



A G E N D A

**REGULAR MEETING
OF THE HIGHLAND VILLAGE CITY COUNCIL
TUESDAY, JUNE 26, 2018, at 6:00 P.M.
HIGHLAND VILLAGE CITY COUNCIL CHAMBERS
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS**

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

EARLY WORK SESSION

1. Receive an Update from the Presiding Judge of the Highland Village Municipal Court of Record
2. Review the Capital Improvement Program (CIP) Budget for Fiscal Year 2018-2019
3. Discuss Appointment to Fill a Vacancy for an Unexpired Term on the Planning & Zoning Commission and for a Council Representative Position on the Highland Village Community Development Corporation
4. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of June 26, 2018

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

**CLOSED SESSION
Training Room**

5. Hold a closed meeting in accordance with the following sections of the Texas Government Code:
 - (a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)
 - (b) Section 551.074 – Discuss the appointment of a public officer, specifically, discuss people to be considered to fill vacancies on the Planning and Zoning Commission and the Highland Village Community Development Corporation.

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

6. Call to Order

7. Prayer to be led by Councilmember Dan Jaworski
8. Pledge of Allegiance to the U.S. and Texas flags to be led by Councilmember Dan Jaworski: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
9. **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.)*
10. **City Manager/Staff Reports**
 - HVTV Update
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
 - Presentation of a Proclamation Honoring Jane Ponder
 - Presentation of Highland Village Balloon Festival Poster Contest Winners

CONSENT AGENDA

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

12. Consider Approval of Minutes of the Regular City Council Meeting held on June 12, 2018
13. Consider Ordinance 2018-1246 Amending Section 12.02.036 of the Code of Ordinances of the City of Highland Village to Extend the Termination Date of the City's Juvenile Curfew Regulations (2nd and final read)
14. Consider Ordinance 2018-1247 Amending the Sign Regulations of the Marketplace Planned Development District with Retail (MPD-R), as amended, Applicable to Lot 1, Block A, The Shops at Highland Village, generally located Northwest of the Intersection of FM 2499 and FM 407 (2nd and final read)
15. Consider Resolution 2018-2750 Reappointing the Presiding Judge and an Associate Judge to the City of Highland Village Municipal Court of Record and Authorizing Negotiation of Related Contracts
16. Consider Resolution 2018-2751 Authorizing an Agreement for the Purchase and Installation of Shade Structures for Unity Park, Lions Club Park, Turpin Park and Lower Sellmeyer Park with Adventure Playground Systems through the City's Cooperative Purchasing Agreement with the Harris County Department of Education (Choice Partners)

17. Consider Resolution 2018-2754 Authorizing the City Manager to Negotiate and Execute the First Amendment to the Solid Waste, Recycling, and Household Hazardous Waste Collection Contract with Community Waste Disposal L.P. relating to Bulky Waste and Bulky Construction Debris Collection
18. Consider Resolution 2018-2755 Authorizing the Purchase of a 2018 F450 Regular Cab Chassis from Sam Pack's Five Star Ford through the City's Cooperative Purchasing Agreement with Texas Local Government Purchasing Cooperative "SMARTBUY"
19. Receive the Capital Improvement Program (CIP) for Fiscal Year 2018-2019

ACTION AGENDA

20. Take action, if any, on matters discussed in closed session in accordance with the following sections of the Texas Government Code:
 - (a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)
 - (b) Section 551.074 – Discuss the appointment of a public officer, specifically, discuss people to be considered to fill vacancies on the Planning and Zoning Commission and the Highland Village Community Development Corporation.
21. Conduct a Public Hearing and Consider Ordinance 2018-1248 Approving a Change in Zoning from "O" Office Zoning District to a Planned Development District "PD" for Office Uses, including the Adoption of Development and Sign Regulations, relating to the Development and Use of Lots 1A, 1B, and 2, Block A, Wilkerson Addition, located at 2250, 2260, and 2280 Highland Village Road (1st of two reads)
22. Consider Resolution 2018-2752 Authorizing the City Manager to Execute a Task Order with BW2 Engineers, Inc. for Services relating to the FM 2499 Water Line Extension Project
23. Consider Resolution 2018-2753 Appointing a Member to Fill a Vacancy for an Unexpired Term on the Planning & Zoning Commission and for a Council Representative Position on the Highland Village Community Development Corporation

LATE WORK SESSION

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

24. 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.)
25. 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 22ND DAY OF JUNE, 2018 NOT LATER THAN 4:00 P.M.

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

Angela Miller, City Secretary

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

Removed from posting on the _____ day of _____, 2018 at
_____ am / pm by _____.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 1	MEETING DATE: 06/12/18
SUBJECT:	Receive an Update from the Presiding Judge of the Highland Village Municipal Court of Record
PREPARED BY:	Angela Miller, City Secretary

COMMENTS

Judge Colette Sallas will provide an update regarding the Highland Village Municipal Court.

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 2

MEETING DATE: 06/26/18

SUBJECT: Discuss Capital Improvement Program (CIP) for Fiscal Year 2018-2019

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

The City Charter calls for submission to Council of a five-year capital budget. This provides an opportunity for Council to see a multi-year outlook for planning purposes. In essence, this should provide the framework for consideration of the current year's budget and resulting tax rate.

IDENTIFIED NEED/S:

Capital improvements currently in process, as well as additional proposed programs have been identified by City staff. The potential programs can come from various sources including City Council, boards/commissions, residents, and Staff members. These projects are non-operational, "big-ticket" items that typically require outside funding sources such as debt issuance, grant, or lease/purchase arrangements.

PROGRESS TO DATE: (if appropriate)

A summary of the identified programs follows – presented in context of a five-year window. With the City nearing build-out, there are limited capital programs anticipated in relation to primary City infrastructure.

In general, after years of substantial growth and approaching substantial build-out, the community is more settled. Capital improvements related to basic infrastructure are widely supported. Improvements related to amenities/improved services, while desired, are viewed in context of affordability. The primary emphasis in the five-year outlook for the past few years has been in controlling on-going operating costs in a context of sustainability within the anticipated revenue base. A focus on staffing has been to maintaining existing staffing levels if possible – with emphasis on efficiency and leveraging technology enhancements to not compromise the high level of service that currently exists, with new positions to be evaluated only if a demonstrated need warrants consideration.

The current year of the five-year outlook is being developed as part of the proposed FY 2019 Budget, and is preliminary at this point – to be updated during the budget process this summer. However, the outlook can provide a larger picture of the financial outlook over the next few years. Outstanding projects at this time are related to the Capital Projects Fund. A bond election in FY 2018 is the primary focus of the capital program, with the various projects detailed

following. The following tables depict a summary of the capital projects in process and anticipated in the subsequent five years.

Current-Year Capital Projects

A \$7M general obligation bond was issued in 2018 to address targeted Parks and Public Works issues as follows:

Bond Election 2018	
Streets Projects	\$2,800,000
Parks Projects	4,105,000
Bond Discount / Premium	173,588
Issuance Costs	<u>(70,907)</u>
Total Bond Proceeds	\$7,007,681

Parks Projects

Unity Park - \$2.54M

Unity Park is Highland Village's only community park which includes multiple amenities for resident use. Improvements include:

- Kids Kastle Play Structure - The play area is at the end of its useful life and in need of replacement with new recycled plastic materials that will provide increased safety and less maintenance.
- Ponds - The ponds require dredging to remove the accumulated silt as well as improvements to address drainage considerations. A study was conducted in 2017 which recommended making improvements to accommodate a 50-year flood which will also benefit the surrounding area.
- Softball Field - A section of the park will be redeveloped to add an additional softball field to complement the existing baseball fields.

Brazos Park Parking Lot - \$353,000

Several years ago a parking lot was built at Brazos Park to alleviate parking on adjacent streets. Popularity of the fields has prompted the need to increase the size of the parking area by an additional 50 spaces.

Victoria Park - \$198,000

The current walking track is badly cracked and uneven, causing a tripping hazard to patrons. The track will be resurfaced and replaced with a six foot concrete path.

Highland Village Road Sidewalk - \$922,300

Construction of the sidewalk on Highland Village Road from the Municipal Complex to Sellmeyer Lane to increase pedestrian safety and connect residents to amenities along Highland Village Road. A large number of residents adjacent to this section have no access to the Inland Trail System to connect to Lions Club Park, Lakeside Community Park, and

Doubletree Ranch Park. This presents a potential safety issue as people walk the two-lane Highland Village Road to access these amenities.

Sunset Point Park - \$162,700

Sunset Point Park is classified as a mini park and serves local residents as a neighborhood park site providing water access to Lewisville Lake. The development will address erosion issues and safety concerns along with enhanced roadway completion to facilitate emergency vehicle access and turn around capabilities. Public input was solicited on the design for the park in the spring of 2017 and was approved by Council. At this time, a reduced-scale project of roadway improvements only is anticipated to provide the turn-around capability for emergency vehicles. Further development of the park will be re-evaluated for consideration at a later date.

Streets Projects

The City of Highland Village conducts a Pavement Condition Inventory Survey to determine the priority of streets that need repairs, overlays, or full replacement. The streets to be addressed with this proposition have reached the end of their life cycle and are in need of full reconstruction.

Total Proposed Street Bond Proposition (\$2.8M)	
<u>Identified Streets for Reconstruction</u>	
Rosedale Street	Springway Drive
Ranier Court	Mockingbird Drive
Catesby Place	Post Oak Drive
Rockland Drive	Pecan
Hickory Ridge Drive	Raintree Drive
Oak Forest Drive	Greensprings Street
Winding Creek Drive	Duvall
Dickinson Drive	Baird Circle
S Clearwater Drive	Donna Circle
Scenic Drive	Savanna Drive

<i>Projects In –Process</i>			
Description	Funding Source	Remaining Balance (As of 6/20/18)	Status
<i>Capital Projects Fund</i>			
Parks Projects	2018 GO Bond (\$6.9M) Project Cost – \$4.1M	\$4.08M	Only initial engineering to date totaling \$24,436. Completion of Brazos Parking (\$353,000) anticipated in FY 18. Completion of remaining projects anticipated in FY 2019 and FY 2020.

Streets Projects	2018 GO Bond (\$6.9M) Project Cost – \$2.8M	\$2.775M	Only initial engineering to date totaling \$24,436. Street construction anticipated to begin in FY 2018, continuing through FY 2019.
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Projects In Process						
Projected Operating Costs						
Dept	Description	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Capital Projects Fund						
Parks	Unity Park (Pond improvements, softball field, Kids Kastle)	\$710	\$710	\$710	\$710	\$710
	Highland Village Road sidewalk	810	810	810	810	810
	Brazos Parking	-0-	-0-	-0-	-0-	-0-
	Sunset Point	114	114	114	114	114
	Victoria Park Walking Track	-0-	-0-	-0-	-0-	-0-
Streets	Street Reconstruction	-0-	-0-	-0-	-0-	-0-
	Total	\$1,634	\$1,634	\$1,634	\$1,634	\$1,634
<p>Unity Park reflects annual increased costs of \$1,400 related to supplies / materials for softball fields (above current cost for maintaining soccer fields that are replaced). There will be a net decrease of \$690 annually related to Kids Kastle, as current structure of treated wood requires frequent sealing to maintain safety standards. New equipment will be plastic, thus requiring less maintenance.</p> <p>Highland Village Rd sidewalk anticipates annual increase in mowing contracted maintenance of \$810 annually.</p> <p>Sunset Point only expected increase will be associated with addition of security lighting at \$114 annually.</p> <p>Street reconstruction does not have additional associated maintenance costs as they do not add additional infrastructure than what currently exists in the City.</p>						

Identified Future Projects for Consideration								
Dept	Description	Funding Source	Total Project Cost	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Capital Projects Fund								
Streets	Street Reconstruction Projects (Phase II)	Proposed Bond	\$ 2,750,000					<input checked="" type="checkbox"/>
Parks	Lower Sellmeyer Park improvements	Proposed Bond	\$ 30,400					<input checked="" type="checkbox"/>
Parks	Lions Club Park improvements	Proposed Bond	\$ 41,250					<input checked="" type="checkbox"/>
Parks	Turpin Park improvements	Proposed Bond	\$ 22,000					<input checked="" type="checkbox"/>

Future Potential Capital Projects for Consideration Potential 2023 Bond Issuance

Public Works - Streets

The City has a program to evaluate and maintain street infrastructure. Generally, needed street overlays are addressed each year in the annual budget, while bonds are issued periodically to fund street reconstruction projects as needed. Streets currently in need of reconstruction are being addressed with the FY 2018 Bond Issue. Streets that have been identified in need of reconstruction within a 5-7 year window total \$2.75M based on current costs. These will likely be addressed with a bond issuance in FY 2023, with debt issuance corresponding with reductions in existing debt service – with intent to provide consistent debt service levels.

