

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 8:13 A.M. ON TUESDAY, MARCH 5, 2024.

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

**Future Agenda Discussion**

*Review, discuss, and consider a request to extend the construction timeframe for a new single-family home currently under construction at 5451 Cambridge Avenue.* Hugh Pender, Director of Development Services, explained that Mr. and Mrs. Blackwell, owners of the property at 5451 Cambridge Avenue, are requesting a six-month building permit extension in addition to the administrative 90-day extension granted by staff for a total construction time of 33 months. The initial building permit was issued on March 31, 2022. Town staff completed progress checks throughout the project as required by the Town ordinance. At the 18-month progress inspection in September 2023, the contractor provided an updated construction schedule indicating the project would be delayed by 90 days. The contractor was notified that an extension would be necessary. After a review of the reasons for the delay, an administrative extension was issued, extending the time frame until June 30, 2024. At the 21-month progress inspection in December 2023, it was noted that the project was behind schedule. Amber Gracia, General Contractor of RGD+B, has identified that the cumulative additional time period is necessitated due to an incorrect property survey, construction of a swimming pool beam at an incorrect elevation, delays with overseas materials, and design changes. Susan Walters, 3635 Mockingbird Lane, explained that she lives next door to 5451 Cambridge Avenue and is directly impacted by the construction parking, trash, and weeds on this property. Ms. Walters stated that she is also a builder and did not believe they would complete this house, given its current stage in construction, even with the new extension period proposed. In response to a question raised by Council Member Myers, Ms. Gracia explained that this is the first house she has built in Highland Park and is learning the Town's processes. In response to a question raised by Mayor Pro Tem Craig Penfold, Ms. Gracia explained that she acknowledges Ms. Walter's concerns and requested that she contact her if there are any future issues. Ms. Gracia added that this house is her first priority and will be completed within the requested timeframe. In response to a question raised by Council Member Novakov, Ms. Gracia confirmed that she would absorb the cost of the extension. On a motion made by Council Member Marc Myers, seconded by Mayor Pro Tem Craig Penfold, the Town Council unanimously voted to approve the request to extend the construction timeframe for a new single-family home currently under construction at 5451 Cambridge Avenue using the existing fee structure.

*Review, discuss, and re-consider a request to extend the construction timeframe for a single-family home currently being renovated at 3906 Shenandoah Avenue.* Hugh Pender, Director of Development Services, explained that Hugh and Katie Uhalt, owners of the property at 3906 Shenandoah Avenue, are requesting a three-month building permit extension in addition to the administrative 30-day extension granted by staff and a previously approved Town Council extension granted in September 2023 for an additional six months, for a total construction time of 33 months. The Town has received complaints from neighbors about working after 6:00 p.m. and not following the approved parking plan. To date, no responses have been received following the Town's letter mailed to neighbors surrounding the property advising of a request to extend the construction timeframe to May 31, 2024. A temporary extension from February 29, 2024, until

March 5, 2024, was granted at the study session on February 20, 2024, to allow the general contractor to investigate further off-site parking for the duration of the project and any impacts that may have on the completion schedule. Matt Cain, General Contractor of Tatum Brown Custom Homes, stated that he has secured off-site parking approximately two miles from the construction site. The employees will shuttle to and from this location. With the number of off-site parking spaces being limited, the contractor requests the ability to continue a limited amount of on-site parking per the existing parking plan for the project. The estimated lost production is approximately one hour daily, which increased the overall permit extension request by 21 days until June 19, 2024. On a motion made by Mayor Pro Tem Craig Penfold, seconded by Council Member Don Snell, the Town Council unanimously voted to approve the request to extend the construction timeframe until May 31, 2024, for a single-family home currently under construction at 3906 Shenandoah Avenue using the new fee structure.

*Review, discuss, and consider a request to extend the construction timeframe for a new single-family home currently under construction at 3700 Stratford Avenue.* Hugh Pender, Director of Development Services, explained that the property owners at 3700 Stratford Avenue are requesting a three-month building permit extension in addition to the administrative 90-day extension granted by staff for a total construction time of 30 months. The initial building permit was issued on January 11, 2022. Town staff completed progress checks throughout the project as required by the Town ordinance. At the 18-month progress inspection in July 2023, the project superintendent provided an updated construction schedule indicating the project would be delayed by 15 days. The 21-month progress inspection in October 2023 revealed the project would be delayed by 75 days according to the updated construction schedule. The contractor requested a 90-day administrative staff extension and provided a revised construction schedule reflecting a completion date of March 29, 2024. Staff reviewed the schedule and agreed to issue the 90-day extension until April 11, 2024. The final progress inspection in December 2023 (23 months) did not present any update to the latest construction schedule. At the January progress inspection on the administrative extension, it was clear that the project would likely not meet the April expiration date. An updated construction schedule indicated that the project completion on May 10, 2024, exceeds the limits of the April staff extension. Mr. Matt Cain, General Contractor of Tatum Brown Custom Homes, has identified the size and scale of the project, availability of qualified trade subcontractors, delays surrounding the exterior cut stone, design changes, and associated lead time related to the change orders, and the redesign/re-engineering of the main staircase. Tara Bond-Freeman, 3656 Stratford Avenue, explained that, due to construction, several vehicles are parked along the street, and it is challenging to drive in and out of the alley due to visibility restraints. In response to a question raised by Council Member Novakov, Mr. Pender explained that when an inspector is onsite, they will verify that the workers are parking according to the parking plan. On a motion made by Council Member Don Snell, seconded by Council Member Marc Myers, the Town Council unanimously voted to approve the request to extend the construction timeframe for a new single-family home currently under construction at 3700 Stratford Avenue using the existing fee structure.

