

MINUTES OF AN ONLINE STUDY SESSION OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS, HELD VIA VIDEOCONFERENCE, AT 8:09 A.M. ON TUESDAY, AUGUST 18, 2020.

Prior to the study session, Tempest Brunson, Town Services Coordinator, explained that as provided by the State of Texas, this online Town Council study session could be viewed 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. Mrs. Brunson 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.

UPCOMING AGENDA DISCUSSION

Action

Review, discuss, and consider extending the allowable days of construction for a building permit for the construction of a new single-family residence at 3727 Beverly Drive. In 2017, the Town denied an application for a building permit for the construction of a new single-family residence with a basement at 3727 Beverly Drive. The staff denied the application because the construction schedule showed completion of the new residence in thirty (30) months. The building official can only approve the issuance of a permit when construction can be completed in twenty-four (24) months. The property owner and general contractor attended the Study Session in July 2017 to request the thirty (30) month construction duration. The pre-permit extension was authorized by the Town Council and the permit was issued with work beginning November 1, 2017 with completion anticipated by May 1, 2020. In October 2019, the property owner notified the Town they were changing general contractors on the project from Goff Custom Homes to Hardy Construction LLC. The Town Council approved 6-month permit extension was paid by the property owner at the time of the transition. Staff has received only one complaint related to visibility involving parked vehicles near the entrance of the alley. The builder promptly resolved the issue. The potential financial impact could be an additional permit extension fee of \$35,000, together with the previous permit extension and original fee, for a total of \$140,000. The Mayor noted it was unusual and prudent measure for the resident to request the extension before the project began. The Mayor asked if the Council had questions for Kirk Smith, Assistant Director of Town Services, to which there were none. The Mayor then asked if there were any questions from callers, to which there were none. Council Member Penfold asked if a representative was available. Mr. Steven Hardy, contractor, responded in the affirmative. Council Member Penfold asked what the delay had been for the project. Mr. Hardy responded that he had taken over the project and his team was working diligently to keep the project on schedule since he took over. He cannot speak on the previous timeline. Council Member Grisham commented that Mr. Hardy is the second contractor on the project. Council Member Penfold commented that he drove by the project yesterday and didn't see anyone working at the location. Mr. Hardy stated that his team is attempting to spread out his staff's parking to lessen crowding on Eton Avenue, and staff is working inside the home. Council Member Myers asked about a tall dirt pile in the front yard. Mr. Hardy confirmed that the dirt pile and the dumpster in the front yard were recently removed. On a motion by Council Member Grisham, seconded by Mayor Pro Tem Dowler, the Town Council voted unanimously to approve extending the allowable days of construction for a building permit for the construction of a new single-family residence at 3727 Beverly Drive.

Consent

Review and discuss interlocal agreements with the City of University Park for the Drug Abuse Resistance Education and the School Resource Officer programs. The City of University Park has sponsored the Drug Abuse Resistance Education ("DARE") program in the Highland Park Middle School since 1994. In 2004, the Town entered an interlocal agreements to pay 25% of the cost for a DARE officer at the Highland Park Middle School, and 25% of the cost for a School Resource Officer ("SRO") at the Highland Park High School. These agreements have been renewed annually since that time. The percent cost allocation is based on estimated student populations residing in the Town. The cost of the two (2) programs will increase slightly next year based on salary adjustments by the City of University Park. The Town's 25% share for the DARE program in the 2020-21 school year is \$25,329.38. The Town's 25% share for the SRO program in the 2020-21 school year is \$25,107.71. Both costs are fully funded in the proposed FY 2020-21 Budget. The Mayor stated that the University Park officers for each program have extensive institutional knowledge. Council Member Penfold complimented Chief Sandman on the presentation of these two interlocal agreements and the positions they fund. Both schools are in University Park, hence the jurisdictional positioning.

Review and discuss the continuation of an interlocal agreement with the Highland Park Independent School District to provide funding for School Based Law Enforcement officers at Armstrong Elementary School and Bradfield Elementary School. The agreement was drawn from the current school crossing guard agreement between the Town, the Highland Park Independent School District ("District") and the City of University Park (the "City"); the Town budgeted \$175,000 this year. The agreement is complimentary to other collaborative partnerships with the District and the City, such as the DARE-SRO programs (\$50,000 budgeted by the Town this year). Consistent with the Town Council's direction during the initial development of the program, the agreement provides for the Town to fund the salary and related benefits for the two SBLE officers. The FY 2021 Budget provides \$200,000 for the two current SBLE officers and funding for a future budget year to participate with the City in the shared costs for a police officer assigned to the Mike Boone Elementary School. The Mayor summated safety at the elementary schools and commented that no one ever thought schools would need such security measures. The most dangerous times for students are the drop-off and pick-up periods. The City hired two full time officers for these positions at their schools. Council Member Myers commented that parents must be appreciative of uniformed officers on site to provide protection at the schools. Council Member Penfold suggested considering the Town's own triple-trained officers at the schools in the future. The Mayor thanked Chief Sandman and noted this would be an action item on a future Council meeting.