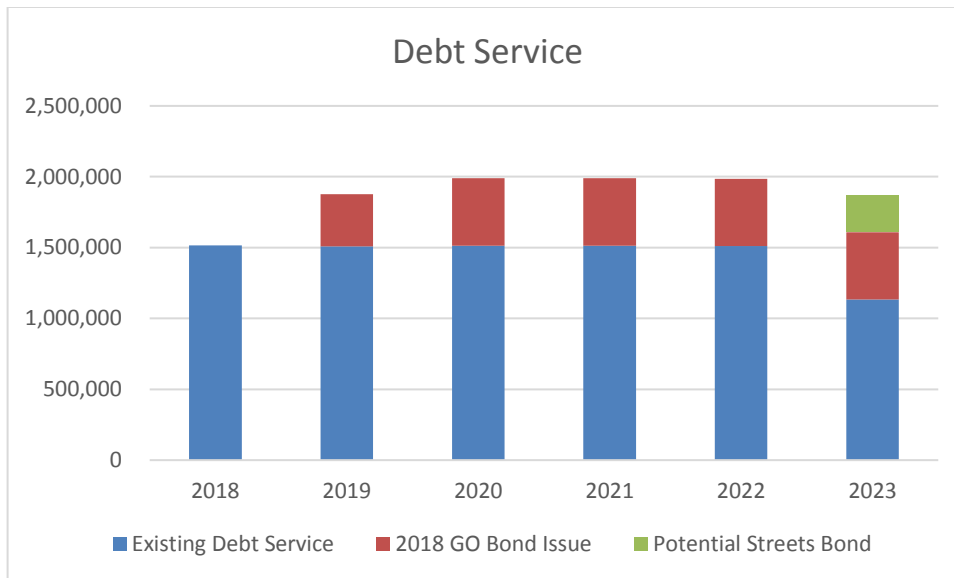
Parks

Playground equipment and structures in the neighborhood parks are regularly evaluated to ensure adherence to safety standards as well as functionality of meeting needs of residents. These accordingly are periodically changed out or updated as needed. Parks anticipated with need to be addressed in the five-year window are Lower Sellmeyer, Lions Club, and Turpin.

Five Year Outlook

In general, the focus of the CIP five-year outlook is to evaluate funding **ability** with suggested capital improvement programs – in regard to issued debt and associated debt service, as well as related ongoing operations costs. Maintaining sufficient fund balance levels is a key measure of evaluation. Financial policies require a minimum 20% fund balance with a targeted range of 20 - 25%.

Preliminary projections, which will be refined during the budget process through the summer months, does provide capacity to consider debt issues within the five-year outlook. Property values have experienced significant increases the past couple of years – with expectation for continued higher than historical average increases over the next few years. However, this is to be viewed in conjunction with stated State legislative effort to limit property tax revenue growth in cities. While the overall increased valuations do afford the City some flexibility, a focus on impending build-out of the City, as well as consideration of legislative action, requires a disciplined approach to manage growth in operations cost and reduction in overall debt-service load. In the ten years prior to FY 2015, debt service represented about 20% of the tax rate. Current debt service now reflects roughly 15% of the tax rate. As revenues flatten with build-out, a continued focus on managing debt service is critical – both in terms of avoiding spikes, but also reducing to a lower, more manageable level for the future.



The potential debt offerings shown above are included in a projected five-year outlook to provide a context in discussion of development of the current-year budget. The outlook is based on maintaining current tax rate and incorporating current trends in both revenues and expenditures to provide projections. Any number of factors could change the outcome considerably. Scenarios, such as a downturn in the economy, will be discussed during budget deliberations to assist City Council in decision-making process in regard to funding of the discussed capital projects.

The preliminary Five-Year Outlook provides a context of the projects identified to have sufficient funding for an extended time frame.

Five-Year Outlook

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Beginning Fund Bal	\$ 7,391,960	\$ 6,402,630	\$5,868,882	\$5,778,709	\$5,022,517	\$ 4,332,873
Revenue						
Property Tax Collections	10,654,489	11,035,176	11,368,810	11,882,035	12,404,845	13,025,073
Sales Tax (Base)	2,698,992	2,787,577	2,856,082	2,927,234	3,001,209	3,078,198
Sales Tax	2,698,992	2,787,577	2,856,082	2,927,234	3,001,209	3,078,198
Franchise Fees	1,705,157	1,717,148	1,736,254	1,757,725	1,777,590	1,735,140
Licenses / Permits	498,728	429,407	429,138	341,923	335,762	423,656
Public Safety Fees	496,661	513,737	560,237	526,428	532,816	536,683
All Other	640,927	652,805	670,071	692,125	702,071	706,812
Subtotal	16,694,955	17,135,851	17,620,593	18,127,471	18,754,293	19,505,562
Transfers	534,000	534,000	534,000	534,000	534,000	534,000
Total Revenue	17,228,955	17,669,851	18,154,593	18,661,471	19,288,293	20,039,562
Expenditures						
Personnel	11,858,987	12,514,677	13,156,453	13,757,125	14,394,821	15,059,745
Services / Supplies	5,768,589	4,653,539	4,312,288	4,561,762	4,670,201	4,870,269
Supplemental	-	679,383	155,025	412,776	421,915	179,461
Operating Expenditures	17,627,576	17,847,599	17,623,766	18,731,663	19,486,936	20,109,474
Net Operating Rev.	(398,621)	(177,748)	530,827	(70,192)	(198,644)	(69,912)
Equip Replacement / Capital	574,709	340,000	605,000	670,000	475,000	170,000
Transfers Out	(16,000)	(16,000)	(16,000)	(16,000)	(16,000)	(16,000)
Net Revenues	(989,330)	(533,748)	(90,173)	(756,192)	(689,644)	(255,912)
Ending Fund Balance	\$ 6,402,630	\$ 5,868,882	\$5,778,709	\$5,022,517	\$4,332,873	\$ 4,076,961
	35%	32%	32%	26%	22%	20%

Items to Note:

- **Preliminary** Five-Year Outlook – will be updated during FY 2019 Budget Process.

RECOMMENDATION:

Council to receive the FY 2019 Capital Improvement Budget.

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 3

MEETING DATE: 06/26/18

SUBJECT: Discuss Appointing a Person to Fill a Vacancy for an Unexpired Term on the Planning & Zoning Commission and for a Council Representative Position on the Board of Directors of the Highland Village Community Development Corporation

PREPARED BY: Angela Miller, City Secretary

BACKGROUND:

City ordinance states that Council shall make annual appointments to the City's boards and commissions no later than the second regularly scheduled Council meeting in September. Citizens interested in volunteering their time to serve on one of the City's boards or commissions may submit an application to the City Secretary's Office for consideration by Council.

The annual appointments are for terms of two years, unless an individual is appointed to fill a vacancy. A "term year" is from October 1st until September 30th of the following year. The terms expire on the 30th day of September of the second year.

In the case of a vacancy, the Council shall appoint a replacement to fill an unexpired term. Council may consider appointing alternate members of said board, if available, to fulfill the vacancy prior to appointing new applicants.

As a result of the May 5, 2018 General Election, there is one (1) vacancy on the Planning & Zoning Commission, Place 5 and one (1) vacancy on the Board of Directors of the Highland Village Community Development Corporation for a Council Representative.

Planning and Zoning Commission - The Planning and Zoning Commission is composed of seven (7) members, which includes five (5) regular members and two (2) alternate members. In 2017, Robert Fiester was appointed by City Council to Place 5 on the Planning and Zoning Commission. With the May 5, 2018 election, Mr. Fiester was elected to City Council and therefore resigned from the Planning and Zoning Commission, thereby creating a vacancy in Place 5.

Council may consider appointing an alternate member of said board to fulfill the vacancy prior to appointing new applicants. The following currently serve as alternates on the Planning and Zoning Commission:

- James Romo - Alternate Place 1 (appointed 09/2017)
- Tom Heslep - Alternate Place 2 (appointed 9/2017 to a 1-yr term to fill a vacancy)

If Council appoints one of the alternate members to Place 5, the Council should also consider a person to fill the newly vacant alternate position of the Commission. The following residents previously submitted applications during last summer's application period requesting to serve on the Planning and Zoning Commission:

- John Blaney
- Thomas Dickinson
- Kelley Scott
- Charles Payne
- Stanley (Ricky) Wilkins

The Council may appoint a person from among those who previously applied or may seek additional applications.

Highland Village Community Development Corporation (CDC) - The CDC Board of Directors is composed of seven (7) members, with at least three (3) members of the board of directors being people who serve as Citizen Members. The remaining four (4) members of the board of directors serve as City Representatives, which can include City employees, officers or members of the City Council.

Former Mayor Pro Tem Michelle Schwolert was previously appointed to serve as a Council Representative position on the CDC Board. As a result of the May 5, 2018 General Election, Mrs. Schwolert is no longer serving on City Council. Therefore, a vacancy now exists on the CDC Board for a Council Representative position.

This item is for discussion purposes only. If Council chooses to do so, there is an item on tonight's regular agenda to take formal action to make appointments.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 11

MEETING DATE: 06/26/18

SUBJECT: Mayor and Council Reports on Items of Community Interest

PREPARED BY: Karen Bradley, Administrative Assistant to City Secretary

COMMENTS

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

- Presentation of a Proclamation Honoring Jane Ponder
- Presentation of Highland Village Balloon Festival Poster Contest Winners

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 12	MEETING DATE: 06/26/18
SUBJECT:	Consider Approval of Minutes of the Regular Meeting held on June 12, 2018
PREPARED BY:	Angela Miller, City Secretary

BACKGROUND:

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

IDENTIFIED NEED/S:

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

OPTIONS & RESULTS:

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

PROGRESS TO DATE: (if appropriate)

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

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

To approve the minutes of the June 12, 2018 meeting.

**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, JUNE 12, 2018**

Call to Order

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

Roll Call

Present:	Charlotte J. Wilcox	Mayor
	Jon Kixmiller	Councilmember-Elect
	Michael Lombardo	Councilmember
	Fred Busche	Councilmember
	Robert A. Fiester	Councilmember-Elect
	Daniel Jaworski	Councilmember
Absent:	Barbara Fleming	Deputy Mayor Pro Tem
Staff Members:	Michael Leavitt	City Manager
	Kevin Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Doug Reim	Chief of Police
	Brad Goudie	Fire Chief
	Jason Collier	Assistant Fire Chief
	Travis Nokes	Deputy Fire Chief
	Jana Onstead	Human Resources Director
	Sunny Lindsay	Director of Information Services
	Scott Kriston	Public Works Director
	Phil Lozano	Parks and Recreation Director
	Jeff Sun	Staff Accountant
	Laurie Mullens	Director of Marketing & Communications
	Andrew Boyd	Media Specialist
	Karen Bradley	Administrative Assistant

EARLY WORK SESSION

Mayor Wilcox announced Agenda Items #2 and #3 would be moved up for discussion.

2. Discuss Selection of Mayor Pro Tem and Deputy Mayor Pro Tem

With the election of Council members conducted and canvassed, Mayor Wilcox reported it is time to select a Mayor Pro Tem and Deputy Mayor Pro Tem. In accordance with the City Charter, the Council shall select one of its members to serve as Mayor Pro Tem and one of its members to serve as Deputy Mayor Pro Tem. She stated outgoing Councilmember Michelle Schwolert served as Mayor Pro Tem and Councilmember Barbara Fleming serves as Deputy Mayor Pro Tem.

Mayor Wilcox reported that Mayor Pro Tem Fleming was absent due to recent knee surgery and read an email from her stating she was interested in serving again as Deputy

Mayor Pro Tem. Mayor Wilcox and Councilmember Lombardo recommended Fred Busche as Mayor Pro Tem. Councilmember Lombardo also recommended Barbara Fleming as Deputy Mayor Pro Tem. Councilmember Jaworski stated he was also interested in serving as Deputy Mayor Pro Tem. Councilmember Fiester asked for clarification regarding the role of Deputy Mayor Pro Tem. City Attorney Kevin Laughlin reported the City Charter was amended in 2017 authorizing the Deputy Mayor Pro Tem to perform all the duties of the Mayor in the absence or disability of the Mayor and the Mayor Pro Tem.

Mayor Wilcox stated this agenda item is for discussion purposes only and that formal action would be taken during the regular City Council meeting.

3. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of June 12, 2018

Relating to Agenda Item #17, Councilmember Fiester clarified it is required the Council review the curfew regulations every three years. City Attorney Laughlin stated it is required per the Local Government Code.

1. Discuss Updates to Council Goals and Objectives for FY Budget 2018-2019

City Manager Michael Leavitt stated the Council objectives serve as a guide as City staff provides relevant services and programs for our residents and business community. He reported staff looks to the City's mission statement as the overarching model of how we provide services. The City's values are the standard we instill in our employees and to what we hold ourselves accountable.

Mr. Leavitt stated in working through the budget process, tying Council objectives to the organizational values would provide continuity as staff develops services and programs, direction as staff works to implement the programs, and measurement for management to review employee performance. He introduced Dr. Scott Willingham, Senior Vice President of Strategic Government Resources (SGR), who served as facilitator to guide the discussion and help Council refine and associate their goals with the organizational values.

A video highlighting the City's current mission statement and values was shown. Assistant City Manager Ken Heerman further explained the development of the core values, particularly the consolidation of nine (9) core values down to seven (7) core values, as they relate to the City's objectives and goals.

Mr. Willingham assisted Council in correlating the core values to objectives and goals. A summary of the key items discussed is attached and incorporated into the minutes as "Exhibit A".

Early Work Session ended at 7:20 p.m.