*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.

Mayor Beecherl suggested moving the Town Council Meeting scheduled on April 16, 2024, to April 23, 2024.

## Reports

*Review and discuss the 2024 Swim Season Schedule and provide an update on the Pool Facility Improvements.* Chelsey Gordon, Assistant Director of Development Services, discussed the Town's annual summer swim programming and updates on the pool facility. The days of operation for the 2024 Pool Season will remain the same as the 2023 season. Modifications have been made to the overall operations and maintenance of the swimming pool to improve customer service and efficiency. In response to a question raised by Council Member White, Ms. Gordon stated that usage of the pool in 2022 is similar to the 2023 Pool Season. Last year, a new software system was adopted to better assist with checking-in pool patrons. Patrons are now issued a physical card with a digital barcode to be scanned, which allows faster check-in and the ability to gather more accurate check-in data. This year, the Town will use the same software to assist in the scheduling of pool parties, swim lessons, and conditioning programs, as well as point of sale and inventory management for the concession stand. We will also utilize a new software system, Digiquatics, for internal operations such as timekeeping, scheduling of seasonal staff, certification tracking, daily checklists, shift reports, and chemical records. In response to resident feedback, staff will continue offering water aerobics and other family activities during the regular swim season. Last year, the Town began offering swim lessons and conditioning programs in-house with certified seasonal staff. Swim Lessons are offered as a two-week time block of daily, thirty-minute lessons, Tuesday through Friday, and the Swim Conditioning program is provided as a weekly or seasonal, one-hour daily program. In the FY24 Operating Budget, the Town Council approved funding for pool-related improvements, including rehabilitation of the sundeck, new roofs for all ancillary buildings, installation of a metal shade structure to cover the sand filter and pool heater, and a new gas line for the heater. With the removal of the sand filter, it was discovered that the concrete base was failing. Remaining within the original capital project budget, it was decided to pour a new base to support the new filter and shade structure. The new roofs have been installed, and all other improvements are under construction and expected to be completed by the middle of March. These improvements should extend the life of the pool for at least another 10 to 15 years, matching last year's replacement of the pool liners and sand filters. Lastly, staff have contracted with Kimley Horn and Counsilman-Hunsaker to produce a Swimming Pool Assessment and Capital Plan for the pool. The final report is being reviewed by staff and will be shared with a resident advisory committee to help plan for future improvements and services at the pool over the next several years. Staffing for the pool is ongoing and to date there are forty-four applicants for lifeguard, twelve applicants for lead lifeguard, eleven applicants for concession attendant, and one applicant for swim instructor. Mayor Beecherl asked if there were any questions, to which there were none.

*Review and discuss the monthly Financial and Investment Report and Quarterly Investment Report for the period ending December 31, 2023.* Karen Kurtin, CPA, Deputy Chief Financial Officer, presented highlights of the Financial and Investment Report. This report is for the period ending December 31, 2023, which marks the completion of the third month of the 2023 - 2024 fiscal year. Therefore, the year-to-date percentage for budgetary comparison purposes is 25.0%. General and Utility Fund combined revenues amount to \$12,343,755, which is 27.5% of the annual budgeted amounts. The General and Utility Fund combined expenditures and encumbrances amount to \$9,438,395 or 18.9% of the Fiscal Year 2023-2024 Combined Budget. Ms. Kurtin also discussed the Quarterly Investment Report prepared by Valley View Consultants, the Town's investment

advisors, for the quarter ending December 31, 2023. The total market value of the Town's cash and investment portfolio is \$61,566,508, with an average yield of 5.27% and an average maturity of 99 days. The current quarter and fiscal year-to-date average yield for the portfolio are 5.33%. Quarterly and year-to-date investment income was approximately \$779,862. 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 (Highland Park Department of Public Safety).
2. In accordance with 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, evaluation, reassignment, duties, discipline, or dismissal of the Town Attorney.

Mayor Beecherl recessed the study session at 9:13 a.m. Mayor Beecherl convened a closed session at 9:15 a.m., pursuant to: (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 (Highland Park Department of Public Safety); and (2) In accordance with 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, evaluation, reassignment, duties, discipline, or dismissal of the Town Attorney.

Mayor Beecherl ended the closed session at 10:02 a.m., and reconvened the study session in open session at 10:02 a.m. No final action, decision, or vote was taken during the closed session.

#### 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 motion was made.
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 motion was made.

Mayor Beecherl adjourned the meeting at 10:02 a.m.

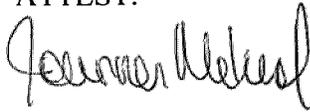
APPROVED on this 19<sup>th</sup> day of March 2024.

APPROVED:



Will C. Beecher  
Mayor

ATTEST:



Joanna Mekeal  
Town Secretary