

MINUTES OF AN ONLINE STUDY SESSION OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS, HELD VIA VIDEOCONFERENCE, AT 8:07 A.M. ON TUESDAY, JUNE 2, 2020.

Prior to the study session, Gayle Kirby, Town Secretary, explained that as provided by the State of Texas, this online Town Council study session could be viewed online via the Town's website or listened to by telephone, and gave the toll-free and alternate telephone numbers, as well as the access number for citizens to call. Ms. Kirby conducted a roll call of the Town Council Members. Present at the study session were Mayor Margo Goodwin, Mayor Pro Tem David Dowler, and Town Council Members Jimmy Grisham, Marc Myers, Lydia Novakov, and Craig Penfold.

Mayor Goodwin called the work session to order at 8:07 a.m.

UPCOMING AGENDA DISCUSSION

Action

“Review, discuss, and consider approval of Resolution No. 005-20 supporting Dallas County’s renewal of the Community Development Block Grant and HOME Program.” On a motion by Council Member Myers, seconded by Council Member Novakov, the Town Council unanimously approved Resolution No. 005-20 authorizing the Mayor to execute a cooperative agreement supporting Dallas County’s renewal of the Community Development Block Grant and HOME Program. Kirk Smith, Assistant Director of Town Services, explained that since 1988, Dallas County’s Community Development Block Grant Program has been in existence, and since 2005, the Town has supported the Program by allowing Dallas County to incorporate the Town’s population numbers, while not applying for or utilizing any funds granted to the County. The County benefits by potentially receiving more federal grant money for areas of low-to-moderate income to fund such projects as road reconstruction, water/sewer installation, park improvements, code enforcement, down-payment assistance, and housing reconstruction.

RESOLUTION NO. 005-20

A RESOLUTION OF THE TOWN OF HIGHLAND PARK, TEXAS (“TOWN”), AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE AGREEMENT SUPPORTING DALLAS COUNTY’S RENEWAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME PROGRAM.

“Review, discuss, and consider approval of Resolution No. 006-20 appointing the Town’s representative to the Dallas Area Rapid Transit Board of Directors.” On a motion by Council Member Penfold, seconded by Council Member Myers, the Town Council voted unanimously to approve Resolution No. 006-20 appointing Gary A. Slagel to the aggregated position of representative to the Dallas Area Rapid Transit Authority Board of Directors. Bill Lindley, Town Administrator, explained that the Town shares representation on the DART Board with the Cities of Richardson and University Park, and the Town of Addison. Mr. Slagel has served as a Board Member since 2011, and prior to that, served as Mayor for the City of Richardson. Mr. Slagel is seeking reappointment for a two-year term. In response to a question from Mayor Goodwin, Bill Lindley affirmed that the Board position is not a paid appointment.

RESOLUTION NO. 006-20

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS, REAPPOINTING GARY A. SLAGEL TO THE AGGREGATED POSITION OF REPRESENTATIVE TO THE DALLAS AREA RAPID TRANSIT AUTHORITY BOARD OF DIRECTORS, WHICH FRACTIONAL ALLOCATION MEMBERSHIP IS SHARED WITH THE CITY OF RICHARDSON, THE CITY OF UNIVERSITY PARK, AND THE TOWN OF ADDISON; AND PROVIDING AN EFFECTIVE DATE.

“Review, discuss, and consider approval of Resolution No. 007-20 confirming the Mayor’s appointment of members to the Finance and Audit Advisory Committee.” On a motion by Council Member Novakov, seconded by Council Member Myers, the Town Council unanimously approved Resolution No. 007-20 confirming the Mayor’s appointment of members to the Town’s Finance and Audit Advisory Committee. Steven Alexander, Director of Administrative Services and Chief Financial Officer, explained that the appointments are for a term of two years, the current members have served since 2013, and the Town Council recently voted to not restrict the number of terms a member may serve. The Committee consists of a Chairman, Michael Lewis, and two members, Alan Custard and Richard Litton, who serve with Mayor Pro Tem Dowler and Council Member Penfold. Additionally, Mayor Goodwin and Bill Lindley serve as ex officio members. Mayor Goodwin added that the Committee was instituted by Mayor Joel Williams to review and advise the Town on the Budget, the annual audit, and various areas of municipal and general finance. The appointments are unpaid positions.

RESOLUTION NO. 007-20

A RESOLUTION OF THE TOWN OF HIGHLAND PARK, TEXAS CONFIRMING THE APPOINTMENT OF MEMBERS TO THE TOWN’S FINANCE AND AUDIT ADVISORY COMMITTEE.

Mayor Goodwin asked if any callers wished to ask questions offer comments, to which no response was heard.