CLOSED SESSION

2. 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

5. Call to Order

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

Roll Call

Present:	Charlotte J. Wilcox Jon Kixmiller Michael Lombardo Fred Busche Robert A. Fiester Daniel Jaworski	Mayor Councilmember-Elect Councilmember Councilmember Councilmember-Elect Councilmember
Absent:	Barbara Fleming	Deputy Mayor Pro Tem
Staff Members:	Michael Leavitt Kevin Laughlin Ken Heerman Angela Miller Doug Reim Brad Goudie Scott Kriston Phil Lozano Laurie Mullens Andrew Boyd	City Manager City Attorney Assistant City Manager City Secretary Chief of Police Fire Chief Public Works Director Parks and Recreation Director Director of Marketing & Communications Media Specialist

6. Administration of Oaths of Office (*Ceremonial Purposes Only*)

Mayor Wilcox announced the ceremonial oaths of office would be administered for newly elected Councilmembers. Her family joined her and Ms. Gracie McWilliams administered her oath of office for City Council, Place 1 - Mayor. Councilmember-Elect Jon Kixmiller was joined by his family; Mayor Wilcox administered his oath of office for City Council, Place 2. Councilmember-Elect Robert Fiester was joined by his family; Mayor Wilcox administered his oath of office for City Council, Place 6.

Mayor Wilcox reported Barbara Fleming, who was re-elected to City Council, Place 4, was absent due to knee surgery.

7. Prayer to be led by Councilmember Mike Lombardo

Councilmember Mike Lombardo gave the invocation.

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

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

9. Selection of a Mayor Pro Tem and Deputy Mayor Pro Tem

Motion by Councilmember Lombardo, seconded by Councilmember Kixmiller, nominating Fred Busche as Mayor Pro Tem. Motion carried 6-0.

Motion by Councilmember Kixmiller, seconded by Councilmember Lombardo, nominating Barbara Fleming as Deputy Mayor Pro Tem. Motion carried 6-0.

10. Visitor Comments

No one wished to speak.

11. City Manager/Staff Reports

- **HVTV Update**

Highland Village Business Association's Foodie Friday Series – This segment featured Rock N' Ice House located in Highland Village near The Shops, which serves Thai-style rolled ice cream; the special process used to mix the ice cream makes it light and fluffy, which is then spread out, rolled and finished with your favorite toppings

Eye on Highland Village App – The mobile app, available for Android and Apple products, includes the most requested items from the City website and many online services; residents can report on items from potholes to downed tree limbs simply by using the app; search "Go Request" in the app store

12. 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

City Manager Michael Leavitt reported the recent Celebrate Highland Village event was a big success and thanked all City staff involved in the event. Mayor Wilcox also thanked the employees for their hard work.

Councilmember Jaworski reported the Marcus High School Girls Softball Team and the Boys Baseball Team made it to the playoffs. He also offered congratulations to this year's graduating class.

Mayor Pro Tem Busche reported on the recent passing of longtime resident Jim Sloan and asked everyone to keep his family in their thoughts.

CONSENT AGENDA

13. Consider Approval of Minutes of the Regular City Council Meeting held on May 14, 2018

14. Consider Ordinance 2018-1245 Re-adopting in its Entirety Article 14.04 "Parks and Recreation" Division 7 "Youth Services Standards of Care" of the Code of Ordinances of the City of Highland Village, Setting Forth and Adopting the Standards of Care for Youth Programs offered by the Parks and Recreation Department (2nd and final read)

15. Receive Budget Reports for Period Ending April 30, 2018

Motion by Mayor Pro Tem Busche, seconded by Mayor Wilcox, to approve Consent Agenda Items #13 through #15. Motion carried 6-0.

ACTION AGENDA

16. Take action, if any, on matters discussed in closed session in accordance with the following sections of the Texas Government Code:

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

NO ACTION TAKEN

17. Conduct a Public Hearing and Consider Ordinance 2018-1246 Amending Section 12.02.036 of the Code of Ordinances of the City of Highland Village to Extend the Termination Date of the City's Juvenile Curfew Regulations (1st of two reads)

PUBLIC HEARING CONDUCTED

APPROVED 1ST READ (6 – 0)

Police Chief Doug Reim reported the City first enacted a Juvenile Curfew Ordinance in 1995. The ordinance establishes a juvenile curfew between the hours of 12:00 a.m. and 6:00 a.m. on Friday and Saturday nights, and between 11:00 p.m. and 6:00 a.m. on Sunday through Thursday. The ordinance applies to juveniles 16 years of age and under, and allows for several defenses, such as traveling with a parent or authorized adult, on a direct route to or from a place of employment, emergency errand, or exercising First Amendment rights.

He further reported Local Government Code Section 370.002 requires the City Council to review its juvenile curfew regulations every three (3) years and to conduct a public hearing on the need to continue, modify or abolish the ordinance. Chief Reim stated the City Council last amended the ordinance in June 2015, by extending the expiration date to June 30, 2018. The proposed ordinance is only to extend the expiration to June 30, 2021.

Regarding ordinance exceptions that were presented, Councilmember Jaworski asked for clarification relating to exercising ones First Amendment rights. City Attorney Kevin Laughlin stated this would have to be reviewed on a case-by-case basis, as only certain conditions are applicable.

Mayor Wilcox opened the public hearing and with no one wishing to speak, the public hearing was closed.

Motion by Councilmember Lombardo, seconded by Councilmember Jaworski, to approve the first read of Ordinance 2018-1246. Motion carried 6-0.

18. Conduct a Public Hearing and Consider Ordinance 2018-1247 Amending the Sign Regulations of the Marketplace Planned Development District with Retail (MPD-R), as amended, applicable to Lot 1, Block A, The Shops at Highland Village, generally located Northwest of the Intersection of FM 2499 and FM 407 (1st of two reads)

PUBLIC HEARING CONDUCTED

APPROVED 1ST READ (6 – 0)

Public Works Director Scott Kriston reported the City received an application for an amendment to the sign regulations for The Shops at Highland Village. The applicant, MP

Shops at Highland Village LLC., is requesting to amend the ordinance as it relates to adding tenant monument signs and light pole banner signs.

He further reported public hearings are required to be conducted by both the Planning and Zoning Commission and City Council. All public hearing notification requirements have been met and the Planning & Zoning Commission has held a public hearing. At the May 15, 2018 Planning and Zoning meeting, the Commission recommended sending the proposed ordinance forward as presented to the City Council with a vote of 5-0.

Mayor Wilcox opened the public hearing and with no one wishing to speak, the public hearing was closed. Councilmember Jaworski asked how the applicant is sure the proposed signage will generate more business. City Manager Michael Leavitt reported he had raised a similar question. Based on questions he presented, the applicant reported that a majority of major retailers would not consider The Shops due to "lack of visibility". JLL, the management and leasing firm for The Shops, hired a firm to perform an in-depth study of The Shops. The study found that shopper and residents in the trade area were not aware of the number of stores actually located in The Shops. In addition, JLL reported the single signage model is being used more frequently at newer/upscale projects.

General Manager of The Shops, Ravi Wadhwa, reported the purpose of the signs is to get visibility, which is currently an obstacle for the interior businesses. Councilmember Lombardo and Mayor Pro Tem Busche stated they understand the need and thinks this will help residents know what stores are located there. Councilmember Jaworski stated he does understand the need, but would like something that is more aesthetically pleasing.

Councilmember Fiester asked where the signs would be located in relation to the sidewalk. Mr. Leavitt reported the ordinance states the signs can be placed only on private property, outside of the right-of-way of any public highway or street and any utility easement.

Motion by Mayor Pro Tem Busche, seconded by Councilmember Kixmiller, to approve the first read of Ordinance 2018-1247. Motion carried 6-0.

LATE WORK SESSION

19. **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 staff has received questions about the large shroud around the Idlewood water tower. He stated it has recently been painted and the shroud was to protect homes located below the tower during the sanding and spraying process, which is now completed.

Mr. Leavitt also reported a temporary Certificate of Occupancy has been issued for the Painted Tree, which will allow vendors to start moving in and setting up their booths. A final Certificate of Occupancy will have to be issued before they can open to the general public. He stated the building officials are working with Painted Tree representatives so they can stay on schedule for their June 30th Grand Opening.

Mayor Wilcox stated it is dark on the I-35 service road at Highland Village Road and asked if a light could be installed. Mr. Kriston reported he has contacted TxDOT and found that the City would have to fund the project.

20. Adjournment

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

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

“Exhibit A”

Mission Statement:

We are committed to promoting a spirit of integrity, partnership and excellence of service for the benefit of our citizens, guests and neighboring communities; to ensure that Highland Village continues to be a vital and dynamic city with a vision for the future.

Note: This statement was supported without alteration.

TEAMWORK

We value teamwork, empowerment, and a spirit of cooperative effort from all employee levels within the organization and the community. We believe that the employees of the City are our most valuable resource. Each employee's contribution is the key to our success.

- We will empower people to solve problems at the lowest possible level.
- We will respect one another.
- We will attain a work/life balance (faith, family, work).

RESPONSIVE

We will be a responsive City organization, dedicated to maintaining a well-trained and competent workforce to enhance the quality of life in our City.

- We will respond accurately as well as timely.
- We will innovate to attain responsiveness.

Note: It was generally agreed to simplify the definition of this core value by striking “in touch with the needs of the community.” It was generally agreed to strike “strive to” and replace with “will”

INTEGRITY

We are dedicated to high ethical culture and high moral standards and honesty in our dealings with the public and each other. We will treat all people with dignity, respect, and fairness.

- We will be transparent.

Note: The core value of integrity was considered one of the highest, if not the highest, of the core values.

Note: It was generally agreed to strike “strive” and insert “will.” It was generally agreed to insert the word “culture.”

COMMUNICATION

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

- We will listen, seeking to “seek first to understand, before we are understood” (Stephen Covey).

Note: It was generally agreed to strike the phrase “among all employees” with the intent to encourage the sharing of ideas and information among the council and citizens.

SERVICE

We will provide excellent service to the public in the most responsive, efficient, and effective manner.

- We will practice two-way, cooperative communication.
- We will innovate.
- We will communicate our performance measurements.
- We will practice 24/7 “round the clock” service to our community.

Note: It was generally agreed to strike “are committed to providing” and replace with “will provide.”

ACCOUNTABLE

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

- We will be transparent.
- We will discover creative solutions.
- We will find best deals.

Note: It was generally agreed to leave “we are committed to.”

ENTERPRISING

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

- We will be forward thinking.
- We will look for different ways to solve problems.
- We will not be satisfied with the “status quo.”

Note: A robust discussion supported this core value. It was generally agreed that the description was strongly supported. However, it was also generally agreed that the word “Progressive” was less than an ideal heading for the supported description. After robust discussion, the word “Enterprising” replaced “Progressive.” This change appeared to be unanimously supported.

Note: It was generally agreed to replace the word “orientation” to “culture.”

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 13

MEETING DATE: 06/26/18

SUBJECT: Consider Ordinance No. 2018-1246 Amending Section 12.02.036 of the Code of Ordinances of the City of Highland Village to Extend the Termination Date of the City's Juvenile Curfew Regulations (2nd and final read)

PREPARED BY: Chief Doug Reim, Highland Village Police Department

BACKGROUND:

The City of Highland Village first enacted a Juvenile Curfew Ordinance in 1995. The ordinance establishes a juvenile curfew between the hours of 12:00 a.m. and 6:00 a.m. on Friday and Saturday nights, and between 11:00 p.m. and 6:00 a.m. on Sunday through Thursday. The ordinance applies to juveniles 16 years of age and under, and allows for several defenses, such as traveling on a direct route to or from a place of employment, emergency errand, etc.

City Council last amended the ordinance in June 2015, by extending the expiration date to June 30, 2018.

IDENTIFIED NEED/S:

The Juvenile Curfew Ordinance is an effective tool in protection of minors and the public, preventing juveniles from becoming crime victims, preventing illegal drug and alcohol abuse and discouraging other juvenile criminal activities.

OPTIONS & RESULTS:

Local Government Code 370.002 requires the City Council to review its Juvenile Curfew regulations every three (3) years and conduct a public hearing on the need to continue, modify or abolish the ordinance.

PROGRESS TO DATE: (if appropriate)

On June 12, 2018, a public hearing was conducted and the City Council approved the first read of Ordinance No. 2018-1246.

RECOMMENDATION:

Staff recommends approving the second read of Ordinance No. 2018-1246 amending Sec. 12-02-036 of the Code of Ordinances and extending the City's Juvenile Curfew regulations unchanged through June 30, 2021.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2018-1246

AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE, CHAPTER 12 "OFFENSES AND NUISANCES" ARTICLE 12.02 "MINORS," DIVISION 2 "CURFEW" BY AMENDING SECTION 12.02.036 "REVIEW OF REGULATIONS" RELATING TO THE EXPIRATION OF SAID DIVISION 2; PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, because of their peculiar vulnerability and inability to make critical decisions in an informed, mature manner as a result of their lack of experience, perspective and judgment, the City Council has an interest in protecting minors; and

WHEREAS, the City Council has an interest in controlling and preventing nocturnal juvenile mischief and crime; and

WHEREAS, prior to the adoption of the City's first juvenile curfew regulations pursuant to Ordinance No. 95-708, the City of Highland Village had for several years experienced an increase in nocturnal juvenile mischief and crime; and

WHEREAS, there has been and continues to be a noticeable increase in the potential dangers and risks incident to minors being on the streets and in parking lots, whether public or private, at night; and

WHEREAS, the City Council, following public hearings held in accordance with state law, has regularly renewed, extended, and amended the City's juvenile curfew regulations; and

WHEREAS, following a public hearing at which all interested persons were provided an opportunity to comment on the subject matter of this Ordinance, the City Council finds it is reasonable, necessary, and in the best interest of the health, safety, and welfare of the citizens and residents of the City of Highland Village to protect minors as well as minimize juvenile delinquency by extension of the expiration date of the City's juvenile curfew regulations set forth in this ordinance;

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

SECTION 1. The Code of Ordinances of the City of Highland Village, Chapter 12 "Offenses and Nuisances," Article 12.02 "Minors," Division 2 "Curfew," Section 12.02.036 "Review of Regulations" is re-titled "Expiration" and be amended to read as follows:

Sec. 12.02.036 Expiration Unless otherwise extended by the City Council in accordance with Section 370.002 of the Texas Local Government Code, as amended, this division shall expire and be of no effect after June 30, 2021. Notwithstanding the foregoing, an offense committed before the expiration of this division shall be governed by prior law and the provisions of this division in effect

when the offense was committed and the former law is and shall be continued in effect for said purpose.

