



**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 25, 2019**

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

Roll Call

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

EARLY WORK SESSION

1. Receive an Update on the Copperas Branch Park Master Plan Project

Parks and Recreation Director Phil Lozano voiced the importance of community engagement for the project and updated Council on the information received through recent public meetings and on the City's new online engagement tool *Speak Up HV*. He stated the results have been great and that a lot of input has been gathered to date. Marketing and Communications Director Laurie Mullens provided a handout showing a summary of the Kick Off Meeting held in April, the Walk the Park event held in May, and the ideas that have been received through *Speak Up HV*.

2. Review of Council Goals and Objectives for FY Budget 2019-2020

City Manager Michael Leavitt reported the mission statement and core values were confirmed last year during the budget process and were used to guide staff in the development of our City and departmental objectives, which serve as a work plan to direct City staff in meeting the needs of Highland Village residents. As we enter into development of the FY 2019-2020 budget, Mr. Leavitt asked the Council to review the previous goals and objectives and let him or the City Secretary know of any changes or revisions for this year.

Councilmember Kixmiller stated he was pleased with the openness of recent budget meetings with City staff, the level of detail provided by the departments, and that most requests were less than the previous year. Mayor Wilcox concurred and stated she appreciated the teamwork and the knowledge and guidance provided by Mr. Leavitt and Assistant City Manager Ken Heerman.

3. Review the Capital Improvement Program (CIP) Budget for Fiscal Year 2019-2020

Mr. Heerman reported the City Charter calls for submission to Council of a five-year capital budget. He then explained that capital improvement projects are non-operational, "big-ticket" items that typically require outside funding sources such as debt issuance, grant, or lease/purchase arrangements. For planning purposes, the five-year capital budget to be presented provides an opportunity for Council to see a multi-year outlook and to provide the framework for consideration of the current year's budget and resulting tax rate.

Mr. Heerman stated that after years of substantial growth and with the city approaching substantial build-out, the community is more settled. Capital improvements relating to basic infrastructure have been widely supported, and improvements related to amenities/improved services, while desired, are viewed in context of affordability. The primary emphasis of 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 maintain 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.

Mr. Heerman said the current year of the five-year outlook is being developed as part of the proposed FY 2019-2020 Budget, and is preliminary at this point – to be updated during the budget process this summer. Mr. Heerman provided an update on the City's current capital projects, which include Parks and Public Works projects that were approved in the FY 2018 bond election. Those projects include:

- Street Improvements Project
- Unity Park – includes pond improvements, Kids Kastle play structure and addition of a softball field
- Brazos Park Parking Lot Expansion
- Victoria Park Walking Track
- Highland Village Road Sidewalk – construction from Municipal Complex to Sellmeyer Lane
- Sunset Point Park Improvements

Mr. Heerman reported projections for some of the current park bond projects listed above exceed the available proceeds by approximately \$550,000. City staff and Council will evaluate various options to address this shortfall during the budget process. Mr. Heerman

added that a preliminary projection of fund balances show sufficiency to provide this funding, if desired.

Future potential capital projects for consideration were also presented and included: Unity Park Entry Update, Chapel Hill Trail Connection, Lower Sellmeyer Park Improvements, Lions Club Park Improvements, Turpin Park Improvements and Phase II Street Reconstruction Projects. The Unity Park Entry Update and Chapel Hill Trail Connection may be addressed in the FY 2019-2020 budget. The remaining items may be addressed in the FY 2024 budget as future proposed bond projects.

Preliminary projections, which will be refined during the budget process throughout this summer, does provide capacity to consider debt issues within the five-year outlook. However, Mr. Heerman also reported increases in valuation appear to be leveling off and, coupled with State legislative action this session to limit property tax revenue growth in cities, will prompt a more conservative outlook. The outlook is based on implementing an additional ½-cent decrease in FY 2021 and maintaining current tax rate following, also incorporating current trends in both revenues and expenditures to provide projections. Any number of factors could change the outcome though.

Budget discussions will continue at City Council meetings throughout July and August.

4. Clarification of Consent or Action Items listed on Today's City Council Regular Meeting Agenda of June 25, 2019

No items were discussed.

Time permitting, Agenda Item #18 was moved up on the agenda and presented during Early Work Session.

18. Receive an Update on the 86th Texas Legislative Session

Mr. Leavitt reported the number of bills introduced since 2001, especially in the number of city-related bills, have greatly increased. He stated SB 2 goes into effect on January 1, 2020 and modifies the procedure for approval of a tax rate that exceeds the voter-approval rate. SB 2 reduces the 8% cap on revenue to a 3.5% cap on revenue. For cities under 30,000 in population, SB 2 does provide smaller taxing units some relief from the 3.5% voter-approval tax rate.

Other bills included in the update related to sales tax, elections, open government and administration bills. Councilmember Fiester asked for clarification regarding HB 2439. Mr. Leavitt reported this will affect the City's base zoning ordinance requirement of having 80% masonry, as well as the City's look and feel architectural standards. City Attorney Kevin Laughlin reported deed restrictions of Homeowner Associations (HOAs) are exempt from HB 2439, providing the HOA has already been enforcing their restrictions.

