIONAL SERVICES**

This Agreement for Professional Services (“Agreement”) is made by and between the City of Highland Village, Texas (“City”) and R.L. Lantrip and Richard Rozier d/b/a Solid Waste Specialists, LLC. (a/k/a SWS) (“Professional”), acting by and through their authorized representatives. (City and Professional referred to herein collectively as “Parties” and individually as “Party”).

Recitals:

WHEREAS, City desires to engage the services of Professional as an independent contractor and not as an employee, to provide consulting services relating to the preparation of a request for proposal relating to the solicitation of proposals for the provision of solid waste collection, recycling, and hazardous waste collection services in accordance with the terms and conditions set forth in this Agreement; and

WHEREAS, Professional desires to provide such services to City;

NOW THEREFORE, in exchange for the mutual covenants set forth herein and other valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the Parties agree as follows:

Article I
Term

1.1 The term of this Agreement shall commence on the Effective Date and continue until all deliverables described in the Scope of Services have been delivered to City and City has paid Professional as provided in this Agreement (the “Term”).

1.2 Either Party may terminate this Agreement by giving thirty (30) days prior written notice to the other Party. In the event of such termination, Professional shall deliver to City all finished and unfinished documents, data, studies, reports or other items prepared by the Professional in connection with this Agreement. Professional shall be entitled to compensation for any services completed to the reasonable satisfaction of City in accordance with this Agreement prior to such termination.

Article II
Scope of Services

2.1 The services provided by Professional pursuant to this Agreement shall be as described in the Scope of Services set forth in Exhibit “A,” attached hereto and incorporated herein by reference (“Scope of Services”).

2.2 All materials and reports prepared by Professional in connection with this Agreement shall become the property of City. City shall have the right to publish, disclose,

distribute and otherwise use such materials and reports only for those purposes for which they were intended. Subject to the foregoing, Professional shall upon completion of the services, or earlier termination, provide City with reproductions of all reports prepared by Professional pursuant to the Scope of Services.

Article III

Compensation and Method of Payment

3.1 City agrees to pay Professional for Professional's services the amount of THIRTY-TWO THOUSAND SIX HUNDRED AND NO/100 DOLLARS (\$32,600.00) subject to the following schedule:

Task Completed	Fee Installment
1	\$800.00
2	\$3,600.00
3	\$14,000.00
4	\$3,500.00
5	\$6,000.00
6	\$3,500.00
7	\$1200.00

City agrees to pay Professional the amount of the fee due not later than thirty (30) days after receipt of invoice, which invoice shall not be delivered earlier than the delivery to City of the final deliverable for the task.

3.2 Professional shall be responsible for all expenses related to the services provided pursuant to this Agreement including, but not limited to, travel, copying and facsimile charges, telephone, internet and email charges. City shall be responsible for costs related to publicizing the procurement documents in an appropriate manner and for providing printed copies to requesting firms.

3.3 Prior to City engaging Professional to perform any of the optional Task 8, City and Professional shall agree in writing on the price for performance of services related to such task.

Article IV

Devotion of Time; Personnel; and Equipment

4.1 Professional shall devote such time as reasonably necessary for the satisfactory performance of the services provided pursuant to this Agreement.

4.2 To the extent reasonably necessary for Professional to perform the services under this Agreement, Professional shall be authorized to engage the services of any agents, assistants, persons, or corporations that Professional may deem proper to aid or assist in the performance of the services under this Agreement. The cost of such personnel and assistance shall be borne exclusively by Professional. Notwithstanding the foregoing to the contrary, City

will be responsible for obtaining review by an attorney of the request for proposal and contract documents produced in accordance with the Scope of Services.

4.3 Professional shall furnish the facilities inclusive of equipment, telephones, facsimile machines, email facilities, and personnel necessary to perform the services required under this Agreement unless otherwise provided herein.

Article V Miscellaneous

5.1 Entire Agreement. This Agreement constitutes the sole and only agreement between the Parties and supersedes any prior understandings written or oral agreements between the Parties with respect to this subject matter.

5.2 Assignment. Professional may not assign this Agreement in whole or in part without the prior written consent of City. In the event of an assignment by Professional to which City has consented, the assignee shall agree in writing with City to personally assume, perform, and be bound by all the covenants, and obligations contained in this Agreement.

5.3 Governing Law. The laws of the State of Texas shall govern this Agreement; and venue for any action concerning this Agreement shall be in Denton County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said Court.

5.4 Amendments. This Agreement may be amended by the mutual written agreement of the Parties.

5.5 Severability. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

5.6 Independent Contractor. It is understood and agreed by and between the Parties that Professional in satisfying the conditions of this Agreement, is acting independently, and that City assumes no responsibility or liabilities to any third party in connection with these actions. All services to be performed by Professional pursuant to this Agreement shall be in the capacity of an independent contractor and not as an agent or employee of City. Professional shall supervise the performance of its services and shall be entitled to control the manner and means by which its services are to be performed, subject to the terms of this Agreement.