SECTION 2. 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 3. 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 4. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 5. This ordinance shall take effect on July 1, 2015, after its passage on second reading and publication in accordance with the provisions of the state law and the Charter of the City of Highland Village.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 12th DAY OF JUNE, 2018.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 26TH DAY OF JUNE, 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:6/5/18:99959)

CITY OF HIGHLAND VILLAGE
CITY COUNCIL

AGENDA# 14

MEETING DATE: 06/26/18

SUBJECT: Consider Ordinance 2018-1247 Amending the Sign Regulations of the Marketplace Planned Development District with Retail (MPD-R), as amended, Applicable to Lot 1, Block A, The Shops at Highland Village, generally located Northwest of the Intersection of FM 2499 and FM 407 (2nd and final read)

PREPARED BY: Autumn Aman, Community Development Coordinator

BACKGROUND:

The City has received an application for an amendment to the sign regulations for The Shops at Highland Village. The applicant, MP Shops at Highland Village LLC., is requesting to amend the Ordinance as it relates to adding Tenant Monument Signs and Light Pole Banner Signs.

IDENTIFIED NEED/S:

To amend this ordinance, public hearings are required to be conducted by both the Planning and Zoning Commission and City Council. All public hearing notification requirements have been met and public hearings held.

OPTIONS & RESULTS:

Options are to review and (1) approve as submitted; (2) approve with modifications; (3) deny the request or (4) postpone for additional information.

PROGRESS TO DATE: (if appropriate)

At the May 15, 2018, Planning and Zoning meeting, the Commission recommended sending the Ordinance forward as presented to the City Council with a vote of (5-0).

On June 12, 2018, a public hearing was conducted and the City Council approved the first read of Ordinance No. 2018-1247.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

An amendment to the Ordinance is required. A copy of the draft ordinance prepared by the City Attorney is attached.

RECOMMENDATION:

Staff recommends the City Council consider the recommendation made by the Planning and Zoning Commission and make a determination on approval of the second read of Ordinance 2018-1247.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2018-1247

AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING DISTRICT MAP OF THE CITY OF HIGHLAND VILLAGE AS PREVIOUSLY AMENDED, BY AMENDING THE SIGN REGULATIONS APPLICABLE TO THE DEVELOPMENT AND USE OF LOT 1, BLOCK A, THE SHOPS AT HIGHLAND VILLAGE, LOCATED IN THE MARKETPLACE PLANNED DEVELOPMENT DISTRICT WITH RETAIL (MPD-R) AS SET FORTH IN EXHIBIT "H" – SIGNAGE CRITERIA; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE

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

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

SECTION 1. The Comprehensive Zoning Ordinance and Zoning District Map of the City of Highland Village, Texas, as amended, by amending in accordance with Section Two of this Ordinance the regulations relating to the use and development of Lot 1, Block A, The Shops at Highland Village, an addition to the City of Highland Village, Texas, ("the Property") which is located in and subject to the regulations of The Marketplace Planned Development District with Retail (MPD-R) established by Ordinance No. 04-943, and amended by Ordinance Nos. 04-962, 05-984, 07-1030, 08-1062, 2014-1160, 2014-1163, and 2015-1174 (hereafter referred to collectively as "The Marketplace PD Ordinance").

SECTION 2. Exhibit "H" – Signage Criteria of The Marketplace PD Ordinance is amended as follows:

- A. Paragraph 2 of Section II "Responsibilities, Limitations, Liabilities" is amended to read as follows:
 2. The use of banners, flags, or pennants is prohibited except as follows:
 - a. Corner banners used solely for marketing the overall property and not specific tenants as shown on Exhibits 5a and 5b of this Exhibit H that are installed on poles located as shown on Exhibit 1 of this Exhibit H and identified as "Corner Flagpoles and Banners;

- b. Parking Lot Banners may be installed on light poles located within the parking lot on the Property in the size, quantity, and location shown on Exhibit 1a of this Exhibit H. Such Parking Lot Banners shall be used solely to (i) display the logo of The Shops of Highland Village and/or (ii) promote special events occurring on the Property that are sponsored or co-sponsored by the Property's owner or management company and/or by the City; and
- c. Interior Banners may be installed on light poles located within the parking lot on the Property in the size, quantity, and location shown on Exhibit 1a of this Exhibit H. Such Interior Banners shall be used solely to (i) display the logo of The Shops of Highland Village, (ii) promote special events occurring on the Property that are sponsored or co-sponsored by the Property's owner or management company and/or by the City, and/or (iii) identify the names and trademarked logos of tenants located within proximity to the Interior Banner location.

Banners authorized to be installed on the Property shall be anchored to a rigid frame on both top and bottom attached to the light pole. Banners that become torn, faded, or otherwise damaged to the point of being unable to be fully anchored on both top and bottom must be removed. Banners shall not be installed on any tree, public utility pole or structure.

B. Section III-A titled "Tenant Monuments Signs" is added to read as follows:

III-A. TENANT MONUMENT SIGNS:

Monument signs containing the names and trademarked logos of current tenants leasing space or owners of lots within the Property may be installed on the Property subject to the following:

- 1. The size, dimensions, materials, and colors of each Tenant Monument Sign and its components shall be substantially as shown on Exhibit 12 to this Exhibit H. Each Tenant Monument Sign may be double-sided.
- 1. No more than four (4) Tenant Monument signs may be located along the street frontage of FM 407(Justin Road).
- 2. No more than Six (6) Tenant Monument signs may be located along the street frontage of FM 2499(Village Parkway).
- 3. No more than Four (4) Tenant Monument signs may be located along the street frontage of Chinn Chapel Road.
- 4. The sign area for each side of the Tenant Monument Signs shall not exceed fifteen (15) square feet per side.
- 5. Names of individual tenants will be displayed on Translucent Polycarbonate panels, with no more than two panels on each side of the Tenant Monument Sign as shown on Exhibit 12. No more than one Tenant

shall be listed on each sign panel for a maximum of two Tenants listed on each side of the Tenant Monument Sign. On all double exposure Tenant Monument signs, there shall be a mechanism in place that prevents see through exposure.

6. Only a Tenant's logo and/or franchisee logo will be allowed on Tenant Monument signs.
 7. All Tenant Monument signs must be internally lit. Ground base up lighting of Tenant Monument Signs is prohibited.
 8. Tenant Monument Signs with flashing lights, neon, LED, or LCD lights, and Electronic Message panels, including LED or LCD panels, are prohibited on Tenant Monument signs.
 9. Tenant Monument Signs may be equipped with solar panels provided such panels are made part of the sign structure and horizontal to the ground or otherwise not readily visible.
 10. The Tenant Monument Signs will be constructed of a mixture of synthetic stone/woods and metals substantially as shown on Exhibit 12 and will be architecturally compatible and complementary with the existing Center Identification signage and shopping center buildings.
 11. All Tenant Monument Signs shall be placed on private property, outside of the right-of-way of any public highway or street and any utility easements. Tenant Monument signs placed adjacent to turn lanes and in the vicinity of all ingress and egress access points for The Shops at Highland Village may be subject to a Sight Line Visibility study after Sign Permit application is reviewed and shall not be placed within a location that prohibits safe visibility of traffic on intersecting streets and driveways.
 12. A Tenant Monument Sign shall be no closer than:
 - a. one hundred feet (100.0') feet from another Tenant Monument Sign; and
 - b. twenty-five feet (25.0') from a Primary Corner Monument Sign.
 13. Not later than the 30th day after the earlier of the date a Tenant has vacated its lease premises on the Property or the date the Tenant is no longer open for business to the public, notwithstanding continued occupancy of its leases premised, the tenant name on the Tenant Monument sign shall be removed and replaced with a blank panel. "Coming Soon" signage will be allowed once a finish out building permit has been issued by the City for a new tenant. When the total area of a viewable panel is unoccupied by a tenant name, the Center name and or logo may be placed on the Tenant Monument sign.
- C.** Exhibit H is amended by adding Exhibit 1a and Exhibit 12 to read as attached hereto as Attachments 1 and 2, respectively, attached hereto and incorporated herein by reference.

SECTION 3. All ordinances of the City of Highland Village related to the use and development of the Property heretofore adopted and in effect upon the effective date of this Ordinance are and shall remain in full force and effect except to the extent amended by this Ordinance or to the extent there is an irreconcilable conflict between the provisions of said other ordinance and the provisions of this Ordinance, in which case the provisions of this Ordinance shall be controlling. Notwithstanding the foregoing, to the extent they differ from or otherwise conflict with the provisions of The Marketplace PD Ordinance as amended by this Ordinance, the amendments to Exhibit H "Signage Criteria" set forth in Ordinance Nos. 2014-1160 and 2014-1163 are not repealed or amended by this Ordinance and, with respect to the use and development of the property described in Ordinance Nos. 2014-1160 and 2014-1163, shall be controlling in the event of a conflict between said ordinances and The Marketplace PD Ordinance as amended by this Ordinance.

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

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

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

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

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

FIRST READ ON THE 12TH DAY OF JUNE, 2018, BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 26TH DAY OF JUNE, 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

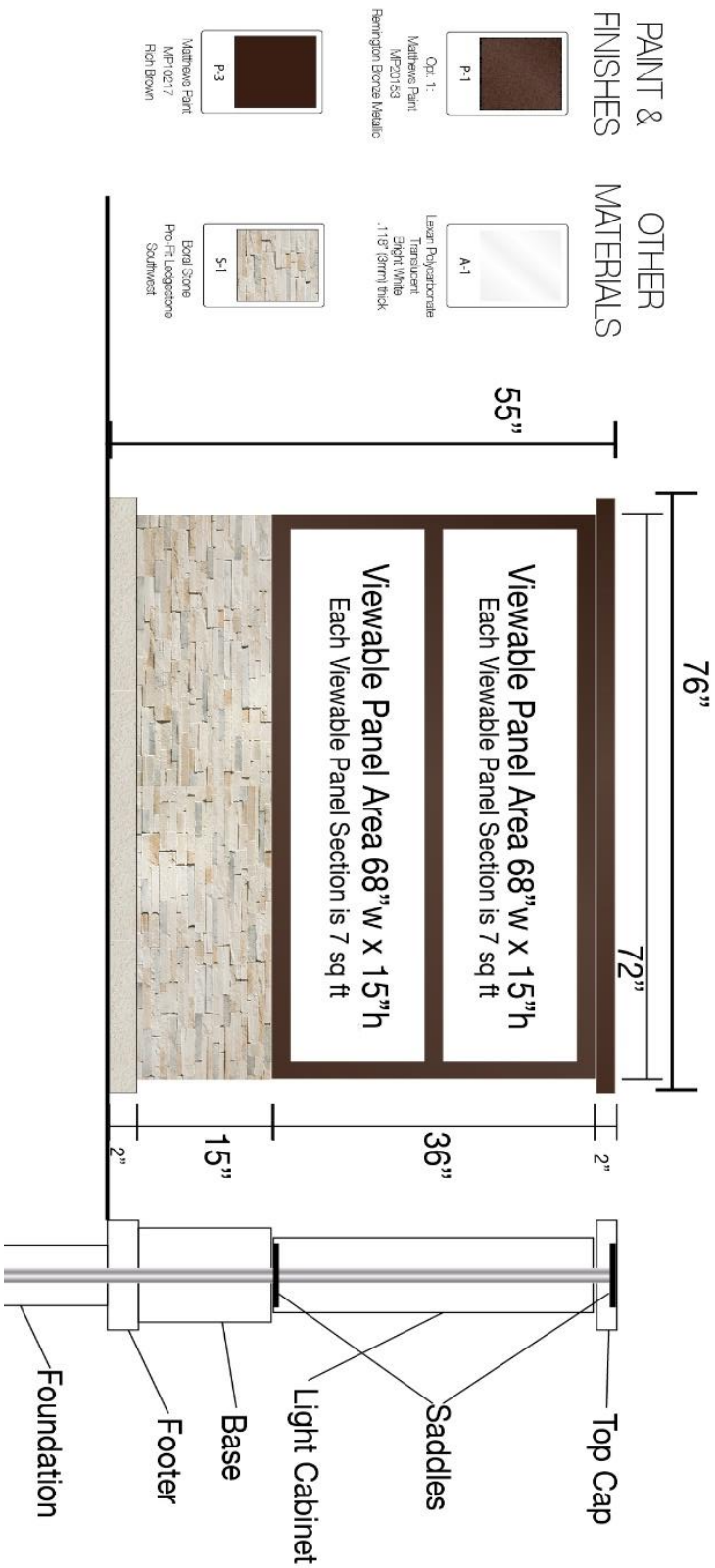
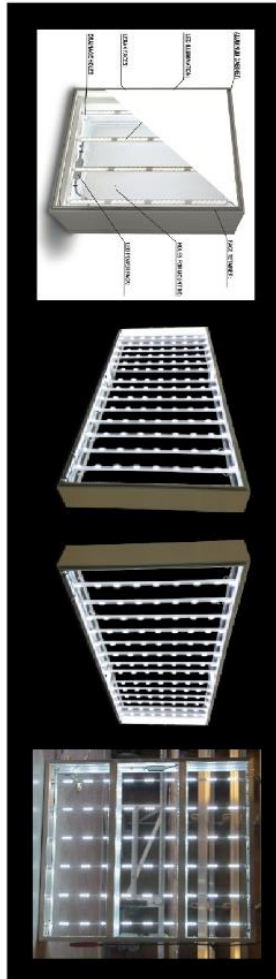
Kevin B. Laughlin, City Attorney
(kbl:6/5/18:99160)

