



CITY COUNCIL REGULAR MEETING MINUTES

City Hall, 120 El Chico Trl., Suite A, Willow Park, TX 76087

Tuesday, November 12, 2024 at 6:00 PM

CALL TO ORDER AND THE ROLL OF ELECTED AND APPOINTED OFFICERS WILL BE TAKEN

Meeting called to order by Mayor Pro Tem Young at 6:00 p.m.

Quorum confirmed.

PRESENT

Councilmember Eric Contreras
Councilmember Chawn Gilliland
Councilmember Greg Runnebaum
Councilmember Lea Young

ABSENT

Mayor Doyle Moss
Councilmember Nathan Crummel

STAFF PRESENT:

City Manager, Bryan Grimes
City Attorney, Pat Chesser
Interim City Secretary, Toni Fisher

PLEDGE OF ALLEGIANCE AND INVOCATION by Ted Kitchens.

The invocation and pledge led by Ted Kitchens.

PUBLIC COMMENTS (Limited to three minutes per person)

Residents may address the Council regarding an item that is not listed on the agenda. Residents must complete a speaker form and turn it in to the City Secretary five (5) minutes before the start of the meeting. The Rules of Procedure states that comments are to be limited to three (3) minutes. The Texas Open Meetings Act provides the following:

A. If, at a meeting of a governmental body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to:

- (1) A statement of specific factual information given in response to the inquiry; or
- (2) A recitation of existing policy in response to the inquiry.

B. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

No public comments.

CONSENT AGENDA

All matters listed in the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

1. Approve City Council Meeting Minutes - Regular Meeting October 22, 2024.

To approve City Council Meeting Minutes - Regular Meeting October 22, 2024.

Motion made by Councilmember Gilliland, Seconded by Councilmember Contreras.
Voting Yea: Councilmember Contreras, Councilmember Gilliland, Councilmember Runnebaum, Councilmember Young

REGULAR AGENDA ITEMS

2. Discussion/Action: for Approval of a Resolution accepting a Policy prohibiting the installation or use of TikTok and other prohibited technologies on city devices pursuant to Texas SB1893.

City attorney Chesser explained Texas SB1893 and this policy's compliance.

TO APPROVE A RESOLUTION OF THE CITY OF WILLOW PARK ADOPTING A POLICY PROHIBITING THE INSTALLATION OR USE OF TIKTOK AND OTHER PROHIBITED TECHNOLOGIES ON CITY DEVICES PURSUANT TO TEXAS SB 1893

Motion made by Councilmember Contreras, Seconded by Councilmember Runnebaum.

Voting Yea: Councilmember Contreras, Councilmember Gilliland, Councilmember Runnebaum, Councilmember Young

3. Discussion/Action: For Approval of Financial Report for 4th Fiscal Quarter 2023-24.

Jake Weber, CPA, presented financial report.

To approve the Financial Report for 4th Fiscal Quarter 2023-24.

Motion made by Councilmember Gilliland, Seconded by Councilmember Contreras.
Voting Yea: Councilmember Contreras, Councilmember Gilliland, Councilmember Runnebaum, Councilmember Young

4. **Discussion/Action: Consider and take action on an ordinance expanding the City of Willow Park's Extraterritorial Jurisdiction to include a 321 acre tract of land owned by Beall-Dean Ranch, Ltd. described as Parts of the F.H. Hammon Survey, Abstract No. 673, the Heirs of Francisco Sanchez Survey, Abstract No. 2346, and H.T. & B.R.R. Co. Survey No. 5, Abstract No. 647 situated in Parker County, Texas; embracing all of Parcel 4, the 323-336/1000 acres tract described in the deed to John Henry Dean III recorded in volume 1441, page 424 of the Official Public Records of Parker County, Texas and further described by metes and bounds.**

Agenda order was skipped to Agenda Item #5, and Executive Session was called. Upon reconvening from Executive Session, Council resumed with this Agenda Item:

City Attorney Chesser explained the purpose of the annexation petition as voluntarily submitted by the property owner, Bealle-Dean Ranch, Ltd., and the procedure for expansion of the ETJ. Attorney Chesser stated that this is the first step of annexation as contemplated by the Development Agreement.