REPORTS

Review and discuss options for the Douglas Park Drainage and Landscaping Restoration project pathway improvements. On August 6, 2020, a public meeting was held at Douglas Park to allow Town Council, staff, and the consultants to tour the park and review the existing and proposed drainage and landscaping elements. Staff is seeking direction by the Town Council on the following items that were noted during the walking tour: prepare standards for the portion of fencing that faces the park; install a gate at the eastern area of the park near the inlet and walk reserve; and the walking pathway can stop mid-way, or be extended as a full loop. Staff recommends constructing a full walking pathway loop and installing a gate. The FY 2020 Capital Improvement Program will fund this project. The Mayor asked what the positives would be to

have the full, looping path. Kathleen Stewart, Director of Town Services, explained the full loop allows access for staff and utility companies in all-terrain vehicles (“ATV”) to access the bridle path/ easement without destroying landscaping and turf grass. Service vehicles and trucks will not be allowed in the park or easement, only ATVs. The Mayor commented that neighbors are concerned about the public accessing the bridle path/ easement, and understands the gate is necessary. Mayor Pro Tem Dowler didn’t attend the meeting but was able to examine the plans. He stated the halfway path is more visually interesting. The full loop looks wedged into the narrow end of the park. Bill Lindley, Town Administrator, agreed with the Mayor that Town property needs to be accessible for maintenance, and Mr. Lindley gave a brief history of the bridle path use in the past, before automobiles. The Mayor noted the halfway path was the Council’s choice and if the maintenance ATVs or utility service access damages the turf, the full loop path can be added. Council Member Penfold added that camouflaging the inlet would be better than the bright white stone shown previously. The Mayor confirmed that bright white stone was not accurate and will not be used.

Review and discuss the proposed Combined Operating and Capital Budget for Fiscal Year 2020-21. Steve Alexander, Director of Administrative Services and CFO, explained that staff provides an item on each of the study sessions leading up to budget’s adoption on September 15, to allow for the Council to ask questions related to the budget. Staff will reduce property tax revenue by approximately \$56,000 as related to the final certified rolls that come out later this week. The water rate adjustment proposed this year, will be adjusted to the next fiscal year after getting direction from the Council. Solid waste rates will be adjusted based on contractual requirements. The last section of this briefing is related to the disputed taxable assessed value from the Dallas Central Appraisal District (“DCAD”). The letter from DCAD in July included 34.21% of the taxable assessed value under protest, which is very different that previous years. The Mayor commented that the number from previous years is the final percentage presented in the certified rolls and 2020 is based on the estimated certified rolls. The percentage may not be the total disputed values versus total protests. Mr. Alexander agreed and stated that it is not a fair comparison simply because DCAD is dealing with the COVID-19 issue which has delayed the process of working through disputed values. Public hearings on the Proposed Budget are scheduled at 8:00 a.m. on August 18, 2020 and 8:00 a.m. on September 1, 2020. The Town Council is scheduled to consider approval of the Proposed Budget at its meeting on Tuesday, September 15, 2020.

Review and discuss the Financial and Investment Report for the period ending June 30, 2020. The Year-to-Date percentage for budgetary comparison purposes is 75.0%. The General and Utility Fund combined expenditures and encumbrances amount to \$24,965,211 or 67.1% of the Fiscal Year 2019-20 Combined Budget. The total market value of the Town's cash and investment portfolio on June 30, was \$41,188,754, yielding an average weighted return of 0.73%, with an average maturity of 70 days.

Review and discuss the Quarterly Investment Report for the quarter ending June 30, 2020. the book value of the Town's investments was \$41,188,754, with a market value of \$41,188,754. Current quarter average yield for the portfolio is 0.73%, with a fiscal year-to-date average yield of 1.50%. Quarterly interest income was approximately \$91,278, with year-to-date interest income of \$500,699.

CLOSED SESSION

- 1. In accordance with the Texas Government Code Chapter 551, Subchapter D, Section 551.071 - CONSULTATION WITH ATTORNEY - the Town Council will convene into closed session for consultation with and legal advice from the Town Attorney regarding pending or contemplated litigation: USAI, LP v Town of Highland Park (Cause No. DC-20-08213).*
- 2. In accordance with the Texas Government Code Chapter 551, Subchapter D, Section 551.071 - CONSULTATION WITH ATTORNEY - the Town Council will convene into closed session for consultation with and legal advice from the Town Attorney regarding pending or contemplated litigation: McCullers v. USAI, et al. (Cause No. DC-18-08709).*

Mayor Goodwin recessed the study session at 9:38 a.m. and convened a closed session pursuant to: (1) Section 551.071 of the Texas Government Code to consult with and seek legal advice from the Town Attorney regarding pending or contemplated litigation: McCullers v. USAI, et al. (Cause No. DC-18-08709); and (2) Section 551.071 of the Texas Government Code to consult with and seek legal advice from the Town Attorney regarding pending or contemplated litigation: USAI, LP v Town of Highland Park (Cause No. DC-20-08213).

OPEN SESSION

- 1. Pursuant to Section 551.102 of the Texas Government Code, the final action, decision, or vote regarding Closed Session Item 1. above, shall be made, if any.*

No action, decision, or vote was taken on Open Session Item 1.

- 2. Pursuant to Section 551.102 of the Texas Government Code, the final action, decision, or vote regarding Closed Session Item 2. above, shall be made, if any.*

No action, decision, or vote was taken on Open Session Item 2.

Mayor Goodwin closed the closed session at 10:01 a.m. and reconvened the study session in open session. No final action, decision, or vote was taken during the closed session.

Mayor Goodwin adjourned the study session at 10:01 a.m.

APPROVED on this 1st day of September 2020.

BY:



Margo Goodwin
Mayor

ATTEST:



Tempest Brunson
Interim Town Secretary