Ordinance No. 2018-1247
Attachment 1
Exhibit 1a "Banner Sign Plan" to Exhibit H "Signage Criteria"



Ordinance No. 2018-1247 Attachment 2
 Exhibit 12 "Tenant Monument Sign Design" to Exhibit H "Signage Criteria"

2-sided Illuminated Tenant Monument Signs



CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 15

MEETING DATE: 06/26/18

SUBJECT: Consider Resolution 2018-2750 Reappointing the Presiding Judge and an Associate Judge of the City of Highland Village Municipal Court of Record and Authorizing Negotiation of Related Contracts

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

Judge Colette Sallas was appointed presiding judge in May 2016, following the retirement of Judge Ron Hurst. Concurrently, Judge Hurst desired to continue to serve the city in a different role as an associate judge and was appointed in that capacity. The City utilizes associate judges to serve when the presiding judge is unavailable and to provide flexibility to ensure sufficient backup judges to keep scheduled dates and remain current on cases filed in the court. They also assist to provide coverage to respond to jail arraignments and magistrate functions. Judge Hurst currently serves with primary responsibility of handling arraignments and magistrate duties at the City's jail.

IDENTIFIED NEED/S:

In accordance with Texas Government Code Sec. 29.005. TERM OF OFFICE, the judge of a municipal court serves for a term of office of two years unless the municipality provides for a longer term pursuant to Article XI, Section 11, of the Texas Constitution. Reappointment of Judge Sallas and Judge Hurst are thus suggested, as they are both at the two-year mark.

OPTIONS & RESULTS:

N/A

PROGRESS TO DATE: (if appropriate)

N/A

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

An amount of \$27,000 is currently budgeted, apportioned between Judge Sallas and Judge Hurst (Judge Sallas - \$1,250 monthly, Judge Hurst - \$1,000 month,).

RECOMMENDATION:

Council to approve Resolution 2018-2750.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO 2018-2750

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, REAPPOINTING THE PRESIDING JUDGE AND AN ASSOCIATE JUDGE TO THE CITY OF HIGHLAND VILLAGE MUNICIPAL COURT OF RECORDS; AUTHORIZING RELATED AGREEMENTS FOR SERVICE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 4.01. of the Code of Ordinances of the City of Highland Village, Texas provides for the appointment of the Municipal Court Judge and Alternate Municipal Court Judges, who shall serve at the pleasure of the Council; and

WHEREAS, Colette Sallas presently serves as the Presiding Municipal Court Judge; and

WHEREAS, Ron Hurst presently serves as Alternate Municipal Court Judge; and

WHEREAS, the City Council finds it to be in the public interest to reappoint Colette Sallas for the office of Municipal Court Judge, and Ron Hurst for the office of Associate Municipal Court Judge for the Highland Village Municipal Court of Record.

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

Section 1. Colette Sallas is hereby appointed to serve as the Municipal Court Judge and Ron Hurst is hereby appointed to serve as Associate Municipal Court Judge for the Municipal Court of Record in the City of Highland Village, Texas, for a term of two years commencing on the effective date of this resolution.

Section 2. The City Manager is hereby authorized to negotiate and sign agreements on behalf of the City with Judge Sallas and Judge Hurst setting forth their duties and responsibilities with respect to the offices appointed and the professional service fees for performance of those duties.

Section 3. This Resolution shall be effective immediately upon its approval.

PASSED AND APPROVED this the 26th day of June, 2018

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl6/5/18:99963)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 16

MEETING DATE: 06/26/18

SUBJECT: Consider Resolution 2018-2751 Authorizing an Agreement for the Purchase and Installation of Shade Structures for Unity Park (Dog Park and Exercise Equipment Areas), Lions Club Park Playground, Turpin Park Playground and Lower Sellmeyer Park Playground in the Amount of \$69,593.60 from Adventure Playground Systems through the City's Cooperative Purchasing Agreement with the Harris County Department of Education (Choice Partners)

PREPARED BY: Andra Foreman, Recreation Manager

BACKGROUND:

City staff has identified the need to provide shade covers over our playground structures, exercise equipment area and dog park. The shade structures lowers sun exposure to park patrons, and protects equipment from sun exposure thus lengthening life expectancy of the equipment.

IDENTIFIED NEED/S:

The proposed shade structures will shade cover over our playground structures at Lions Club Park, Turpin Park, Lower Sellmeyer Park Playground, and over the exercise equipment area, and dog park at Unity Park.

OPTIONS & RESULTS:

The proposed purchase can be made from Adventure Playground Systems in the amount of \$69,593.60 through the City's cooperative purchasing agreement with Harris County Department of Education (Choice Partners).

BUDGETARY IMPACT:

Funds were identified in the FY 2017-2018 Parks and Recreation Capital Improvement Budget.

RECOMMENDATION:

To approve Resolution 2018-2751.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2018-2751

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING AN AGREEMENT FOR THE PURCHASE AND INSTALLATION OF SHADE STRUCTURES AT UNITY PARK, LIONS CLUB PARK, LOWER SELLMAYER PARK, AND TURPIN PARK WITH ADVENTURE PLAYGROUND SYSTEMS THROUGH THE CITY'S COOPERATIVE PURCHASING AGREEMENT WITH THE HARRIS COUNTY DEPARTMENT OF EDUCATION (CHOICE PARTNERS) IN THE AMOUNT OF \$69,593.60; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, certain park improvements, specifically, the purchase and installation of playground shade structures at Unity Park, Lions Club Park, Lower Sellmeyer Park, and Turpin Park - (collectively "the Project") was identified in the FY 2017-18 Parks and Recreation capital improvement budget; and

WHEREAS, City Administration has determined in accordance with state law, an agreement for the purchase and installation of playground shade structures that comply with City specifications can be competitively procured from Adventure Playground Systems through the City's cooperative purchasing agreement with the Harris County Department of Education ("Choice Partners"); 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 negotiate and sign (i) an agreement for the Project with Adventure Playground Systems through the City's cooperative purchasing agreement with Choice Partners in the amount of \$69,593.60 and (ii) such change orders in relation to the Project as he deems reasonable and necessary to properly complete the Project in accordance with State law and city policies and, in the event of an increase in contract price, subject to the availability of current funds for such purpose in the FY 2017-18 budget.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON THIS 26TH DAY OF JUNE, 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:6/18/18:100356))

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 17

MEETING DATE: 06/26/18

SUBJECT: Consider Resolution 2018-2754 Authorizing the City Manager to Negotiate and Execute the First Amendment to the Solid Waste, Recycling and Household Hazardous Waste Contract with Community Waste Disposal L.P. for the City of Highland Village

PREPARED BY: Scott Kriston, Director of Public Works

BACKGROUND:

Previous Council action dated April 24, 2018 authorized the City Manager to negotiate and execute an Agreement with Community Waste Disposal (CWD) for solid waste, recycling and household hazardous waste collection services for the City. The Agreement with CWD provides the following collection services:

- Continuation of 10 bags per week of garbage collected once per week
- Increase the recycling cart size to 95 gallons upon request or keep the existing recycle cart
- Provides for collection of 1 cu yd of recycling outside of the recycle cart
- Continues the collection of compost materials on the same Monday collection schedule
- Provides for the collection of large brush and bulky items twice monthly without the need for the resident to call in; volume of each collection will be 2 cubic yards (6' X 3' X 3', or roughly the size of a refrigerator
- Provides for resident-delivered materials at the firm's facility
- Provides a solution for above-the-limit brush and bulky collections that can be assessed a reasonable fee
- Continues the provision of household hazardous waste at the curb

Due to management and logistics, CWD approached staff and offered collection of large brush and bulky items weekly instead of twice a month at no additional cost. See attached letter dated May 18, 2018.

IDENTIFIED NEED/S:

Staff is seeking Council authorization for the City Manager to negotiate and execute the first amendment to the solid waste, recycling and household hazardous waste contract with CWD.

PROGRESS TO DATE: (if appropriate)

CWD submitted their request to provide additional service on May 18, 2018. The City Attorney drafted the first amendment to the Agreement (enclosed).

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

There is no change to the cost of service.

RECOMMENDATION:

To approve Resolution 2018-2754.



May 30, 2018

Scott Kriston
Director of Public Works
1000 Highland Village Rd.
Highland Village, TX 75077

RE: Bulky Waste Collection Update

Scott,

Community Waste Disposal agrees to amend section 3.01 (c) of the Solid Waste, Recycling and HHW Collection Contract to allow for weekly collection of up to two (2) cubic yards per home per week of residential bulky waste and bulky construction debris.

Should you have any questions or would like to schedule a meeting to go over in more detail, please call me at 972.392.9300 ext. 322, or on my mobile at 214.418.5017.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Roemer", is placed above the typed name.

Jason Roemer
Municipal Coordinator
jroemer@cwd.to

2010 California Crossing Road
Dallas, Texas 75220-2310
Telephone
972.392.9300 or 817.795.9300
Facsimile
972.392.9301

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2018-2754

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE FIRST AMENDMENT TO SOLID WASTE, RECYCLING, AND HOUSEHOLD HAZARDOUS WASTE COLLECTION CONTRACT WITH COMMUNITY WASTE DISPOSAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, effective April 25, 2018, the City and Community Waste Disposal, L.P. ("CWD") and entered a contract for solid waste, recycling, and household hazardous waste collection services within the City beginning September 1, 2018 ("the Contract"); and

WHEREAS, CWD has offered to amend the Contract to increase the frequency that CWD will collect bulky waste and bulky construction debris from City residential customers; and

WHEREAS, the City Council finds it to be in the public interest to agree to such an amendment.

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

SECTION 1. The City Manager is authorized to negotiate and execute on behalf of the City an amendment to the Contract to provide for weekly collection of bulky waste and bulky construction debris from residential customers

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

PASSED AND APPROVED THIS 26^H DAY OF JUNE 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:6/19/18:100359)

**FIRST AMENDMENT TO
SOLID WASTE, RECYCLING, AND HOUSEHOLD HAZARDOUS WASTE
COLLECTION CONTRACT**

THIS **FIRST AMENDMENT TO SOLID WASTE, RECYCLING, AND HOUSEHOLD HAZARDOUS WASTE COLLECTION CONTRACT** ("Amendment"), is entered as of the Effective Date by and between the City of Highland Village, Texas, a Texas home rule municipality (hereinafter called "City"), and Community Waste Disposal, L.P., a Texas limited partnership qualified to do and actually doing business in the State of Texas (hereinafter called "Contractor"), acting by and through their duly qualified representatives. (City and Contractor collectively referred to herein as "Parties" and individually as "Party".)

RECITALS

WHEREAS, the Parties entered into that certain Solid Waste, Recycling, and Household Hazardous Waste Collection Contract effective April 25, 2018, (the "Contract") relating to the provision of solid waste, recycling, and household hazardous waste collection services within the City of Highland Village; and

WHEREAS, the Parties desire to amend the Contract to provide for additional services to be provided by Contractor pursuant to the Contract;

NOW, THEREFORE, upon the mutual covenants, conditions and promises contained herein, and the consideration given one to the other pursuant to the Contract as amended by this Amendment, the receipt and sufficiency of which is acknowledged by the Parties, the Parties agree as follows:

1. Section 3.01(c) of the Contract is amended to read as follows:
 - (c) The collection of Bulky Waste and Bulky Construction Debris from Residential Customers not less than one (1) time per week using grapple equipment or such other vehicles and equipment Contractor determines necessary. Contractor shall not be required to collect more than two (2) cubic yards of Bulky Waste and/or Bulky Construction Debris per collection...
2. Except as amended by this Amendment, the Contract remains in full force and effect as originally agreed.
3. In the event of a conflict between the provisions of the Contract and this Amendment, the provisions of this Amendment shall control.
4. This Amendment shall be effective on the date it bears the signatures of authorized representatives of all Parties ("Effective Date").
5. This Amendment may be signed by the Parties 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.