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

If intended for City, to:

With copy to:

Michael Leavitt, City Manager
City of Highland Village, Texas
1000 Highland Village Road
Highland Village, Texas 75077

Kevin Laughlin
Nichols, Jackson, Dillard, Hager & Smith, LLP
500 N. Akard, Suite 1800
Dallas, Texas 75201

If intended for Professional:

5.8 **Insurance.** Professional shall during the term of this Agreement maintain in full force and effect Professional Liability insurance covering negligent acts, errors and omissions in the performance of professional services with policy limit of not less than \$1,000,000.00 per claim and \$1,000,000.00 in the aggregate. A specific endorsement needs to be added to all policies, with a copy of the endorsement provided to the City that indicates the insurance company will provide to the City at least a thirty (30) prior written notice for cancellation, non-renewal, and/or a decrease in the coverage limits of the policy below the required minimum.

5.9 **Indemnification.** CITY SHALL NOT BE LIABLE FOR ANY LOSS, DAMAGE, OR INJURY OF ANY KIND OR CHARACTER TO ANY PERSON OR PROPERTY ARISING FROM THE REVIEW SERVICES OF PROFESSIONAL PURSUANT TO THIS AGREEMENT. PROFESSIONAL HEREBY WAIVES ALL CLAIMS AGAINST CITY, ITS OFFICERS, AGENTS AND EMPLOYEES (COLLECTIVELY REFERRED TO IN THIS SECTION AS "CITY") FOR DAMAGE TO ANY PROPERTY OR INJURY TO, OR DEATH OF, ANY PERSON ARISING AT ANY TIME AND FROM ANY CAUSE OTHER THAN THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF CITY. PROFESSIONAL AGREES TO INDEMNIFY AND SAVE HARMLESS CITY FROM AND AGAINST ANY AND ALL LIABILITIES, DAMAGES, CLAIMS, SUITS, COSTS (INCLUDING COURT COSTS, ATTORNEYS' FEES AND COSTS OF INVESTIGATION) AND ACTIONS BY REASON OF INJURY TO OR DEATH OF ANY PERSON OR DAMAGE TO OR LOSS OF PROPERTY TO THE EXTENT CAUSED BY PROFESSIONAL'S NEGLIGENT PERFORMANCE OF REVIEW SERVICES UNDER THIS AGREEMENT OR BY REASON OF ANY ACT OR OMISSION ON THE PART OF PROFESSIONAL, ITS OFFICERS, DIRECTORS, SERVANTS, AGENTS, EMPLOYEES, REPRESENTATIVES, SUCCESSORS OR PERMITTED ASSIGNS (EXCEPT WHEN SUCH LIABILITY, CLAIMS, SUITS, COSTS, INJURIES, DEATHS OR DAMAGES ARISE FROM OR ARE ATTRIBUTED TO SOLE NEGLIGENCE OF CITY). IF ANY ACTION OR PROCEEDING SHALL BE BROUGHT BY OR AGAINST CITY IN CONNECTION WITH ANY SUCH LIABILITY OR CLAIM, PROFESSIONAL, ON NOTICE FROM CITY, SHALL DEFEND SUCH ACTION OR PROCEEDINGS AT PROFESSIONAL'S EXPENSE, BY OR THROUGH ATTORNEYS REASONABLY SATISFACTORY TO CITY. PROFESSIONAL'S

OBLIGATIONS UNDER THIS SECTION SHALL NOT BE LIMITED TO THE LIMITS OF COVERAGE OF INSURANCE MAINTAINED OR REQUIRED TO BE MAINTAINED BY PROFESSIONAL UNDER THIS AGREEMENT. THIS PROVISION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

5.10. Counterparts. This Agreement may be executed by the Parties hereto in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument. Each counterpart may consist of any number of copies hereof each signed by less than all, but together signed by all of the Parties hereto.

5.11 Exhibits and Recitals. The recitals and exhibits attached hereto are incorporated herein and made a part hereof for all purposes.

5.12 Prohibition of Boycott Israel. Professional verifies that it does not Boycott Israel, and agrees that during the term of this Agreement will not Boycott Israel as that term is defined in Texas Government Code Section 808.001, as amended.

5.13 Effective Date. This Agreement shall be effective on the date when signed by authorized representatives of each Party (“the Effective Date”).

[Signature Page to Follow]

SIGNED AND AGREED on this _____ day of _____, 2017.

CITY OF HIGHLAND VILLAGE, TEXAS

By: _____
Michael Leavitt, City Manager

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

SIGNED AND AGREED on this _____ day of _____, 2017.

SOLID WASTE SPECIALISTS, LLC

By: _____

Name: _____

Title: _____

EXHIBIT “A” SCOPE OF SERVICES

Request for Proposal Process

Task 1 - Data Request

Following receipt of the notice to proceed, SWS will provide a detailed data request outlining the information needed to complete the work. Some of this material has been provided as a result of the initial meeting. Additional data to be requested may include:

- Residential customer counts; senior citizen service count
- Anticipated home growth over the term of the contract
- Commercial Container (FEL and FEL compaction units) collection matrix
- Average Roll-Off hauls per month by container size and tonnage
- Historical tonnages of solid waste and recyclables generated (if available);
- Standard City procurement template and contract

Other information that may be determined to be relevant to the procurement that has not yet been provided. We recognize that the City may not have all information requested readily available or may require additional time to contact the current vendor(s) for the data. SWS will work with the City's appointed project manager to assist in gathering this data if needed. This task also includes organization and preliminary analysis of all data received.