TO ACCEPT AN ORDINANCE EXPANDING THE CITY OF WILLOW PARK'S EXTRATERRITORIAL JURISDICTION TO INCLUDE A 321 ACRE TRACT OF LAND OWNED BY BEALL-DEAN RANCH, LTD. DESCRIBED AS PARTS OF THE F.H. HAMMON SURVEY, ABSTRACT NO. 673, THE HEIRS OF FRANCISCO SANCHEZ SURVEY, ABSTRACT NO. 2346, AND H.T. & B.R.R. CO. SURVEY NO. 5, ABSTRACT NO. 647 SITUATED IN PARKER COUNTY, TEXAS; EMBRACING ALL OF PARCEL 4, THE 323-336/1000 ACRES TRACT DESCRIBED IN THE DEED TO JOHN HENRY DEAN III RECORDED IN VOLUME 1441, PAGE 424 OF THE OFFICIAL PUBLIC RECORDS OF PARKER COUNTY, TEXAS AND FURTHER DESCRIBED BY METES AND BOUNDS.

Motion made by Councilmember Contreras, Seconded by Councilmember Gilliland.

Voting Yea: Councilmember Contreras, Councilmember Gilliland, Councilmember Runnebaum, Councilmember Young

It was clarified by Attorney Chesser that the property is actually 317.8 acres, but that the motion of approximately 321-acres was acceptable for the motion.

5. **Discussion/Action: Consider and take action on a resolution authorizing the Mayor and/or Mayor Pro Tem to execute a Development Agreement with Beall-Dean Ranch, Ltd. regarding the development of 321 acres of land in the Extraterritorial Jurisdiction of the City of Willow Park.**

City Attorney Chesser explained the general contents of the Beall-Dean Development Agreement.

Developer, Mr. Robert Beall, addressed the Council and thanked them for their acceptance [of the Beall-Dean Ranch] into the ETJ of Willow Park. He expressed the importance and necessity of having utilities provided to the parcel for its development, and that development will utilize the financial instruments of a PID [Public Improvement District] and TIRZ [Tax Increment Reinvestment Zone].

Jason Hughes of Hilltop Securities spoke to the Council to refresh what a PID and TIRZ is, and how each benefits development. He stated that a PID is simply a development district which is created, controlled, and administered by the city, and it does not levy water and sewer rates or anything other than the assessment. The TIRZ component is used to offset certain costs. Mr. Hughes explained that this meeting marked the beginnings of the financing plan and other components which will be coming back to City Council for ultimate approval, but he expressed clarity that none of these assessments would incur increased taxes or an increase in water/sewer rates as PIDs are self-contained with assessment powers but no taxing powers, and only within the boundaries of that PID. His opinion was that this was positive for the city as it encourages development in this area with restrictions in place.

City Manager Grimes and members of city staff addressed several anticipated general concerns for this mixed use development. Topics including water supply, wastewater expansion and demands, and payment of these items; utility rates and property tax impacts; zoning of the Beall-Dean Development, its parks and trails planned, and traffic analysis for this corridor; and, the coordinated installation of utilities along East Bankhead Highway and maintenance.

TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS, AUTHORIZING THE MAYOR AND/OR MAYOR PRO TEM TO EXECUTE A DEVELOPMENT AGREEMENT WITH BEALL-DEAN RANCH, LTD REGARDING APPROXIMATELY 321 ACRES OF LAND IN PARKER COUNTY, TEXAS, LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF WILLOW PARK.

Motion made by Councilmember Contreras, Seconded by Councilmember Runnebaum.

Voting Yea: Councilmember Contreras, Councilmember Gilliland, Councilmember Runnebaum, Councilmember Young

- 6. Discussion/Action: Consider and take action on a resolution accepting an annexation petition from Beall-Dean Ranch, Ltd. requesting annexation of the following 321 acre tract of land described as Parts of the F.H. Hammon Survey, Abstract No. 673, the Heirs of Francisco Sanchez Survey, Abstract No. 2346, and H.T. & B.R.R. Co. Survey No. 5, Abstract No. 647 situated in Parker County, Texas; embracing all of Parcel 4, the 323-336/1000 acres tract described in the deed to John Henry Dean III recorded in volume 1441, page 424 of the Official Public Records of Parker County, Texas and further described by metes and bounds.**

Attorney Chesser explained the annexation procedure of the subject property, and acceptance of the voluntary petition by the property owner, Beall-Dean Ranch, Ltd.