AGREED AND SIGNED by the authorized representatives of the Parties hereto on the dates indicated below.

ATTEST:

City of Highland Village, Texas

Angela Miller, City Secretary

BY: _____
Michael Leavitt, City Manager

Date: _____, 2018

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

Contractor: Community Waste Disposal, L.P., Texas
limited partnership

By: CWD Management, Inc., a Texas corporation, its
general partner

By: _____

Name _____

Title: _____

Date: _____, 2018

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 18

MEETING DATE: 06/26/18

SUBJECT: Consider Resolution 2018-2755 Authorizing the Purchase of a 2018 F450 Regular Cab Chassis from Sam Pack's Five Star Ford, through the City's Cooperative Purchasing Agreement with Texas Local Government Purchasing Cooperative "SMARTBUY"

PREPARED BY: Scott Kriston, Director of Public Works

BACKGROUND:

During the budget process, the Fleet Maintenance division works with each division in evaluating their present vehicle and equipment inventory and need for the upcoming budget year. The City criteria for vehicle replacement is based on vehicle mileage of approximately 100,000 miles, repair history and age of vehicle. Equipment replacement is based on the repair history, age, hours of service and increased needs for each division.

IDENTIFIED NEED/S:

In this fiscal budget year 2017/2018, under the equipment replacement schedule, staff identified the equipment satisfying the city's criteria for replacement. Equipment being replaced will be sold at auction.

PROGRESS TO DATE: (if appropriate)

In the process of taking bids as required by state law, we have found that in working with the Texas Local Government Purchasing Cooperative ("SMARTBUY"), the following vehicle meets or exceeds all specifications and provides the best price on the vehicle identified for replacement. SMARTBUY fees are included in the total price.

SMARTBUY obtained the needed vehicle for the Utility Department through Sam Pack's Five Star Ford.

<u>Division</u>	<u>Quantity</u>	<u>Description</u>	<u>Cost</u>
Utility	1	2018/ F450 Regular Cab Chassis	\$77,374.85
		Total Purchase Cost	\$77,374.85
		Total Purchase Cost	\$77,374.85
		<u>TOTAL</u>	\$77,374.85

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Approved in FY 2017/2018 Vehicle / Equipment Replacement Budget. Funded through the Utility Fund.

RECOMMENDATION:

To approve Resolution 2018-2755 authorizing the purchase of 2018 F450 Regular Cab Chassis through the City's Cooperative Purchasing Agreement with Texas Local Government Purchasing Cooperative "Smartbuy".

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2018-2755

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING THE PURCHASE OF ONE (1) 2018 F450 REGULAR CAB CHASSIS, FROM SAM PACK'S FIVE STAR FORD THROUGH THE CITY'S COOPERATIVE PURCHASING AGREEMENT WITH TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE "SMARTBUY" IN THE AMOUNT OF \$77,374.85; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to its review of the City's vehicle and equipment in accordance with the City's replacement policies, City Administration has identified the need to purchase one (1) F450 Regular Cab Chassis for the Utility Department; and

WHEREAS, City Administration, while in the process of soliciting bids in accordance with state law, determined that the purchase of a vehicle complying with City specifications can be made for the lowest price from Sam Pack's Five Star Ford through the City's cooperative purchasing agreement with the Texas Local Government Cooperative ("Smartbuy"); 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) F450 Regular Cab Chassis, through the City's cooperative purchasing agreement with Smartbuy in the amount of \$77,374.85.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON THIS 26th DAY OF JUNE, 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:6/20/18:100403)

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 19

MEETING DATE: 06/26/18

SUBJECT: Receive Capital Improvement Program (CIP) for Fiscal Year 2018-2019

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

The City Charter calls for submission to Council of a five-year capital budget. This provides an opportunity for Council to see a multi-year outlook for planning purposes. In essence, this should provide the framework for consideration of the current year's budget and resulting tax rate.

IDENTIFIED NEED/S:

Capital improvements currently in process, as well as additional proposed programs have been identified by City staff. The potential programs can come from various sources including City Council, boards/commissions, residents, and Staff members. These projects are non-operational, "big-ticket" items that typically require outside funding sources such as debt issuance, grant, or lease/purchase arrangements.

PROGRESS TO DATE: (if appropriate)

A summary of the identified programs follows – presented in context of a five-year window. With the City nearing build-out, there are limited capital programs anticipated in relation to primary City infrastructure.

In general, after years of substantial growth and approaching substantial build-out, the community is more settled. Capital improvements related to basic infrastructure are widely supported. Improvements related to amenities/improved services, while desired, are viewed in context of affordability. The primary emphasis in the five-year outlook for the past few years has been in controlling on-going operating costs in a context of sustainability within the anticipated revenue base. A focus on staffing has been to maintaining existing staffing levels if possible – with emphasis on efficiency and leveraging technology enhancements to not compromise the high level of service that currently exists, with new positions to be evaluated only if a demonstrated need warrants consideration.

The current year of the five-year outlook is being developed as part of the proposed FY 2019 Budget, and is preliminary at this point – to be updated during the budget process this summer. However, the outlook can provide a larger picture of the financial outlook over the next few years. Outstanding projects at this time are related to the Capital Projects Fund. A bond election in FY 2018 is the primary focus of the capital program, with the various projects detailed

following. The following tables depict a summary of the capital projects in process and anticipated in the subsequent five years.

Current-Year Capital Projects

A \$7M general obligation bond was issued in 2018 to address targeted Parks and Public Works issues as follows:

Bond Election 2018	
Streets Projects	\$2,800,000
Parks Projects	4,105,000
Bond Discount / Premium	173,588
Issuance Costs	<u>(70,907)</u>
Total Bond Proceeds	\$7,007,681

Parks Projects

Unity Park - \$2.54M

Unity Park is Highland Village's only community park which includes multiple amenities for resident use. Improvements include:

- Kids Kastle Play Structure - The play area is at the end of its useful life and in need of replacement with new recycled plastic materials that will provide increased safety and less maintenance.
- Ponds - The ponds require dredging to remove the accumulated silt as well as improvements to address drainage considerations. A study was conducted in 2017 which recommended making improvements to accommodate a 50-year flood which will also benefit the surrounding area.
- Softball Field - A section of the park will be redeveloped to add an additional softball field to complement the existing baseball fields.

Brazos Park Parking Lot - \$353,000

Several years ago a parking lot was built at Brazos Park to alleviate parking on adjacent streets. Popularity of the fields has prompted the need to increase the size of the parking area by an additional 50 spaces.

Victoria Park - \$198,000

The current walking track is badly cracked and uneven, causing a tripping hazard to patrons. The track will be resurfaced and replaced with a six foot concrete path.

Highland Village Road Sidewalk - \$922,300

Construction of the sidewalk on Highland Village Road from the Municipal Complex to Sellmeyer Lane to increase pedestrian safety and connect residents to amenities along Highland Village Road. A large number of residents adjacent to this section have no access to the Inland Trail System to connect to Lions Club Park, Lakeside Community Park, and

Doubletree Ranch Park. This presents a potential safety issue as people walk the two-lane Highland Village Road to access these amenities.

Sunset Point Park - \$162,700

Sunset Point Park is classified as a mini park and serves local residents as a neighborhood park site providing water access to Lewisville Lake. The development will address erosion issues and safety concerns along with enhanced roadway completion to facilitate emergency vehicle access and turn around capabilities. Public input was solicited on the design for the park in the spring of 2017 and was approved by Council. At this time, a reduced-scale project of roadway improvements only is anticipated to provide the turn-around capability for emergency vehicles. Further development of the park will be re-evaluated for consideration at a later date.

Streets Projects

The City of Highland Village conducts a Pavement Condition Inventory Survey to determine the priority of streets that need repairs, overlays, or full replacement. The streets to be addressed with this proposition have reached the end of their life cycle and are in need of full reconstruction.

Total Proposed Street Bond Proposition (\$2.8M)	
<u>Identified Streets for Reconstruction</u>	
Rosedale Street	Springway Drive
Ranier Court	Mockingbird Drive
Catesby Place	Post Oak Drive
Rockland Drive	Pecan
Hickory Ridge Drive	Raintree Drive
Oak Forest Drive	Greensprings Street
Winding Creek Drive	Duvall
Dickinson Drive	Baird Circle
S Clearwater Drive	Donna Circle
Scenic Drive	Savanna Drive

<i>Projects In –Process</i>			
Description	Funding Source	Remaining Balance (As of 6/20/18)	Status
<i>Capital Projects Fund</i>			
Parks Projects	2018 GO Bond (\$6.9M) Project Cost – \$4.1M	\$4.08M	Only initial engineering to date totaling \$24,436. Completion of Brazos Parking (\$353,000) anticipated in FY 18. Completion of remaining projects anticipated in FY 2019 and FY 2020.

Streets Projects	2018 GO Bond (\$6.9M) Project Cost – \$2.8M	\$2.775M	Only initial engineering to date totaling \$24,436. Street construction anticipated to begin in FY 2018, continuing through FY 2019.
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Projects In Process						
Projected Operating Costs						
Dept	Description	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Capital Projects Fund						
Parks	Unity Park (Pond improvements, softball field, Kids Kastle)	\$710	\$710	\$710	\$710	\$710
	Highland Village Road sidewalk	810	810	810	810	810
	Brazos Parking	-0-	-0-	-0-	-0-	-0-
	Sunset Point	114	114	114	114	114
	Victoria Park Walking Track	-0-	-0-	-0-	-0-	-0-
Streets	Street Reconstruction	-0-	-0-	-0-	-0-	-0-
	Total	\$1,634	\$1,634	\$1,634	\$1,634	\$1,634
<p>Unity Park reflects annual increased costs of \$1,400 related to supplies / materials for softball fields (above current cost for maintaining soccer fields that are replaced). There will be a net decrease of \$690 annually related to Kids Kastle, as current structure of treated wood requires frequent sealing to maintain safety standards. New equipment will be plastic, thus requiring less maintenance.</p> <p>Highland Village Rd sidewalk anticipates annual increase in mowing contracted maintenance of \$810 annually.</p> <p>Sunset Point only expected increase will be associated with addition of security lighting at \$114 annually.</p> <p>Street reconstruction does not have additional associated maintenance costs as they do not add additional infrastructure than what currently exists in the City.</p>						

Identified Future Projects for Consideration								
Dept	Description	Funding Source	Total Project Cost	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Capital Projects Fund								
Streets	Street Reconstruction Projects (Phase II)	Proposed Bond	\$ 2,750,000					<input checked="" type="checkbox"/>
Parks	Lower Sellmeyer Park improvements	Proposed Bond	\$ 30,400					<input checked="" type="checkbox"/>
Parks	Lions Club Park improvements	Proposed Bond	\$ 41,250					<input checked="" type="checkbox"/>
Parks	Turpin Park improvements	Proposed Bond	\$ 22,000					<input checked="" type="checkbox"/>

Future Potential Capital Projects for Consideration Potential 2023 Bond Issuance

Public Works - Streets

The City has a program to evaluate and maintain street infrastructure. Generally, needed street overlays are addressed each year in the annual budget, while bonds are issued periodically to fund street reconstruction projects as needed. Streets currently in need of reconstruction are being addressed with the FY 2018 Bond Issue. Streets that have been identified in need of reconstruction within a 5-7 year window total \$2.75M based on current costs. These will likely be addressed with a bond issuance in FY 2023, with debt issuance corresponding with reductions in existing debt service – with intent to provide consistent debt service levels.

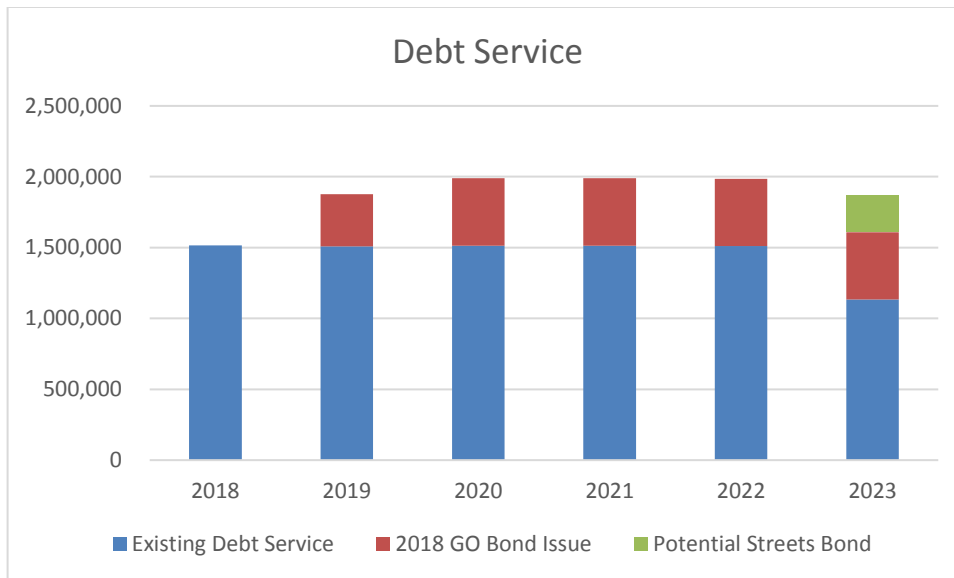
Parks

Playground equipment and structures in the neighborhood parks are regularly evaluated to ensure adherence to safety standards as well as functionality of meeting needs of residents. These accordingly are periodically changed out or updated as needed. Parks anticipated with need to be addressed in the five-year window are Lower Sellmeyer, Lions Club, and Turpin.