Task 1 Deliverable

Preliminary Data Request

Task 2 - Strategy Workshop Meeting

SWS' first meeting with the City after receiving and reviewing the data from Task 1 will be to conduct a strategy meeting with designated City staff to discuss issues that will need to be incorporated into the procurement documents.

The goal of this meeting will be to introduce the SWS team, determine the timeline of the project, and determine how identified key issues will receive appropriate focus in the RFP and resulting contract.

This meeting will be held in City Hall with an anticipated four-hour maximum length. The goal of the meeting is to ensure that the City staff and SWS principals have a clear understanding of the City's intentions for the success of the procurement process. Among the subjects to be discussed:

Type of procurement process (i.e. Request for Proposals or Request for Bids process)
Does the City wish to utilize an RFQ prior to distributing an RFP
Initial Term and renewal options of next agreement

Determine acceptable evaluation criteria and weighting (including consideration of minimum qualifications to participate if RFQ is not utilized):

Customer base (i.e. residential, commercial and municipal)
Scope of services to be provided by the vendor(s) (i.e. collection, disposal, and processing services);
Residential base services and optional services
Will cart use be an option? If so, determine cart specifications, who will purchase, who will maintain, who will own at contract completion
What will be an acceptable transition plan if providers change
What will be acceptable performance standards and fines/penalties for service failure
Rate adjustments to be included in the contract (i.e. annual and unusual changes in costs of operations);
Recyclable revenues sharing to be included in the contract, or vendor retains
Franchise fee percentage to be included in contract – put into submitted prices?
Performance bond amount
Customer service responsibilities (e.g. customer complaints, call center, follow-up with City);
Billing for each service line

SWS will prepare the questions that will be considered and distribute prior to the meeting.

A memo summarizing the decisions of the Strategy Meeting will be provided.

Task 2 – Deliverables

Copies of Agenda and Questions distributed prior to the meeting
SWS Principals to attend the meeting
Memo summarizing the outcomes and next steps in the process

Task 3 – Prepare the Documents

Request for Proposal

SWS will have the primary responsibility for the development of the procurement documents, which will include the development of a Request for Proposals (RFP) and draft contract

The City will provide legal review of the RFP and Contract documents prepared by SWS.

Working with the City's designee, SWS will prepare a draft version of an RFP containing the following:

- General terms and conditions of the procurement document
- Background information, historical program data, demographic information, etc.
- Proposal format and content
- Procurement process, including schedule and evaluation criteria;
- Proposal response forms, including personnel, experience, cost, etc.

The City will provide the standard portions of the RFP document as a template.

Service Contract

SWS will assist the City with developing the environmental services contract to be included in the Procurement Documents. The services contract may include the following provisions:

- Contract term and renewal options
- Collection Procedures and Scope of Work
- Materials acceptance; rejection protocol
- Equipment and personnel requirements
- Insurance and Performance Bond
- Requirements for disposal, recycling and/or composting processing
- Reporting frequency and desired information
- Annual rate adjustment process
- Public Education responsibility
- Penalties, Liquidated Damages
- Other relevant provisions

SWS will prepare one draft and one final version of the RFP and draft contract.

SWS will assist the City in notifying potential proposers in advance of the release of the RFP. Specifically, we will provide the City with a listing of companies and contacts that may have an interest in the services being procured, with the City providing the notice to the companies.

The City shall be responsible for publicizing the procurement documents in an appropriate manner and for providing printed copies to requesting firms.

Task 3 – Deliverables

One draft and one final version of the RFP and draft contract

Task 4 – Pre-Bid Coordination

SWS representative will attend the pre-proposal meeting in person to assist with questions relating to the procurement. With input from City Staff, SWS will prepare a written response to questions brought up in the pre-bid meeting. If personal communication is required, SWS will assist the City with answering questions prior to the meeting, and afterward.

For a successful meeting, we ask that the City prepare a sign-in sheet and record the meeting with notes to document vendor questions and Staff responses.

If the resulting questions require a City-approved change to the RFP draft document, SWS will make the appropriate revisions for distribution.

If the City prefers to use printed materials rather than electronic media, the budget is based on the City providing all required copies and distribution.

Task 4 – Deliverables

- Attendance at on-site pre-proposal meeting
- Development of content for any addenda that need to be developed

Task 5 – Evaluate Proposals

Using the evaluation criteria in the RFP, SWS will work with City Staff to score the proposals. The fee is based on a review of up to five proposals.

The steps involved in the evaluation will include:

- Determine if the proposer meets the City's minimum qualifications
- Identify whether the proposer has provided the requested information

Using the scoring sheet, evaluate the strengths and weaknesses of each component of the proposals

- Review and evaluate respondent's technical capability by evaluating proposed equipment, work plan, transition plan, etc.
- Review of respondent's Texas collection outlined in the RFP document
- Evaluate cost proposals via Excel model
- Identify questions and negotiating points.

When the SWS evaluation is complete, a copy will be forwarded to the City in preparation for upcoming interviews. Two SWS company principals will participate in one meeting with the City to discuss the results.

Task 5 – Deliverables

Memo and Excel worksheet that summarizes the evaluation of each submitted proposal

Task 6 – Interview Selected Firms

Following the evaluation of proposals, SWS will assist the City with the facilitation of proposer interviews. As part of this task, we will:

- Assist with identifying proposers to be interviewed;
- Develop questions for proposer interviews;
- Participate with City Staff in proposer interviews;
- Compilation of scoring from evaluation committee in an Excel-based format.

Task 6 – Deliverables

Interview Questions

- Participation of two SWS principals for one-day meeting for vendor interviews
- Memo and Excel matrix that summarizes the technical and financial valuation
- Compilation of scoring from the evaluation committee

Task 7 – Council Presentation

SWS, working with City Staff, will prepare a PowerPoint presentation, with accompanying handouts, for a Council meeting to explain the process and the recommendation.

SWS, with Staff approval, will handle the Q&A session at the conclusion of the presentation.

Task 7 – Deliverables

- SWS presentation at Council meeting
- PowerPoint presentations and handouts for the meeting

Task 8 – Contract Negotiations (Optional)

If requested, SWS can provide contract negotiations assistance to the City. It is recommended that a separate budget is prepared for this additional task based on the involvement level the City seeks.

The time required for this optional section is not a portion of the Fee for RFP Procurement.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2017-2714

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AUTHORIZING AN AGREEMENT WITH SOLID WASTE SPECIALIST, LLC TO PROVIDE PROFESSIONAL SERVICES FOR THE DEVELOPMENT OF A REQUEST FOR PROPOSAL FOR SOLID WASTE COLLECTION SERVICES, AND PROVIDING AN EFFECTIVE DATE

WHEREAS, City administration has obtained a proposal from Solid Waste Specialists, LLC for professional services for the development of a request for proposal for solid waste collection services, and recommends negotiation and execution of an agreement for such services; and

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

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

SECTION 1. The City Manager is hereby authorized to negotiate and execute an agreement with Solid Waste Specialists, LLC for in the amount of \$32,600.00 to provide professional services for the development of a request for proposal for solid waste collection services.

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

PASSED AND APPROVED THIS 24th DAY OF OCTOBER, 2017.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:10/17/17:92303)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 17

MEETING DATE: 10/ 24/17

SUBJECT: Consider Ordinance 2017-1236 Repealing a \$.90 Fee to Fund the City's Compost and Hazardous Waste Programs

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

The City has participated in composting and hazardous waste programs for a number of years. An initial fee of \$.70 per billing, later increased to \$.90 per billing was assessed on the City's utility bills to cover the associated costs of these two programs. For the composting program, yard waste is collected on Mondays from residents and delivered to a vendor (LETCO) for processing. The collection and delivery component of this program is included in the Waste Management garbage rate, while the City incurs a separate charge from LETCO. For the hazardous waste program, the City previously, in conjunction with the UTRWD, had sponsored events, initially annually – later increased to semi-annual, in which residents brought hazardous waste materials for proper disposal at no charge to the resident.

In 2012, the City's solid waste vendor, Waste Management, rolled out a new service, Household Hazardous Waste At Your Door. The City withdrew from the UTRWD program, replacing it with this new service. The initial cost of this service was \$.56 per billing (\$.60 including sales tax). As this service was billed in conjunction with the garbage / recycling service, the compost fee was separated and this fee was correspondingly reduced to \$.30.

IDENTIFIED NEED/S:

Over time, the actual charges associated with the Compost service was less than anticipated, resulting in a surplus of collected fees for this service. Staff recommendation is to eliminate this fee and utilize this surplus to fund compost services, which will be sufficient through the remaining solid waste contract term (August 2018) with Waste Management. Over the next year, all the various programs will be reviewed in development of a Request for Proposal to use for solicitation of a new contract for these services.

RECOMMENDATION:

Council to approve the first read of Ordinance 2017-1236 as presented.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2017-1236

**AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS,
REPEALING THE COMPOSTING AND HOUSEHOLD HAZARDOUS WASTE
PROGRAMS FEE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE;
PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City Council previously enacted Ordinance No. 08-1053 authorizing the assessment and collection of a fee to fund the City's composting and hazardous waste programs to provide for disposal of yard waste and household hazardous waste generated by the City's residents; and

WHEREAS, changes in the collection of household hazardous waste and costs relating to the City's composting program have resulted in charges for composting services have been less than anticipated, resulting in an accumulated credit balance from the compost fee assessed to residents; and

WHEREAS, the surplus balance in fees collected is sufficient to fund the compost program through the remainder of the term of the current solid waste collection contract on or about September 30, 2018;

WHEREAS, upon recommendation of City Administration, the City Council of the City of Highland Village, Texas, finds it to be in the public interest to repeal the composting program fee.

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

SECTION 1. Ordinance No. 08-1053 and the fees authorized to be assessed and collected therein are hereby repealed effective with the first utility billing occurring after the effective date of this Ordinance.