TO APPROVE A RESOLUTION ACCEPTING A PETITION FROM PROPERTY OWNER BEALL-DEAN RANCH, LTD. REQUESTING ANNEXATION OF AN APPROXIMATELY 321 ACRE TRACT OF LAND; SETTING A DATE, TIME, AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION; DIRECTING CITY STAFF TO PREPARE AND NEGOTIATE AN ANNEXATION SERVICES AGREEMENT WITH THE PROPERTY OWNER PURSUANT TO SECTION 43.0672 OF THE TEXAS LOCAL GOVERNMENT CODE AND CONSISTENT WITH THE TERMS AND CONDITIONS CONTAINED IN THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF WILLOW PARK AND BEALLDEAN RANCH, LTD.; AND AUTHORIZING AND DIRECTING THE CITY SECRETARY OF THE CITY OF WILLOW PARK TO PUBLISH NOTICE OF SUCH PUBLIC HEARING.

Motion made by Councilmember Contreras, Seconded by Councilmember Gilliland. Voting Yea: Councilmember Contreras, Councilmember Gilliland, Councilmember Runnebaum, Councilmember Young

- 7. Discussion/Action: For A Resolution of The City of Willow Park, Texas, accepting a Petition Seeking The Creation Of The Beall-Dean Ranch Public Improvement District Within The Extraterritorial Jurisdiction Of The City And Calling For A Public Hearing For The City Council's December 10, 2024 Meeting.**

Attorney Chesser explained the process by which was being followed.

TO APPROVE A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS ACCEPTING A PETITION CONCERNING THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT; FINDING THE PETITION TO BE COMPLIANT WITH APPLICABLE LAWS; APPROVING AND AUTHORIZING THE MAILING AND PUBLICATION OF NOTICE OF A PUBLIC HEARING REGARDING THE POSSIBLE CREATION OF A PUBLIC IMPROVEMENT DISTRICT; AND RESOLVING OTHER MATTERS IN CONNECTION THEREWITH

Motion made by Councilmember Contreras, Seconded by Councilmember Runnebaum.

Voting Yea: Councilmember Contreras, Councilmember Gilliland, Councilmember Runnebaum, Councilmember Young

- 8. Discussion/Action: To amend the Financial Advisory Agreement with Hilltop Securities to provide for Amended Forms and Basis of Compensation for PID-related activities.**

Mr. Hughes explained the different fee structure for Hilltop Securities.

To approve the amendment of the Financial Advisory Agreement with Hilltop Securities to provide for Amended Forms and Basis of Compensation for PID-related activities.

Motion made by Councilmember Contreras, Seconded by Councilmember Gilliland.
Voting Yea: Councilmember Contreras, Councilmember Gilliland, Councilmember Runnebaum, Councilmember Young

9. Discussion/Action: To enter into a Sales Tax Allocation Agreement with ESD #1.

Mr. Grimes described the history of this Agreement and reason for this request.

Chief Stephen Watson addressed Council to commend the partnership between the ESD#1 and the City of Willow Park, and the understanding of growth and protection of its investment. This item is on ESD#1 agenda for their meeting next Thursday, 11/21/24.

Mr. Grimes explained the sales tax analysis which was provided to the city, sharing its growth expectations from what we currently collect. Attorney Chesser explained the term change, and Chief Watson agreed to take the requested change to his board.

To approve the Sales Tax Allocation Agreement with ESD#1 with a 20-year base term and 20-year renewal.

Motion made by Councilmember Contreras, Seconded by Councilmember Runnebaum.

Voting Yea: Councilmember Contreras, Councilmember Gilliland, Councilmember Runnebaum, Councilmember Young

10. Discussion/Action: Consider all matters incident and related to the issuance and sale of "City of Willow Park, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2024A" including the adoption of an ordinance authorizing the issuance of such certificates in the amount not to exceed \$5,135,000 to finance the costs of paying contractual obligations to be incurred for (i) constructing, acquiring, purchasing, renovating, enlarging, equipping, and improving water and wastewater system properties or facilities, including the acquisition of land and rights-of-way therefor, and (ii) professional services rendered in connection with such projects and the financing thereof.

Mr. Hughes addressed the City Council to explain the particulars of the certificates, repayment, and terms. Ms. Kristin Sevant of Rose Norton Rose Fulbright, the city's bond council, described the structure of the obligations and the procedures for its completion.

To approve an ORDINANCE authorizing the issuance of "CITY OF WILLOW PARK, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024A"; providing for the payment of said certificates of obligation by the levy of an ad valorem tax upon all taxable property within the

City and a pledge of the surplus net revenues derived from the operation of the City's combined Waterworks and Sewer System; providing the terms and conditions of such certificates and resolving other matters incident and relating to the issuance, payment, security, sale and delivery of said Certificates, including the approval and execution of a Paying Agent/Registrar Agreement, Purchase Agreement, and the approval and distribution of an Official Statement; and providing an effective date.