Consent

“Review and discuss bids for Fairfax Park Site and Utility Improvements.” Lori Chapin, P.E., Director of Engineering, explained that the project is divided into two phases. Phase 1 consists of the Site and Utility Improvements, and Phase 2 consists of the reconstruction of the Tennis Courts. Included in Phase 1 are: (i) the relocation and/or upgrading of two 6-inch and one 24-inch transmission lines; (ii) the reconstruction of Roland Avenue from Beverly Drive to Edmondson Avenue; (iii) regrading the existing playfield and updating the irrigation system as needed; (iv) the construction of a five-foot-wide pathway around the perimeter of the park; and the installation of two quick-fill water drinking fountains. Nu Way Construction, LLC, a relatively new contractor in the area, submitted the low bid in the amount of \$724,600. Their references were thoroughly checked and the staff is comfortable awarding this contract to them. In response to questions, Ms. Chapin stated that Kimley-Horn, the Town’s consulting engineering firm, will not actually serve as the construction manager on this project; Town staff will serve in this function, and consult with Kimley-Horn should the need arise. Ms. Chapin further explained that the bid does not include a contingency. Bill Lindley added that this type of Town contract is based on unit pricing. In

response to additional questions, Ms. Chapin stated that the two bid phases are targeted to be completed in March 2021. Council Member Penfold stated that neighbors have expressed concerns regarding the playground equipment, specifically, that the Town is building a new park and reinstalling old equipment. In his opinion, the Town Council should consider installing new equipment, referencing the existing park equipment and the new playground equipment installed at Armstrong Elementary School. Bill Lindley questioned whether the Town Council would want to budget between \$200,000 and \$1,000,000 for new playground equipment, suggesting that the subject could be discussed at a later date. He mentioned that during a previous Town Council meeting, the Town Council elected not to spend \$1,000,000 on new playground equipment at Fairfax Park. Council Member Penfold responded that the equipment could be modified and cleaned. In response to Council Member Penfold's suggestion to remove the "no parking" signs on Edmondson Avenue and create parking for 6 to 7 vehicles, Bill Lindley referenced a previous discussion of the subject by the Town Council, suggesting that the topic be addressed in the future. Mayor Goodwin stated that the parking and playground equipment could be considered at a later date; the playground equipment was previously reviewed and determined to be safe.

FUTURE AGENDAS DISCUSSION

No items assigned to this category.

REPORTS

"Review and discuss recreational swim opportunities for the 2020 Pool Season." Kathleen Stewart, Director of Town Services, reviewed Covid-19 trends in Dallas County, and explained that there is no evidence that the virus could be transmitted in the swimming pool. Based on State of Texas and Centers for Disease Control ("CDC") guidelines, requirements to maintain social distancing of six feet and operate at 25% occupancy were incorporated as best practices for this year's pool season. Additionally, all transactions to purchase season permits and day passes will be conducted online; the concession stand will not open; online reservations are required and may be made up to 3 days in advance; children age 15 and under must be accompanied by a parent; and a maximum of 45 residents and 5 staff members may be admitted in the pool area. Reservations for Lap Swim are available from 7:00 a.m. to 10:00 a.m. in increments of 30 minutes for up to one hour, and for Open Swim from 10:00 a.m. to 8:00 p.m. in increments of two hours (10:00 a.m. to noon, noon to 2:00 p.m., 2:00 p.m. to 4:00 p.m., etc.) for groups of a maximum of six persons, and a maximum of three days per week. In response to questions, Mrs. Stewart explained that pool occupancy was based on a total capacity of 200, utilizing 75% of the pool area, allowing for 6-foot social distancing between patrons; the deep end was closed, the diving boards were removed, and screening was installed on the access ladders in the deep end. Additionally, masks covering the nose and mouth are encouraged when entering and exiting the gates and, in the restrooms, according to CDC guidelines, for anyone over the age of 2. There are separate gates for entering the pool and exiting the pool; common surfaces such as rails, decking around the pool, pool equipment, and pool furniture will be cleaned during the 15-minute break between reservations; permits, daily passes, and reservations will be issued only for residents of Highland Park; and the rules will remain in effect based on the recommendations of Bill Lindley and the Town Council. Mayor Goodwin asked that the rules include the notation, "until further notice," and Mrs. Stewart stated that it will be added to notices in the Blue Zone News, Twitter, and signage at the pool as well. Bill Lindley added that the 25% occupancy limit is controlled by Governor Abbott; the percentage may be expanded to 50% or to 75%, but he did not foresee the removal of this

restriction during this season. Mr. Lindley stated that University Park's pool will be open only for Lap Swim at this time. Mayor Goodwin asked if any callers wished to offer comments, to which no response was heard. In response to further questions, Kathleen Stewart explained that a laser thermometer will be utilized to take the temperatures of patrons prior to entering the pool area; pool regulations are listed on the reservation forms and posted on the Town's website.