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. This ordinance shall be effective from and after its date of passage and publication as required by law or charter.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS ON THE FIRST READING, THIS THE 24TH DAY OF OCTOBER, 2017.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS ON THE SECOND READING, THIS THE _____ DAY OF _____, 2017.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:10/1617:92192)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 18

MEETING DATE: 10/24/17

SUBJECT: Consider Resolution 2017-2712 Approving a Request for an Increase in Fees in accordance with the Solid Waste and Recycling Service Contract dated June 25, 2013, between the City and Waste Management

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

Attached for your review and consideration is a request from Waste Management (WMI) for a rate increase. The proposed rate increase is allowed under section 9.01(a) of the agreement between the City and Waste Management. Rate adjustments are based on two criteria: the Dallas/Fort Worth Consumer Price Index, as well as the change in diesel fuel prices for the Gulf Coast. The existing agreement with Waste Management was initiated in 2008 and renewed for an additional five-year term in 2013. The contract contains a stated option to have ability to update rates in October of each year. The last adjustment requested was in 2012.

IDENTIFIED NEED/S:

Waste Management has provided the pertinent CPI and fuel price justification as required by the contract – and this has been substantiated by City Staff. The base rate adjustment requested reflects a 1.77% change in CPI coupled with a fuel price adjustment of .05%, providing a total increase of 1.82%. In accordance to the agreement, Waste Management must receive approval by Council. And as also stipulated in the agreement, the approval shall not be unreasonably withheld. Failing to take any action within 30 days of the request shall result in the request being deemed approved.

OPTIONS & RESULTS:

Based on the stated change in CPI index and Diesel fuel price index, the 1.82% increase as submitted by Waste Management would increase the base rate from \$13.03 to \$13.27. When including sales tax, the monthly bill to residents increases from \$14.11 to \$14.36 – a 25-cent increase. Senior citizen rates (with the 10% discount), will increase from \$12.82 to \$13.07.

	<u>Current</u>	<u>Updated</u>
Garbage / Recycling	\$ 11.95	\$ 12.17
HH Haz Waste At Your Door Service	1.08	1.10
Total Garbage Fees	13.03	13.27
Sales Tax	1.08	1.09
Total Garbage Fees & Tax	\$ 14.11	\$ 14.36

The City has also charged a separate additional \$.30 fee – to fund a composting program. The costs associated with this service have been less than anticipated, thus providing a surplus of collected funds. An ordinance will be presented to Council in tandem with this item to draw down the surplus by eliminating this fee for the remainder of the current Waste Management contract (through August 2018). As a result, the \$.30 reduction will more than offset the garbage rate increase. These will be effective with the November billing cycle.

In anticipation of the current contract with Waste Management expiring next year, a Request for Proposal (RFP) will be developed to provide the framework for solicitation of proposals from qualified vendors. The composting service will be re-evaluated in concert with review of desired garbage and recycling services for this RFP.

PROGRESS TO DATE: (if appropriate)

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

RECOMMENDATION:

Staff recommends Council approval of Resolution 2017-2712.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2017-2712

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, APPROVING INCREASE IN CHARGES PURSUANT TO THE SOLID WASTE AND RECYCLING SERVICE CONTRACT DATED JUNE 25, 2013 BETWEEN THE CITY AND WASTE MANAGEMENT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Highland Village, Texas entered into that certain Solid Waste and Recycling Service Contract ("the Contract") with Waste Management on June 8, 2008 to provide refuse and recycling services in the City for a period of five (5) years; and

WHEREAS, the City and Waste Management amended the Contract on June 25, 2013, to extend the term of the Contract for an additional five (5) years; and

WHEREAS, Section 9.01(a) of the Contract provides for annual rate adjustments in October of each year during the Contract based on the annual change of the Dallas/Fort Worth Consumer Price Index for All Urban Consumers (CPI-U) Transportation as well as the annual change of the Weekly Retail On Highway Diesel Prices for the Gulf Coast; and

WHEREAS, the stated index from the applicable Consumer Price Index for the 12-month period ending June 2014 was 1.77%, and the stated index from the Weekly Retail On Highway Diesel Prices for the Gulf Coast for the 12-month period ending May 2014 was 0.05%, the sum of these totaling 1.82%, comprising the increase requested by Waste Management; and

WHEREAS, the Household Hazardous Waste At Your Door Service was added and requires addition of an associated 10% franchise fee, the related fee being \$.11, based on the billed service cost of \$1.10; and

WHEREAS, on October 11, 2017, Waste Management delivered a final, corrected request for the annual rate adjustment pursuant to the Contract; and

WHEREAS, the Contract provides that the City must approve the requested adjustment, which approval cannot be unreasonably withheld; and

WHEREAS, the City Council finds no reasonable basis on which to deny the requested increase pursuant to the rate adjustment provisions of the Contract;

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

SECTION 1. The rates for services as set out in the Contract are hereby adjusted and approved in accordance with Exhibit "A," attached hereto and incorporated herein by reference effective October 31, 2017.