CLOSED SESSION

Council convened into Closed Session at 7:18 p.m.

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 551.071 – Consultation with City Attorney regarding lawsuit styled City of McAllen, et. al. v State of Texas, Cause No. D-1-GN-17-004766 in the 353rd Judicial District Court, Travis County, Texas**

Council concluded Closed Session at 7:26 p.m.

OPEN SESSION

6. Call to Order

Mayor Charlotte J. Wilcox called the meeting to order at 7:32 p.m.

Roll Call

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

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

Deputy Mayor Pro Tem Fleming gave the invocation.

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

Deputy Mayor Pro Tem Fleming led the pledges.

9. Visitor Comments

No one wished to speak.

10. City Manager/Staff Reports

- **HVTV Update**

The HVTV Update featured the HVBA Foodie Friday video on The Brass Tap in The Shops at Highland Village and the Factual Phil segment informed residents of how seasonal changes may affect the taste of your water.

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**

Deputy Mayor Pro Tem Barbara Fleming reported Fire Department Driver/Operator Vince Jones was honored today at the Lewisville Chamber luncheon as the First Responder of the Month. She and Mayor Pro Tem Mike Lombardo also reminded everyone of the weekend fund raising events being held for Vince.

- **Swearing In of Police Officers Javier Noriega and Kristen Andrews**

Chief Reim swore in Officer Javier Noriega and Officer Kristen Andrews. Their families and officers from the Highland Village Police Department were in attendance.

- **Presentation of Award from the Texas Association of Municipal Information Officers (TAMIO) for the 2019 State of the City Video in the Special One-Time Program Video Category**

Mayor Wilcox presented the award to Laurie Mullens and Andrew Boyd. They received the award from the TAMIO for their work in producing the 2019 State of the City video. Crystal Babcock was not in attendance but was also recognized for her contribution in producing the video.

- **Vince's Band of Brothers Update**

Chief Thomson provided an update on Vince's Band of Brothers fundraising efforts for Vince Jones who is battling stage 3 pancreatic cancer.

CONSENT AGENDA

12. **Consider approval of Minutes of the Regular City Council Meeting held on June 11, 2019**
13. **Consider Resolution 2019-2823 authorizing the City Manager to Execute a Task Order with BW2 Engineers, Inc. for Infiltration/Inflow Analysis Testing**
14. **Receive the Capital Improvement Program (CIP) for Fiscal Year 2019-2020**

Motion by Councilmember Fiester, seconded by Councilmember Heslep, to approve Consent Agenda Items #12 through #14. Motion carried 7-0.

ACTION AGENDA

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

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

NO ACTION TAKEN

- (b) **Section 551.071 – Consultation with City Attorney regarding lawsuit styled City of McAllen, et. al. v State of Texas, Cause No. D-1-GN-17-004766 in the 353rd Judicial District Court, Travis County, Texas**

APPROVED (7 – 0)

Motion by Deputy Mayor Pro Tem Fleming, seconded by Councilmember Jaworski, to authorize the City’s Attorneys in the Lawsuit styled City of McAllen versus the State of Texas to amend the lawsuit to include a challenge to the constitutionality of Senate Bill 1152 enacted by the 86th Regular Session of the Texas Legislature. Motion carried 7-0.

16. **Conduct a Public Hearing and Consider an Ordinance relating to an application for Rezoning of the Property located at 1400 Highland Village Road**

**** THIS ITEM HAS BEEN POSTPONED PENDING ACTION BY THE PLANNING AND ZONING COMMISSION ****

17. **Consider Resolution 2019-2824 authorizing a Contract with Play by Design for Engineering Services at Kids Kastle**

APPROVED (7 – 0)

Parks and Recreation Director Phil Lozano reported a community build playground was constructed in 1994 at Unity Park, which was named “Kids Kastle”. He stated the 20,000 square foot playground has become a favorite place for children and families to spend time together over the years; however, Kids Kastle has reached the end of its useful life and needs to be replaced. Staff advertised Requests for Qualifications (RFQ) and received two (2) proposals. Mr. Lozano stated both vendors provided presentations and were interviewed with the joint City staff and Parks and Recreation Advisory Board panel. Based on the published selection criteria, interviews, references, competence, and qualifications, it was determined the City enter into a contract with Play by Design for professional playground design and construction services.

Motion by Councilmember Fiester, seconded by Deputy Mayor Pro Tem Fleming, to approve Resolution 2019-2824. Motion carried 7-0.

LATE WORK SESSION

18. **Receive an Update on the 86th Texas Legislative Session**

With time permitting, this item was presented during Early 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 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.)**

Mayor Wilcox reminded everyone the July 9 Council meeting was cancelled and the next meeting is scheduled for July 23.

20. Adjournment

Mayor Wilcox adjourned the meeting at 8:03 p.m.

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary