

MINUTES OF A STUDY SESSION OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS, HELD AT TOWN HALL, 4700 DREXEL DRIVE, HIGHLAND PARK, TX, 75205 AT 8:17 A.M. ON TUESDAY, APRIL 4, 2023.

Present at the meeting were Mayor Will C. Beecherl, Mayor Pro Tem Craig Penfold, and Town Council Members Marc Myers, Lydia Novakov, and Leland White. Absent from the meeting was Council Member Don Snell.

Future Agenda Discussion

Review, discuss, and consider the selection of PlainsCapital Bank as the Town's bank depository for a two-year period beginning July 1, 2023. Karen Kurtin, C.P.A., Deputy Chief Financial Officer, explained that the selection of a bank depository for the Town is governed by the State of Texas Local Government Codes: Chapter 105 Municipal Depository Act; Chapter 176 Conflict of Interest Act; Chapter 2256 Public Funds Investment Act; and Chapter 2257 Public Funds Collateral Act. Tim Pinon, Valley View Consulting, L.L.C ("VVC") representative, explained that the current bank depository agreement with PlainsCapital Bank expires June 30, 2023. As part of its agreement with the Town, VVC assisted Town staff with obtaining Requests for Application ("RFA") from qualified banks to select a bank depository for the two-year period beginning July 1, 2023, with three optional one-year extensions. Seven responses to the RFA were received from banks. A non-mandatory, pre-application virtual conference to review the RFA was held on January 19, 2023. VVC reviewed the applications and prepared an analysis of each for comparison. The responding banks each satisfied the basic requirements included in the RFA. Town staff and VVC concur with accepting the application from PlainsCapital Bank. PlainsCapital Bank offered the most favorable terms and conditions of the applications received; has a proven track record of performance as the current depository; and continuing with the incumbent eliminates the work of changing banks. On a motion by Mayor Pro Tem Craig Penfold and seconded by Council Member Marc Myers, the Town Council unanimously voted to approve the selection of PlainsCapital Bank as the Town's bank depository for a two-year period beginning July 1, 2023.

Review, discuss, and consider ratifying the purchase of a backhoe for Public Works. Lori Chapin P.E., Director of Engineering, explained that during the budget process, the Public Works department submitted a request to replace a 2014 backhoe that was near the end of its useful life and lacked several operational and safety features important for safe and efficient equipment operation. As such, the replacement purchase of this equipment was included in the FY 2023 Adopted Budget. Following the adoption of the FY 2023 Budget, a purchase order was issued on October 10, 2022, to Associated Supply Company ("ASCO") for procurement of the replacement backhoe. Delivery of the replacement backhoe occurred on March 16, 2023. Upon receipt of the invoice, Town staff recognized that the purchase, while approved in the FY 2023 Adopted Budget, should have been presented to Town Council for approval before issuing a purchase order. While the method of purchasing the backhoe complies with State purchasing laws, it is the Town's policy that the Town Council approve any purchase over \$50,000. In response to a question raised by Mayor Pro Tem Penfold, Ms. Chapin explained that the purchase of the replacement backhoe from ASCO was made through Buyboard, a local government purchasing cooperative. Products and services are contracted with vendors after having been subjected to either a competitive bid or competitive proposal process. Purchasing through Buyboard allows the Town to take advantage of economies of scale that result in lower pricing that likely would not be received otherwise. On a motion by Mayor Pro Tem Craig Penfold and seconded by Council Member Lydia Novakov, the Town Council unanimously voted to approve ratifying the purchase of a backhoe for Public Works.

Review, discuss, and consider the opportunity for a Town Council Member to request an item to be placed on a future Town Council meeting agenda. The Mayor asked if any Town Council Member would like to request an item be placed on a future Town Council study session agenda for discussion or consideration. No comment was made.

Reports

Review and discuss the quarterly Capital Improvement Plan for Fiscal Year 2023. Lori Chapin P.E., Director of Engineering, presented a status update of projects associated with the Capital Improvement Plan (“CIP”). Ms. Chapin and Chelsey Gordon, Assistant Director of Development Services, provided updates on projects including Lakeside Park Improvements, 30-inch Turtle Creek Sanitary Sewer Interceptor and Lakeside Drive Reconstruction, Hackberry Creek Improvements, and Holland Elevated Storage Tank. In response to questions raised by Council Member Leland White and Marc Myers, Ms. Chapin confirmed that when a project is in a certain proximity to residents, they are informed of the details of the project through various communication channels. Some project statuses are on the website; however, the Engineering Department’s goal is to have a dashboard added to the website for regular updates on all projects. Mayor Beecherl asked the Town Council if they had any questions, to which there were none.

Review and discuss the monthly Financial and Investment Report for the period ending February 28, 2023. Karen Kurtin, C.P.A, Deputy Chief Financial Officer, presented highlights of the Financial and Investment Report. This report is for the period ending February 28, 2023, which marks the completion of the fifth month of the 2022 - 2023 fiscal year. Therefore, the year-to-date percentage for budgetary comparison purposes is 41.7%. General and Utility Fund combined revenues amount to \$31,768,150, which is 69.1% of the annual budgeted amounts. The General and Utility Fund combined expenditures and encumbrances amount to \$20,042,071 or 43.3% of the Fiscal Year 2022-2023 Combined Budget. The total market value of the Town's cash and investment portfolio on February 28, 2023, was \$67,953,805, yielding an average weighted return of 4.02%, with an average maturity of 103 days. Mayor Beecherl asked the Town Council if they had any questions, to which there were none.

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-20-80213).
2. In accordance with Texas Government Code Chapter 551, Subchapter D, Section 551.071 - Consultation with Town Attorney - the Town Council will convene into closed session to consult and receive legal advice from the Town Attorney regarding land rights (Easement Agreement).
3. In accordance with the Texas Government Code Chapter 551, Subchapter D, Section 551.074, – Personnel Matters – the Town Council will convene into closed session to deliberate the appointment, employment, and duties of the Town Administrator.

Mayor Beecherl recessed the study session at 9:09 a.m. Mayor Beecherl convened a closed session at 9:12 a.m., pursuant to: (1) In accordance with the Texas Government Code Chapter 551, Subchapter D, Section 551.071, 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-20-80213); (2) In accordance with Texas Government Code Chapter 551, Subchapter D, Section 551.071 - Consultation with Town Attorney - the Town Council will convene into closed session to consult and receive legal advice from the Town Attorney regarding land rights (Easement Agreement); and (3) In accordance with the Texas Government Code Chapter 551, Subchapter D, Section 551.074, the Town Council will convene into closed session to deliberate the appointment, employment, and duties of the Town Administrator.

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

OPEN SESSION

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. No action was taken.

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. No action was taken.

Pursuant to Section 551.102 of the Texas Government Code, the final action, decision, or vote regarding Closed Session Item 3. above shall be made. On a motion by Council Member Marc Myers and seconded by Council Member Leland White, the Town Council unanimously voted to approve the Town Administrator Agreement consistent with their discussion in Closed Session and authorize the Mayor to execute same and to take all other necessary action.

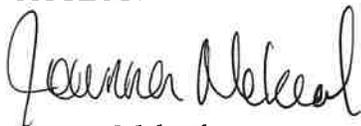
Mayor Beecherl adjourned the meeting at 10:11 a.m.

APPROVED on this 18th day of April 2023.

APPROVED:


Will C. Beecherl
Mayor

ATTEST:


Joanna Mekeal
Town Secretary