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

PASSED AND APPROVED this the 24th day of October 2017.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:10/16/17:92210)

Resolution No. 2017-2712

EXHIBIT "A"

<div>Highland Village</div> <div>10/1/2017</div> <div>FOR THE CUSTOMER TAB</div>								
RESIDENTIAL RATES (Includes Franchise Fee)								
Residential Rates	\$12.17	1 x week garbage, 1 x week recycling in 65 gallon cart, 1 x week yard waste						
Senior Citizen	\$10.97	1 x week garbage, 1 x week recycling in 65 gallon cart, 1 x week yard waste						
At Your Door	\$1.10	FF added this year of 10%						
Residential with AYD	\$13.27	does include the 10% franchise fee						
Senior Citizen with AYD	\$12.07	does include the 10% franchise fee						
COMMERCIAL HAND COLLECT (Includes Franchise Fee)								
	1XWK	2XWK						
Hand-PU (1-5 Bags)	\$22.12	\$26.89						
Hand-PU (6-10 Bags)	N/A	N/A						
Poly Cart-PU (1 Toter)	N/A	N/A						
Poly Cart-PU (2 Toter)	N/A	N/A						
Poly Cart-PU (3 toters)	N/A	N/A						
Recycling PU (1 toter)	N/A	N/A						
COMMERCIAL RATES (Includes Franchise Fee)								
	FREQUENCY PER WEEK							
Container Size / Type	1XWK	2XWK	3XWK	4XWK	5XWK	6XWK	7XWK	EXTRA PU
2 Yard FEL Container	\$72.68	\$136.62	\$172.51	\$214.82	\$266.26	N/A	N/A	\$40.56
3 Yard FEL Container	\$86.72	\$139.29	\$190.43	\$241.61	\$295.41	N/A	N/A	\$52.15
4 Yard FEL Container	\$93.63	\$155.61	\$204.62	\$258.24	\$333.05	N/A	N/A	\$62.67
6 Yard FEL Container	\$143.25	\$226.46	\$315.36	\$408.81	\$492.07	N/A	N/A	\$75.33
8-Yard FEL Container	\$159.10	\$271.80	\$389.32	\$503.65	\$616.65	\$718.22	N/A	\$86.92
10 Yard FEL Container	N/A	N/A	N/A	N/A	N/A	\$893.41	N/A	\$107.68
See Other Charges Or Notes Below								
Delivery	N/A							
Lock Bar, MONTHLY	\$10.03							
Casters MONTHLY	\$10.03							
Redelivery Charge for non payment **	N/A							
Snapshot Charge	Non-Exempt							
TEMPORARY SERVICE								
6 Yard Temp ***	N/A							
8 Yard Temp ***	N/A	*** Temporary Service includes delivery, rental and removal, and disposal						

COMMERCIAL FRONT LOAD COMPACTORS* (Includes Franchise Fee)

Size	1x	2x	3x	4x	5x	6x	7x	XPU
2 Yard FEL Compactor	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
3 Yard FEL Compactor	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4 Yard FEL Compactor	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
6 Yard FEL Compactor	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
8 Yard FEL Compactor	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
10 Yard FEL Compactor	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

See Other Charges Or NotesBelow

Delivery	N/A	*Compactor Rate Does Not Include Rental (Choose one and delete the other)
Lock Bar, MONTHLY	\$10.03	*Compactor Rate Includes Rental
Casters	\$10.03	
Redelivery Fee for non payment	N/A	
Gate or Enclosure Fee	N/A	
Snapshot Charge	\$117.09	
Additional Charge	N/A	

COMMERCIAL FRONT LOAD RECYCLING CONTAINERS (Includes Franchise Fee)

[illegible]

See Other Charges Or Notes Below

Delivery	N/A	
Lock Bar, MONTHLY	\$10.03	
Casters MONTHLY	\$10.03	
Redelivery Fee for non payment	N/A	
Gate or Enclosure Fee	N/A	
Snapshot Charge	\$117.09	
Additional Charge	N/A	

ROLL-OFF RATES (Includes Franchise Fee)

Container Size / Type	Delivery Rate	Rental Rate	BY Month or Day Rate	Hauling Charge (Per Pull + Disp)	Haul Rate per Pull	Disposal Rate per ton		
20 Yard (Open-Top)	\$102.64	\$4.45	Day	Per Pull	\$271.10	\$32.30		
25 Yard (Open-Top)	N/A	N/A	Day	N/A	N/A	N/A		
30 Yard (Open-Top)	\$102.64	\$4.45	Day	Per Pull	\$271.10	\$32.30		
40 Yard (Open-Top)	\$102.64	\$4.45	Day	Per Pull	\$271.10	\$32.30		
30 Yard (Compactor)	N/A	NEGOTIATED	Month	Per Pull	\$271.10	\$32.30		
33 Yard (Compactor)	N/A	NEGOTIATED	Month	N/A	N/A	N/A		
34 Yard (Compactor)	N/A	NEGOTIATED	Month	N/A	N/A	N/A		
35 Yard (Compactor)	N/A	NEGOTIATED	Month	Per Pull	\$271.10	\$32.30		
40 Yard (Compactor)	N/A	NEGOTIATED	Month	Per Pull	\$271.10	\$32.30		
42 Yard (Compactor)	N/A	NEGOTIATED	Month	N/A	N/A	N/A		
TRIP CHARGE RATE:			N/A					

NOTES / FREE SERVICES

**All Roll Offs are charged a minimum of \$271.10 per load which includes 2 tons of waste plus transportation
All Additional Tons are at 32.30 per ton
All compactor work will be priced per customer.
Lockbar/casters \$10.03*

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 19

MEETING DATE: 10/24/17

SUBJECT: Consider Resolution 2017-2713 Awarding Grant Funds to Community Non-Profit Organizations for Fiscal Year 2017-2018

PREPARED BY: Angela Miller, City Secretary

BACKGROUND:

Per Ordinance No. 03-919, community organizations desiring funding from the City must submit applications to the City Secretary's Office. Once all applications are received, the City Secretary processes the applications and submits the requests to the City Council for review.