Five Year Outlook

In general, the focus of the CIP five-year outlook is to evaluate funding **ability** with suggested capital improvement programs – in regard to issued debt and associated debt service, as well as related ongoing operations costs. Maintaining sufficient fund balance levels is a key measure of evaluation. Financial policies require a minimum 20% fund balance with a targeted range of 20 - 25%.

Preliminary projections, which will be refined during the budget process through the summer months, does provide capacity to consider debt issues within the five-year outlook. Property values have experienced significant increases the past couple of years – with expectation for continued higher than historical average increases over the next few years. However, this is to be viewed in conjunction with stated State legislative effort to limit property tax revenue growth in cities. While the overall increased valuations do afford the City some flexibility, a focus on impending build-out of the City, as well as consideration of legislative action, requires a disciplined approach to manage growth in operations cost and reduction in overall debt-service load. In the ten years prior to FY 2015, debt service represented about 20% of the tax rate. Current debt service now reflects roughly 15% of the tax rate. As revenues flatten with build-out, a continued focus on managing debt service is critical – both in terms of avoiding spikes, but also reducing to a lower, more manageable level for the future.



The potential debt offerings shown above are included in a projected five-year outlook to provide a context in discussion of development of the current-year budget. The outlook is based on maintaining current tax rate and incorporating current trends in both revenues and expenditures to provide projections. Any number of factors could change the outcome considerably. Scenarios, such as a downturn in the economy, will be discussed during budget deliberations to assist City Council in decision-making process in regard to funding of the discussed capital projects.

The preliminary Five-Year Outlook provides a context of the projects identified to have sufficient funding for an extended time frame.

Five-Year Outlook

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Beginning Fund Bal	\$ 7,391,960	\$ 6,402,630	\$5,868,882	\$5,778,709	\$5,022,517	\$ 4,332,873
Revenue						
Property Tax Collections	10,654,489	11,035,176	11,368,810	11,882,035	12,404,845	13,025,073
Sales Tax (Base)	2,698,992	2,787,577	2,856,082	2,927,234	3,001,209	3,078,198
Sales Tax	2,698,992	2,787,577	2,856,082	2,927,234	3,001,209	3,078,198
Franchise Fees	1,705,157	1,717,148	1,736,254	1,757,725	1,777,590	1,735,140
Licenses / Permits	498,728	429,407	429,138	341,923	335,762	423,656
Public Safety Fees	496,661	513,737	560,237	526,428	532,816	536,683
All Other	640,927	652,805	670,071	692,125	702,071	706,812
Subtotal	16,694,955	17,135,851	17,620,593	18,127,471	18,754,293	19,505,562
Transfers	534,000	534,000	534,000	534,000	534,000	534,000
Total Revenue	17,228,955	17,669,851	18,154,593	18,661,471	19,288,293	20,039,562
Expenditures						
Personnel	11,858,987	12,514,677	13,156,453	13,757,125	14,394,821	15,059,745
Services / Supplies	5,768,589	4,653,539	4,312,288	4,561,762	4,670,201	4,870,269
Supplemental	-	679,383	155,025	412,776	421,915	179,461
Operating Expenditures	17,627,576	17,847,599	17,623,766	18,731,663	19,486,936	20,109,474
Net Operating Rev.	(398,621)	(177,748)	530,827	(70,192)	(198,644)	(69,912)
Equip Replacement / Capital	574,709	340,000	605,000	670,000	475,000	170,000
Transfers Out	(16,000)	(16,000)	(16,000)	(16,000)	(16,000)	(16,000)
Net Revenues	(989,330)	(533,748)	(90,173)	(756,192)	(689,644)	(255,912)
Ending Fund Balance	\$ 6,402,630	\$ 5,868,882	\$5,778,709	\$5,022,517	\$4,332,873	\$ 4,076,961
	35%	32%	32%	26%	22%	20%

Items to Note:

- **Preliminary** Five-Year Outlook – will be updated during FY 2019 Budget Process.

RECOMMENDATION:

Council to receive the FY 2019 Capital Improvement Budget.

CITY OF HIGHLAND VILLAGE

CITY COUNCIL

AGENDA# 21

MEETING DATE: 06/26/18

SUBJECT: Conduct Public Hearing and Consider Ordinance No. 2018-1248 Approving a Change in Zoning from “O” Office Zoning District to a Planned Development District “PD” for Office Uses, including the Adoption of Development and Sign Regulations, relating to the Development and Use of Lots 1A, 1B, and 2, Block A, Wilkerson Addition, located at 2250, 2260, and 2280 Highland Village Road (1st of two reads)

PREPARED BY: Autumn Aman, Community Development Coordinator

BACKGROUND:

The City has received an application to create a Planned Development for the Highland Village Business Park. The applicant, G&A Consultants, on behalf of the property owners, Tre Far Niente Partnership and Haymarket Land Corporation, has requested the creation of a Planned Development District specifically for signage, so that signs may be located on the property within the proposed PD where they are currently not allowed per ordinance. More specifically, the property is divided into three lots, one of which has no direct street frontage, but all three of which are developed with office buildings. Under the City's existing sign regulations, a sign placed on one of the lots that fronts on Highland Village Road, but contains information regarding a tenant occupying the lot that does not front on Highland Village Road, would be a prohibited off-premises sign. This planned development is designed to provide a master sign plan for the entire development, which, among other things, will allow signs installed along the Highland Village Road frontage to include tenant information for the rear lot to the extent provided in the ordinance.

The property is currently zoned “O” Office. There will be no changes to the current location, size, number of buildings, parking areas, landscape areas, and driveways on the properties.

A request for a variance to the sign regulations to allow an off-premises sign for tenants on the rear lot be placed on one of the front lots was previously denied by the Zoning Board of Adjustment based on the request failing to satisfy the criteria for granting a variance.

IDENTIFIED NEED/S:

Public hearings are required to be conducted by both the Planning and Zoning Commission and City Council. All public hearing notification requirements have been met.

OPTIONS & RESULTS:

Options are to review and (1) approve as submitted, (2) approve with modifications, (3) deny the request or (4) postpone for additional information.

PROGRESS TO DATE: (if appropriate)

As of the date of preparation of this briefing, June 20, 2018, staff has not received any emails or inquiries on the nature of the request.

At the June 19, 2018, Planning and Zoning Commission meeting, the Commission recommended sending the Ordinance forward as presented to the City Council with a vote of (5-0).

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

An Ordinance has been generated. A copy of the draft ordinance prepared by the City Attorney is attached. There is no budget impact to the City.

RECOMMENDATION:

Staff recommends the City Council consider the recommendation made by the Planning and Zoning Commission and approve the first read of Ordinance No. 2018-1248.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2018-1248

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 LOTS 1A, 1B, AND 3, BLOCK A, WILKERSON ADDITION, PRESENTLY ZONED "O" OFFICE BY CREATING PLANNED DEVELOPMENT NO 2018-1 FOR OFFICE USE AND ADOPTING DEVELOPMENT REGULATIONS, INCLUDING SIGN REGULATIONS; 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 Lots 1A and 1B, Block A, Wilkerson Addition, an addition to the City of Highland Village, according to the plat thereof recorded as Document No. 2016-2112, Plat Records, Denton County, Texas, and Lot 2, Block A, Wilkerson Addition, an addition to the City of Highland Village, according to the plat thereof recorded in Cabinet P, Page 212, Plat Records, Denton County, Texas (collectively the "Property"), which is presently zoned as "O" Office, by establishing Planned Development No. 2018-1 for Office Uses 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 in accordance with the development and use regulations applicable to property located in a "O" Office Zoning District as set forth in the CZO except as amended as follows:

- A. Site Plan Requirement:** No changes in the location, size, number or bulk of buildings, parking areas, landscape areas, and driveways shall as they exist on the effective date of this ordinance until a planned development site plan for the Property has been approved as an amendment to this Ordinance.
- B. Sign Regulations.** Signs installed or constructed on the Property shall be located and designed in accordance with the applicable provisions of the CZO for the "O" Office Zoning District except to the extent modified as follows:

- (1) Sign Location:** Building wall signs and monument signs located on the Property shall be installed substantially in the location and in substantial compliance with the Sign Location Exhibit attached hereto as Exhibit "A" and incorporated herein by reference.
- (2) Monument Signs:**

- (a) All monument signs, including base and surface area, shall be constructed of brick or stone and shall be architecturally compatible with the building it is identifying. The sign face must be encased in brick or stone. Signs shall be externally ground lit signs.
- (b) No advertising or promotional information is permitted on monument signs except tenant identification and leasing information.
- (c) No more than three (3) monument signs, whether existing on the effective date of this Ordinance or installed after said effective date, may be located along and visible from Highland Village Road as shown on the Sign Location Exhibit.
- (d) Monuments signs located along Highland Village Road must be separated by not less than forty (40') feet between signs.
- (e) If the sign labeled as "Existing Monument Sign" located on Lot 2, Block A, Wilkerson Addition is to be relocated, said sign must be removed prior to issuance of a sign and/or building permit for construction and/or installation for the sign labeled "Relocated Sign" (i.e. Sign E) located on Lot 2, Block A, Wilkerson Addition, as shown on the Sign Location Exhibit. The Existing Monument Sign shall be used solely to identify owners and/or tenants of the building located on Lot 2, Block A, Wilkerson Addition.
- (f) In no case shall any monument sign be placed on the Property at a location that obstructs sight visibility in the vicinity of any ingress and egress access point of the Property.
- (g) The monument sign labelled as "Sign F" on the Sign Location Exhibit shall not exceed four feet (4.0') in overall height, measured from natural grade, and shall not exceed thirty-two (32) square feet in surface area on each sign face. Sign F shall be used solely to identify owners and/or tenants of the building located on Lot 1A, Block A, Wilkerson Addition.
- (h) The monument sign labelled "Sign E" on the Sign Location Exhibit (the relocated sign described in paragraph (e), above,) shall not exceed four feet (4.0') in overall height, measured from natural grade, and shall not exceed thirty-two (32) square feet in surface area on each sign face. Sign E shall be used solely to identify owners and/or tenants of the building located on Lot 2, Block A, Wilkerson Addition.
- (i) One (1) monument sign shall be allowed on Lot 1B, Block A, Wilkerson Addition at the location labelled "Sign B" on the Sign Location Exhibit. Sign B shall not exceed four feet (4.0') in height, measured from the natural grade, and shall not exceed thirty-two (32) square feet in surface area on each sign face. Sign B shall be used solely to identify owners and/or tenants of the building located on Lot 1B, Block A, Wilkerson Addition.

(3) Center Identification Sign.

- (a) One (1) Center Identification Sign may be located along the street frontage of Lot 2, Block A substantially at the location shown on the Sign Location Exhibit and labelled as "Sign A". Sign A shall not exceed six feet (6.0') in height measured from the natural grade, and shall not exceed sixty (60) square feet in surface area per side.
- (b) Sign A shall be used solely for:
 - (i) identification of owners and tenants for the buildings location on Lots 1A and 1B, Block A, Wilkerson Addition and the street addresses for said owners and tenants;
 - (ii) identification of the name of the office center; and
 - (iii) placement of contact information for the leasing company, broker, and/or agent authorized to lease space within the buildings on the Property, including the name, phone number, email address, and, if the leasing office is located on the Property, the address of the leasing office.

Sign A shall be deemed to not be an off-premises sign as long as the information placed on Sign A conforms to this Section 2.B.(3)(b).

- (4) Interior Tenant Directory Signs.** Two (2) tenant directory monument signs labelled as "Sign C" and "Sign D" may be installed and located on the Property as shown on the Sign Location Exhibit. Sign C and Sign D shall be constructed of brick and stone and architecturally compatible with the building it is identifying. Each tenant directory monument sign shall not exceed two (2') feet in height, measured from natural grade, and shall not exceed three (3') feet in width. Sign C and Sign D may only be used to identify the names of owners and tenants of the building located on the platted lot on which the respective sign is located.

- (5) Wall Signs:** Wall signs for all buildings located on the Property shall be subject to the following:

- (a) Wall signs identifying the business or tenant located within the building to which the wall sign is attached may be located on the building facades at the locations identified on the Sign Location Exhibit.
- (b) No more than two (2) wall signs shall be installed on the facades identified on the Sign Location Exhibit. In no case shall the total sign area of all wall signs located on the façade of a building exceed fifteen (15%) percent of the facade area of the façade on which the signs are located.
- (c) Wall signs may be internally or externally lit in accordance with the applicable provisions of the CZO.

- (6) Tenant Plaques:** Tenant plaques for all buildings located on the Property shall be subject to the following:

- (a) Each tenant shall be allowed a plaque on the exterior of the building adjacent to the main entrance/or entrances of each building as depicted on the attached in Exhibit C, Plaque Sign Exhibit, Sign H.
- (b) All plaques for all building shall have a uniform appearance.
- (c) Materials for said plaques shall be either metal, aluminum, acrylic, bronze or stainless steel.
- (d) The maximum size of each plaque shall not exceed an area of four (4) square feet as shown on the Plaque Sign Exhibit.