"Review and discuss scheduling public meetings for the Town during the COVID-19 pandemic." Gayle Kirby, Town Secretary, stated that the purpose of this item is to seek direction from the Town Council with regard to public meetings being held at Town Hall. The options for resuming meetings in person at Town Hall include: (i) meeting in the Map Room/Executive Conference Room, with the Town Council Members seated six feet apart at the conference table, with staff entering the room to present their topics, and exiting when finished; (ii) meeting in the Town Council Chamber with three Town Council Members seated around the dais and three Town Council Members seated at the staff tables to maintain social distancing; or (iii) continuing to meet via videoconference until a later date. Chairs for the public in the Town Council Chamber would be separated by at least six feet; however, this would reduce the seating capacity by 75%. Following a discussion regarding the merits of the Town Council Chamber and the Executive Conference Room, Mayor Goodwin asked Matthew Boyle, Town Attorney, if virtual Town Council Meetings via videoconference would continue to be a legal option. Mr. Boyle explained that it is legal until June 12, 2020, subject to possible extension. Mayor Goodwin expressed her preference to meet in the Executive Conference Room. Mayor Pro Tem Dowler remarked about the challenge of not interfacing in live meetings, expressed his opinion that meeting in the Executive Conference Room is preferable, and concluded by indicating that if allowed, virtual meetings would be his preference. Council Member Novakov stated her preference to not risk being exposed to the virus, and for that reason, stated her preference to continue videoconference meetings. Council Member Grisham stated his opinion that it is a little early to resume meeting in person, and voiced his agreement to continue videoconference meetings; Council Member Myers expressed his agreement with Council Member Novakov, and voiced his preference to continue videoconference meetings. Council Member Penfold stated that meeting in person is better, but he agreed with Council Member Novakov, and suggested possibly waiting until the fall to resume meetings at Town Hall. Following the discussion, Mayor Goodwin suggested reviewing on a monthly basis, until more is known about the virus.

"Review and discuss the Fiscal Year 2020-21 Combined Operating and Capital Budget." Steven Alexander explained that at this time, departments are submitting their requests for next year, and this is another opportunity for the Town Council to provide input regarding programs and projects they wish to include in the Budget, as well as tax rate and user fees to include. Mr. Alexander explained the process of setting the property tax rate, and described the limitations placed on local government entities by legislation adopted last year. The Effective Tax Rate (former language) is the tax rate that would generate the same revenue in dollars as that received in the current tax year, and is now known as the "No New Revenue Rate." The Rollback Tax Rate (former language) is now known as the "Voter Approval Rate," and is the maximum rate that the Town Council could approve without being subjected to an election, which can be called only by a petition of the public. This rate is now limited to an increase of 3.5% above the revenues generated in the current tax year. This would require the Town Council to approve the Budget early and call an election by August 17, 2020, for the November election. With the current Disaster Declaration in place, the Town Council can authorize the Voter Approval Rate to be calculated at 8% above the No New Revenue Rate, but it is not obligated to use all of the 8%. Available options include: (1) keep the

tax rate at \$.23 per \$100 valuation; (2) increase the tax rate above the Voter Approval Rate, which would require the staff to fast-track the Budget approval process by August 17, in order to call an election in November; and (3) authorize staff to calculate the Voter Approval Rate at 8%, pursuant to the Disaster Declaration. By pursuing the Disaster Declaration, the Town could utilize the 8% threshold in the following year, with no requirement to use the entire 8%, providing room to grow the tax rate to the extent needed without an election. Mayor Goodwin stated that she discussed the options with Bill Lindley and Steven Alexander, adding that the Town has a hefty reserve funds. She is philosophically not interested in raising taxes. Last year, the Town Council voted to raise the property tax rate from \$.22 per \$100 valuation to \$.23. Council Member Myers commented that raising the tax rate would send the wrong signal with the current financial stress being experienced. Council Member Penfold voiced his opposition based on the information provided and his promise to never again vote for a rate increase after last year's tax increase. Council Member Grisham and Council Member Novakov stated that they do not want to increase the tax rate. Mayor Pro Tem Dowler inquired if the definition of "disaster" could result in a court challenge if the property tax rate were increased; Steven Alexander affirmed, based on conversations with the Texas Municipal League and the Town Attorney, that such an increase would fit within the definition. Mr. Alexander explained that staff is not seeking a vote at this time; a resolution to increase the tax rate by 8% pursuant could be approved at a later date. Following a discussion, Mayor Goodwin stated her belief that all Town Council Members are not in favor of increasing the property tax rate, and the direction is to keep the rate at \$.23 for now. Steven Alexander again asked the Town Council Members to advise of any projects or programs they would like to incorporate into the Budget; the next Town Council study session will provide another opportunity for dialog. The Budget will be presented to the Town Council at the end of July.

Mayor Goodwin adjourned the study session at 9:32 a.m.

APPROVED on this the 16th day of June, 2020.

BY:



Margo Goodwin
Mayor

ATTEST:



Gayle Kirby
Town Secretary