Requests must meet the following criteria:

- Services to be provided by an organized civic, cultural, educational, or service group that is a non-profit organization with membership open to all citizens of Highland Village
- Services must be of economic benefit to the community or contribute to the quality of life in Highland Village by serving a municipal public purpose
- Services must be provided to the citizens of Highland Village on an equal basis
- The organization must enter into a written contract with the City of Highland Village for the provision of services

Examples of municipal public purpose include, but are not limited to:

- Preservation, promotion or development of historically sensitive areas of the City
- Promotion of the performing arts
- Activities promoting and improving the health, safety and welfare of the youth, adults or senior citizens in the City
- Educational programs promoting student and citizen participation in the electoral process and local government
- Crime awareness and prevention

IDENTIFIED NEED/S:

City Council will consider written requests for financial assistance and determine allocation amounts, if any, for the community non-profit organizations. Council has historically allocated 0.15% of the City's Maintenance & Operations budget (excluding capital project or purchasing funds) for non-profit organizations. The funding allocated for Fiscal Year 2017-2018 is \$38,700.

OPTIONS & RESULTS:

To identify non-profit organizations that will receive funding as allocated in the Fiscal Year 2017-2018 budget.

PROGRESS TO DATE: (if appropriate)

A copy of all applications has been provided to Council for consideration, and Council received presentations from representatives of the following non-profit organizations at their regular meeting held October 10, 2017: CASA of Denton County, Chisholm Trail RSVP, Christian Community Action (CCA), Communities in Schools of North Texas, Denton County Friends of the Family, Friends of the Flower Mound Library, Greater Lewisville Community Theatre, Highland Village Lions Club, Journey to Dream, Lewisville ISD Education Foundation (LEF), Lewisville Lake Symphony, PediPlace, The Salvation Army Lewisville, Studio B Performing Arts Center, Winning the Fight (WTF), and Youth and Family Counseling. Special Abilities of North Texas did not have a representative in attendance for the meeting.

Below is a listing of the non-profit organizations that filed an application with the City Secretary for Fiscal Year 2017-2018 funding:

Non-Profit Organization	Funding Request
CASA of Denton County, Inc.	\$ 2,250
Chisholm Trail RSVP, Inc. dba RSVP Serving Denton County	\$ 2,500
Christian Community Action (CCA)	\$ 4,000
Communities in Schools of North Texas, Inc.	\$ 2,000
Denton County Friends of the Family, Inc.	\$ 5,000
Friends of the Flower Mound Library	\$ 1,500
Greater Lewisville Community Theatre - NEW APPLICANT	\$ 2,000
Highland Village Lions Club	\$ 4,500
Journey to Dream	\$ 5,000
Lewisville ISD Education Foundation (LEF)	\$ 5,000
Lewisville Lake Symphony	\$ 5,000
PediPlace	\$ 5,000
Salvation Army – Lewisville	\$ 3,750
Special Abilities of North Texas	\$ 7,500
Studio B Performing Arts Center	\$ 3,500
Winning The Fight	\$ 2,965.75
Youth and Family Counseling	\$ 5,000
TOTAL	\$66,465.75

Below is a listing of funding allocations that were awarded to each non-profit organization for the previous three (3) fiscal years:

NON-PROFIT FUNDING HISTORY			
Organization	FY 2016-2017	FY 2015-2016	FY 2014-2015
Associates of the Lewisville Sr Activity Center	\$1,000	\$ 500	n/a
CASA of Denton County	\$1,000	\$ 1,000	\$ 1,000
Chisholm Trail Retired Sr Volunteer Program	\$ 0	\$ 500	n/a
Christian Community Action - CCA	\$2,500	\$ 2,500	\$ 2,000
Communities in Schools of North Texas	\$2,000	\$ 1,500	\$ 1,000
Denton County Friends of the Family	\$2,500	\$ 3,000	\$ 2,500
Friends of the Flower Mound Library	\$ 500	\$ 500	\$ 500
Highland Village Lions Club	\$3,500	\$ 4,700	\$ 4,000
Journey to Dream	\$2,500	n/a	n/a
Lewisville ISD Education Foundation	\$3,500	\$ 3,000	\$ 2,500
Lewisville Lake Symphony	\$3,500	\$ 2,500	\$ 2,000
Marine Corps League #1300	\$ 0	\$ 500	n/a
PediPlace	\$2,500	\$ 3,500	\$ 3,000
Special Abilities of North Texas	\$2,500	\$ 3,000	\$ 2,500
Studio B Performing Arts Center	\$3,000	\$ 3,000	\$ 2,500
The Salvation Army - Lewisville	\$2,500	n/a	\$ 3,000
Winning the Fight - WTF	\$3,000	\$ 3,500	\$ 3,000
Youth and Family Counseling	\$3,000	\$ 5,500	\$ 5,000
TOTAL	\$39,077	\$38,700	\$34,500

**In reference to the table above:

n/a – The organization did not submit an application that year

\$ 0 – The organization submitted an application, however no funds were awarded that year

In addition to the funding awarded annually to non-profit organizations, the City purchases tables and individual tickets to special events that are held during the year by the organizations. In order to provide a better understanding of the monetary support of the City and City Council for local organizations, below is a listing of these purchases for the three (3) previous fiscal years:

ADDITIONAL SPONSORSHIPS / PURCHASES			
EVENT	FY 2016-2017	FY 2015-2016	FY 2014-2015
FM Chamber Fiesta Flower Mound	1 Table = \$1,500	1 Table = \$1,500	1 Table = \$1,200
Lewisville Chamber Awards Celebration	n/a	n/a	1 Ticket = \$50
State of the Cities Luncheon	1 Table = \$300	1 Table = \$300	1 Table = \$300
Unity in Communities Luncheon	1 Table = \$300	1 Table = \$300	9 Tickets = \$270
Mayor's Prayer Breakfast	1 Table = \$250	1 Table = \$250	1 Table = \$250
Children's Advocacy Center of Denton County	\$4,000 Funds included in PD Annual FY Budget	\$4,000 Funds included in PD Annual FY Budget	\$4,000 Funds included in PD Annual FY Budget

Special Olympics - Steaks and Stetsons	1 1/2 Tables = \$1,800	1 Table = \$1,200	n/a
TOTAL	\$ 8,150	\$ 7,550	\$ 6,070

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

There is \$38,700 included in the Fiscal Year 2017-2018 budget for distribution to non-profit organizations.

RECOMMENDATION:

To approve Resolution 2017-2713 making non-profit funding allocations for Fiscal Year 2017-2018.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2017-2713

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AWARDED GRANT FUNDS TO NON-PROFIT ORGANIZATIONS FOR FISCAL YEAR 2017-2018; AUTHORIZING CONTRACTS WITH SUCH ORGANIZATIONS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, City Ordinance 03-919 establishes a uniform policy to grant financial assistance to non-profit organizations and community service providers; and

WHEREAS, the Council identified a funding methodology – 0.15% of the Maintenance & Operations (excluding capital) tax rate – for non-profit organizations; and

WHEREAS, the Council has allocated \$38,700 for Fiscal Year 2017-2018; and

WHEREAS, the Council finds it to be in the public interest to authorize the City Manager to execute agreements with non-profit organizations who are to receive funding from the City, in accordance with Ordinance 03-919 based on the funding allocation set forth in this Resolution;

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 service agreements on behalf of the City of Highland Village with the following Family Service Organizations for Fiscal Year 2017-2018 in the following designated amounts:

<u>Organization</u>	<u>Funding Amount</u>
<u>Christian Community Action (CCA)</u>	\$ _____
<u>Denton County Friends of the Family, Inc.</u>	\$ _____
<u>Salvation Army – Lewisville</u>	\$ _____
<u>Special Abilities of North Texas</u>	\$ _____
<u>Winning the Fight (WTF)</u>	\$ _____
<u>Youth and Family Counseling</u>	\$ _____

SECTION 2. The City Manager is authorized to negotiate and sign service agreements on behalf of the City of Highland Village with the following Children's Service Organizations for Fiscal Year 2017-2018 in the following designated amounts:

<u>Organization</u>	<u>Funding Amount</u>
<u>CASA of Denton County, Inc.</u>	\$ _____
<u>Communities in Schools of North Texas</u>	\$ _____

Journey to Dream \$ _____

PediPlace \$ _____

Lewisville ISD Education Foundation \$ _____

SECTION 3. The City Manager is authorized to negotiate and sign service agreements on behalf of the City of Highland Village with the following Community Service Organizations for Fiscal Year 2017-2018 in the following designated amounts:

<u>Organization</u>	<u>Funding Amount</u>
<u>Highland Village Lions Club</u>	\$ _____
<u>Friends of the Flower Mound Library</u>	\$ _____
<u>Lewisville Lake Symphony</u>	\$ _____
<u>Studio B Performing Arts Center</u>	\$ _____
<u>Greater Lewisville Community Theatre</u>	\$ _____
<u>Chisolm Trail Retired Senior Volunteer Program (RSVP)</u>	\$ _____

SECTION 4. This Resolution shall take effect immediately upon passage.

PASSED AND APPROVED this the 24th day of October, 2017

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:10/17/17:92313)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 21	MEETING DATE: 10/24/17
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.



UPCOMING EVENTS

Expected Absences: None

October 24, 2017 **Regular City Council Mtg. 7:30 pm**

October 28, 2017 **City Council Planning Session (8:30 am) CANCELLED**

November 2, 2017 Zoning Board of Adjustment Mtg. 7:00 pm (if needed)

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

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

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

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

November 23 - 24, 2017 **Thanksgiving Holiday (City Offices Closed)**

November 28, 2017 **Regular City Council Mtg. 7:30 pm (CANCELLED)**

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

December 12, 2017 **Regular City Council Mtg. 7:30 pm**

December 18, 2017 Park Board Mtg. 6:00 pm (if needed)

December 19, 2017 Planning & Zoning Commission Mtg. 7:00 pm (if needed)

December 21, 2017 Public Art Advisory Board Mtg. 7:00 pm (if needed)

December 26, 2017 **Regular City Council Mtg. 7:30 pm (CANCELLED)**

December 25-26, 2017 **Christmas Holiday (City Offices Closed)**

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