To approve all matters incident and related to the issuance and sale of "City of Willow Park, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2024A" including the adoption of an ordinance authorizing the issuance of such certificates in the amount not to exceed \$5,135,000 to finance the costs of paying contractual obligations to be incurred for (i) constructing, acquiring, purchasing, renovating, enlarging, equipping, and improving water and wastewater system properties or facilities, including the acquisition of land and rights-of-way therefor, and (ii) professional services rendered in connection with such projects and the financing thereof.

Motion made by Councilmember Runnebaum, Seconded by Councilmember Gilliland. Voting Yea: Councilmember Contreras, Councilmember Gilliland, Councilmember Runnebaum, Councilmember Young

INFORMATIONAL

Councilmember Runnebaum and Councilmember Gilliland each thanked staff for their time and effort toward this project.

Mayor Pro Tem Young extended thanks for Robert and Logan Beall for working so extensively with the City of Willow Park and expressed the City's excitement for this project. She also thanked resident, David Allen, for his coordination of a Veteran's Day event at our Memorial Park. Mayor Pro Tem Young also thanked our citizens who attended our Parks Town Hall Meeting a couple of weeks ago and shared some of the input the city received.

City Manager Grimes thanked Robert and Logan Beall for their professionalism and commitment to this project and the City of Willow Park. He continued that this project will be historic within the City of Willow Park: the first chapter by the works of Marcy Galle, Gene Martin, [Mayor] Neverdousky, and Councilmember Runnebaum with the Wilks' TIRZ that changed Willow Park; the second, by the Bealls for this development. Mr. Grimes specifically called out city staff members for their contributions to the city for this project: Bill Funderburk, Michelle Guelker, Mandy McCarley, Andi Saylor, Chelsea Kirkland, Jake Weber, and Toni Fisher. Mayor Pro Tem Young also thanked Mayor Moss.

EXECUTIVE SESSION *It is anticipated that all, or a portion of the discussion of the foregoing item will be conducted in closed executive session under authority of the Section 551 of the Texas Open Meetings Act. However, no action will be taken on this item until the City Council reconvenes in open session.*

City Council adjourned to Executive Session at 6:09 p.m.

11. Sec. 551.071 (Consultation with Attorney): **Beall-Dean Ranch Development Agreement**

RECONVENE into Open Session and consider action, if any, on the item discussed in Executive Session.

City Council reconvened to Open Session at 6:41 p.m.

ADJOURNMENT

As authorized by Section 551.127, of the Texas Government Code, one or more Council Members or employees may attend this meeting remotely using video conferencing technology.

Meeting adjourned at 7:30 p.m.

Motion made by Councilmember Runnebaum, Seconded by Councilmember Contreras.
Voting Yea: Councilmember Contreras, Councilmember Gilliland, Councilmember Runnebaum, Councilmember Young

These minutes were approved on the 26th of November, 2024.

Lea Young, Mayor Pro Tem

Antonette A. Fisher, Interim City Secretary

The City Council may convene a public meeting and then recess into closed executive session, to discuss any of the items listed on this agenda, if necessary, and if authorized under chapter 551 of the Texas Government Code. Situations in which a closed executive session may be authorized by law include, without limitation; (1) consulting with the Council's attorney to seek or receive legal advice concerning pending or contemplated litigation, a settlement offer, or any other matter in which the ethical duty of the attorney to the Council clearly conflicts with the general requirement that all meetings be open, § 551.071; (2) discussing the purchase, exchange, lease, or value of real property, § 551.072; (3) discussing a prospective gift or donation, § 551.073; (4) discussing certain personnel matters, §551.074; and (5) discussing security personnel or devices, § 551.076.

CERTIFICATION I, the undersigned authority, does hereby certify that this Notice of a Meeting was posted on the bulletin board at City Hall, 120 El Chico Trail, Suite A, Willow Park, TX 76087, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time: NOVEMBER 8, 2024, at or by 5:00 p.m. and remained so posted continuously for at least 72 hours before said meeting is to convene.

/s/

Antonette A. Fisher
Interim City Secretary

The City Hall is wheelchair accessible and accessible parking spaces are available. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 817-441-7108, or by email at tfisher@willowpark.org. Requests should be made at least 48 hours prior to the meeting. This agenda is posted on the city's web site at <http://www.willowparktx.gov/>