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 26TH DAY OF JUNE, 2018.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE ____ DAY OF _____, 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:6/20/18:100046)

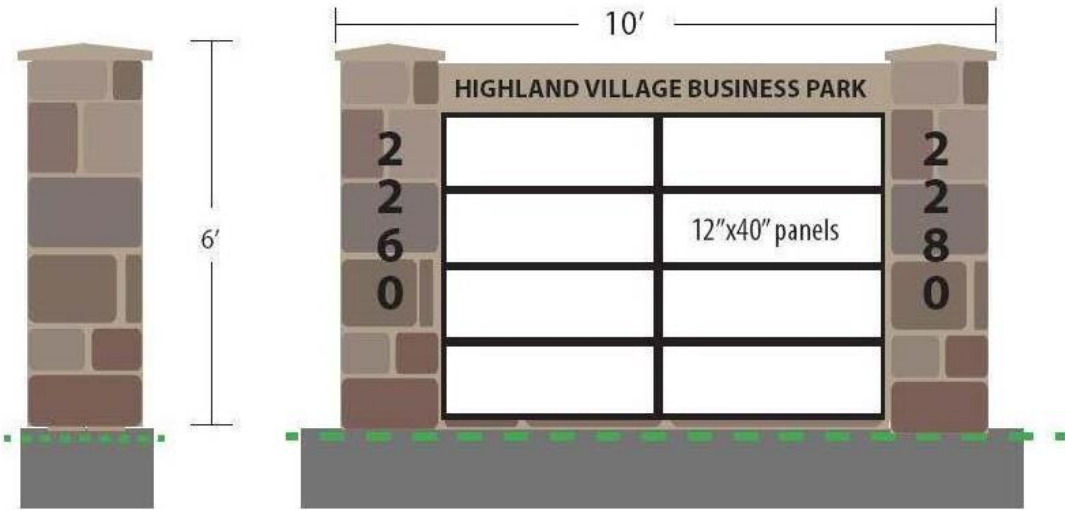
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ORDINANCE NO. 2018-1248
EXHIBIT "B"

CENTER IDENTIFICATION SIGN

SIGN "A"

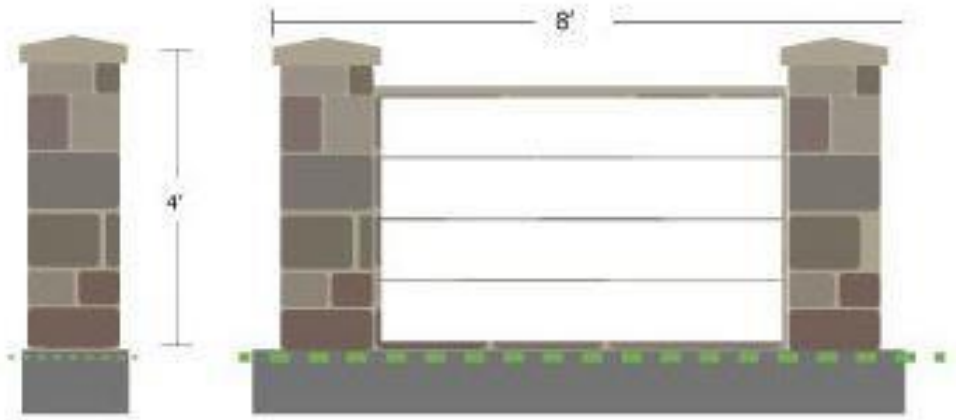


ORDINANCE NO. 2018-1248
EXHIBIT "B"

MONUMENT SIGN

SIGN "B"

Two sided tenant monument
Stone (matching building)
Poured foundation



**ORDINANCE NO. 2018-1248
EXHIBIT "B"**

INTERIOR TENANT DIRECTORY SIGN

SIGN "C"



SIGN "D"



ORDINANCE NO. 2018-1248
EXHIBIT "B"

WALL SIGNS

SIGN "G"



ORDINANCE NO. 2018-1248
EXHIBIT "B"



**ORDINANCE NO. 2018-1248
EXHIBIT "B"**

PLAQUE SIGNS

SIGN "H"



CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 22

MEETING DATE: 06/26/18

SUBJECT: Consider Resolution 2018-2752 Authorizing the City Manager to Execute a Task Order with BW2 Engineers, Inc. for Professional Engineering, Surveying and Construction Management Services for the FM 2499 Water Line Extension Project for an amount not-to-exceed \$117,900

PREPARED BY: Scott Kriston, Director of Public Works

BACKGROUND:

The northwest part of the City (including the Brooks Court area, Pilot Knoll Park, and an undeveloped area) is not served by the City's water system at this time. Until recently, this part of the City was separated from the rest of the City by an upper arm of Lake Lewisville (Poindexter Branch). Before FM2499 was completed, providing a connection between the northwest part of the City and the rest of the City, access to the northwest part of the City had to come from the west. Also, the water supply for the northwest part of the City presently has to come from the west from a local water supply corporation with infrastructure in that immediate area.

IDENTIFIED NEED/S:

Extending the City's water system to the northwest part of the City by using the FM 2499, will provide water for domestic use in the Brooks Court area and other future developments in this part of the City, water for park users at Pilot Knoll Park, and water for irrigation purposes in this part of the City. This will also provide enhanced Fire protection to the existing residential homes in the area.

OPTIONS & RESULTS:

Construction of this water line will allow the City to serve all lands within the current corporate limits with potable water service and ensures a reliable and dependable water system that will comply with current TCEQ guidelines.

PROGRESS TO DATE: (if appropriate)

A Task Order has been received from BW2 Engineers, Inc., for the provision of professional engineering, surveying and construction management services required for this project.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

The identified Task Order from BW2 Engineers, Inc., for the provision of professional

engineering, surveying and construction management services, will be funded through the Utility Fund.

RECOMMENDATION:

To approve Resolution 2018-2752.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2018-2752

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AUTHORIZING A TASK ORDER WITH BW2 ENGINEERS, INC. FOR PROFESSIONAL ENGINEERING, SURVEY, AND CONSTRUCTION MANAGEMENT SERVICES FOR THE FM2499 WATER LINE EXTENSION PROJECT IN THE AMOUNT OF \$117,900.00; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, City Administration has determined that construction of the water line serving Brooks Court ("the Project") is necessary to ensure the provision of safe potable water to the residents of the City within the Lakewood Addition; and

WHEREAS, City Administration has solicited and received a task order for professional engineering design, survey, and construction management services for the Project and recommends executing a task order with BW2 Engineers, Inc., in accordance with the General Engineering Services Agreement as amended and dated August 28, 2001, in the amount of \$117,900.00; and

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

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

SECTION 1. The City Manager is hereby authorized to execute a task order with BW2 Engineers, Inc. for the Brooks Court Water Line Project for the amount of \$117,900.00. To the extent allowed by law and City policy and subject to the availability of current funds for said purpose, the City Manager is further authorized to execute amendments to such task order as he deems reasonable and necessary to ensure completion of the Project

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

PASSED AND APPROVED THIS THE 26TH DAY OF JUNE, 2018.

APPROVED:

Charlotte Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:6/18/18:100357)

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 23

MEETING DATE: 06/26/18

SUBJECT: Consider Resolution 2018-2753 Appointing a Person to Fill a Vacancy for an Unexpired Term on the Planning & Zoning Commission and for a Council Representative Position on the Board of Directors of the Highland Village Community Development Corporation

PREPARED BY: Angela Miller, City Secretary

BACKGROUND:

City ordinance states that Council shall make annual appointments to the City's boards and commissions no later than the second regularly scheduled Council meeting in September. Citizens interested in volunteering their time to serve on one of the City's boards or commissions may submit an application to the City Secretary's Office for consideration by Council.

The annual appointments are for terms of two years, unless an individual is appointed to fill a vacancy. A "term year" is from October 1st until September 30th of the following year. The terms expire on the 30th day of September of the second year.

In the case of a vacancy, the Council shall appoint a replacement to fill an unexpired term. Council may consider appointing alternate members of said board, if available, to fulfill the vacancy prior to appointing new applicants.

As a result of the May 5, 2018 General Election, there is one (1) vacancy on the Planning & Zoning Commission, Place 5 and one (1) vacancy on the Board of Directors of the Highland Village Community Development Corporation for a Council Representative.

IDENTIFIED NEED/S:

Planning and Zoning Commission - The Planning and Zoning Commission is composed of seven (7) members, which includes five (5) regular members and two (2) alternate members. In 2017, Robert Fiester was appointed by City Council to Place 5 on the Planning and Zoning Commission. With the May 5, 2018 election, Mr. Fiester was elected to City Council and therefore resigned from the Planning and Zoning Commission, thereby creating a vacancy in Place 5.

Council may consider appointing an alternate member of said board to fulfill the vacancy prior to appointing new applicants. The following currently serve as alternates on the Planning and Zoning Commission:

- James Romo - Alternate Place 1 (appointed 09/2017)

- Tom Heslep - Alternate Place 2 (appointed 9/2017 to a 1-yr term to fill a vacancy)

If Council appoints one of the alternate members to Place 5, the Council should also consider a person to fill the newly vacant alternate position of the Commission. The following residents previously submitted applications during last summer's application period requesting to serve on the Planning and Zoning Commission:

- John Blaney
- Thomas Dickinson
- Kelley Scott
- Charles Payne
- Stanley (Ricky) Wilkins

The Council may appoint a person from among those who previously applied or may seek additional applications.

Highland Village Community Development Corporation (CDC) - The CDC Board of Directors is composed of seven (7) members, with at least three (3) members of the board of directors being people who serve as Citizen Members. The remaining four (4) members of the board of directors serve as City Representatives, which can include City employees, officers or members of the City Council.

Former Mayor Pro Tem Michelle Schwolert was previously appointed to serve as a Council Representative position on the CDC Board. As a result of the May 5, 2018 General Election, Mrs. Schwolert is no longer serving on City Council. Therefore, a vacancy now exists on the CDC Board for a Council Representative position.

PROGRESS TO DATE: (if appropriate)

Council discussed filling the vacancies earlier tonight during Early Work Session.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

To approve Resolution 2018-2753 appointing a person to fill a vacancy on the Planning & Zoning Commission and appointing a Council Representative to the Highland Village Community Development Corporation Board of Directors.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2018-2753

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS APPOINTING A PERSON TO FILL A VACANCY TO AN UNEXPIRED TERM ON THE PLANNING & ZONING COMMISSION AND A COUNCIL REPRESENTATIVE POSITION TO SERVE AN UNEXPIRED TERM AS DIRECTOR ON THE HIGHLAND VILLAGE COMMUNITY DEVELOPMENT CORPORATION BOARD OF DIRECTORS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Highland Village desires to make appointments to the Planning & Zoning Commission and to the Highland Village Community Development Corporation to fill a vacancy for an unexpired term.

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

SECTION 1. The following people are hereby appointed to the indicated positions on the Planning and Zoning Commission with terms ending as indicated below:

Name	Place	Expiration
_____	Place 5	September 30, 2019
_____	Alternate, Place 1	September 30, 2019 (if needed)
_____	Alternate, Place2	September 30, 2018 (if needed)

SECTION 2. The following person is hereby appointed to the indicated position on the Board of Directors of the Highland Village Community Development Corporation with a term ending as indicated below:

Name	Place	Expiration
_____	Council Representative	September 30, 2019

SECTION 3. This Resolution shall take effect immediately upon passage.

PASSED AND APPROVED this the 26th day of June, 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:6/20/18:2753)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 24

MEETING DATE: 06/26/18

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

PREPARED BY: Karen Bradley, Administrative Assistant to City Secretary

COMMENTS

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



UPCOMING EVENTS

Expected Absences: Mayor Pro Tem Busche – June 26, 2018

June 26, 2018 **Regular City Council Mtg. 7:30 pm**

July 4, 2018 **City Offices Closed in Observance of Independence Day**

July 5, 2018 Zoning Board of Adjustment Mtg. 7:00 pm (if needed)

July 10, 2018 HVCDC (4B) Mtg. 5:30 pm

July 10, 2018 **Regular City Council Mtg. 7:30 pm**

July 16, 2018 Park Board Mtg. 6:00 pm (if needed)

July 17, 2018 Planning & Zoning Commission Mtg. 7:00 pm (if needed)

July 24, 2018 HVCDC (4B) Mtg. 5:30 pm

July 24, 2018 **Regular City Council Mtg. 7:30 pm**

August 2, 2018 Zoning Board of Adjustment Mtg. 7:00 pm (if needed)

August 14, 2018 **Regular City Council Mtg. 7:30 pm**

August 20, 2018 Park Board Mtg. 6:00 pm (if needed)

August 21, 2018 Planning & Zoning Commission Mtg. 7:00 pm (if needed)

August 28, 2018 **Regular City Council Mtg. 7:30 pm**

September 3, 2018 **City Offices Closed in Observance of Labor Day**

September 6, 2018 Zoning Board of Adjustment Mtg. 7:00 pm (if needed)

September 11, 2018 **Regular City Council Mtg. 7:30 pm**

September 17, 2018 Park Board Mtg. 6:00 pm (if needed)

September 18, 2018 Planning & Zoning Commission Mtg. 7:00 pm (if needed)

September 25, 2018 **Regular City Council Mtg. 7:30 pm**

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

By: Karen Bradley, Administrative Assistant - City Secretary Office