

NOTICE OF  
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING  
TOWN OF PROVIDENCE VILLAGE, TEXAS  
PROVIDENCE VILLAGE TOWN HALL  
1745 F.M. 2931, PROVIDENCE VILLAGE, TEXAS, AND  
104 BEACH DR., SURFSIDE BEACH, TEXAS 77541 *(via videoconference)*

**TUESDAY, AUGUST 7, 2018**  
7:30 P.M. Regular Session

**MINUTES**

**REGULAR SESSION 7:30 p.m.**

**I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:**

Mayor Michael Jordan called the meeting to order at 7:32 p.m. Town Council members present were Mayor Pro-Tem Eric Newton, Alderman Linda Inman (via videoconference), Alderman James Connor and Alderman Chris Blue, being a quorum. Alderman Steve Miller was on excused absence due to military duty.

**II. INVOCATION**

Scott Tucker with COC Church led invocation.

**III. PLEDGE OF ALLEGIANCE**

- a. United States Flag
- b. Texas Flag

**IV. OPEN FORUM:**

John Okonski, a resident at 2225 Rodgers Ln., Providence Village, TX 76227, addressed the Council regarding his previous issue relating to vehicles parked the wrong direction and the Police Department's failure to enforce the law. Mr. Okonski announced that he has researched the parking violation issue and reported that it is not enforced in many places in Texas, but he had opportunity to visit other states and it is enforced. Mr. Okonski stated that the last time he was here to discuss this matter he was told that he needed to call the police, and he believes that the Council needs to tell the Police to enforce all of the laws.

Discussed the curb and gutter issue he reported back in March and stated that Mike Carroll told him that the Town ran out of money in the budget and the problem cannot be fixed this fiscal year. John Okonski stated that it should be repaired now.

Ted Lewis, an individual who resides at 2648 Liberty Rd. in Aubrey, Texas, complained about the dust coming from the Liberty @ Providence construction site. He wants to have some type of effort made to keep the dust under control.

There were no other requests to address the Town Council.

**V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:**

- a. Monthly Reports from Committees
- b. Staff Reports

Brian Roberson reported that the Town was still in Drought Stage 1, which means yard irrigation should be limited to 2 times or less per week, and not during the hours of 10:00 a.m. to 6:00 p.m.

Mr. Roberson reported that there have been a couple of developers in the office to discuss potential projects. He further reported that the developer at Liberty @ Providence has been using a water truck and filling the truck here in Providence Village, for dust control.

Brian Roberson announced that the first Rotary Club in Providence Village recently met.

**VI. CONSENT AGENDA –** Items are considered self-explanatory and will be enacted with one motion. There will be no separate discussion of these items unless so requested by at least one member of the Town Council.

- a. Minute Approval
- d. Approve Administrative Actions

Alderman Blue moved to approve Consent Agenda; Alderman Connor seconded. Motion carried: 5 in favor, 0 opposed.

**VII. ACTION ITEMS**

- a. Consider, discuss and act upon Resolution No. 2018-201A – Amending Resolution No. 2018-201 setting the date, time and place for public hearings on the proposed annexation of property owned by Cheron Rentals, LLC, Property Owner, of approximately 1.263 acres generally located north of Fishtrap Road, east of Dr. Sanders Road and west of FM 2931; providing an effective date and finding and determining that the meeting at which this resolution was passed was open to the public as required by law.

Brian Roberson explained the amendment was needed to correct the hearing dates. Alderman Newton moved to approved Resolution No. 2018-201A; Alderman Blue seconded. Motion carried: 5 in favor, 0 opposed.

- b. Consider, discuss and act upon Resolution No. 2018-202 - Appointment of a Member to the Board of Managers of the Denco Area 9-1-1 District.

Brian Roberson explained the nomination process and named off the candidates who are running. Mayor Sue Tejml, Mayor of Copper Canyon and Member of the Denco Area 9-1-1 District Board, who resides at 836 Orchid Hill Lane, Argyle-Copper Canyon, Texas, spoke in support of Jim Carter. The Denco Area 9-1-1 Board is recognized nationwide as an outstanding organization, as well as recognized in the State of Texas. Jim Carter, a current Member of the Denco Area 9-1-1 District Board, who resides at 1005 Roadrunner Rd., Bartonville, TX 76226, made a presentation to the Council regarding his previous experience and candidacy for re-appointment to the Denco Area 9-1-1 Board.

Mayor Pro-Tem Newton moved to nominate Jim Carter as the appointed member to the Board of Managers of Denco Area 9-1-1 District on behalf of the Town; Alderman Connor seconded. Motion carried: 5 in favor, 0 opposed.

- c. Consider, discuss and act upon Resolution No. 2018-203 – Approving the “Draft” Denco Area 9-1-1 District Fiscal Year 2019 Financial Plan, pursuant to the Texas Health and Safety Code, Chapter 772.

Brian Roberson provided the Town Council with a summary of some of the finer points of the proposed Denco Area 9-1-1 District Fiscal Year 2019 Financial Plan and believes that they are doing good and did not have any issues with the budget. Alderman Blue moved to approve the draft Denco Area 9-1-1 District Fiscal Year 2019 Financial Plan; Alderman Inman seconded. Motion carried: 5 in favor, 0 opposed.

- d. Consider and discuss 2018-2019 fiscal year preliminary budget; authorize staff to publish required notices and set proposed public hearing date.

Brian Roberson reported that this was a sneak preview of the proposed budget that would be filed on August 15<sup>th</sup>. He further discussed the details of the budget, including the Dr. Sanders Rd. realignment project. He also discussed the additional vehicles and additional officers proposed in law enforcement and discussed some of the Town Hall and Ground Storage Tank project budget items. Mr. Roberson stated that the proposed tax rate that this budget is based on was \$.799718, which is a 3-1/2% reduction from last year and an overall 20% reduction in the tax rate since the Town took over the WCID.

There was further discussion regarding sales tax revenue and it is anticipated that Aldi will produce an additional \$15K per year in sales tax. There was discussion regarding the water revenue, fire surplus increases, and fire plan expenditures being planned now. Mr. Roberson reported that he met with the District 10 representatives and discussed the increase per shift of personnel to 6 and stated that we have \$162K in funds that we will need to dip into to help cover the cost of expenditures.

Mr. Roberson reported that with the Debt Service Fund, we are trying to go negative to reduce the surplus and this has been the Council’s plan since the bond refunding. He further discussed adjustments to the General Fund expenses, including Chapter 212 agreement tax rebates, law enforcement personnel increases, payroll expenses and Town Hall expenses. Town Hall expenses included \$49K in building surveillance for

new Town Hall and \$80K for FFE items in the new Town Hall. He also announced that landscape cost would be going up because the Town would be going out for bids for landscaping services.

Brian Roberson stated that the proposed dates for the approval process of the budget and tax rate would include the Council setting the public hearing dates of September 4<sup>th</sup> and September 18<sup>th</sup> at the August 21<sup>st</sup> meeting. Denton County Tax Office requires that the tax rate notice be published by September 1<sup>st</sup>.

- e. Consider, discuss and act upon award of a sealed bid contract for construction services for the new Town Hall and authorize the Town Manager to enter into the Construction Contract.

Brian Roberson discussed the bids and budget details to fund the project, including the \$1.5M previously set aside in the capital improvement plan, along with contingency and additions made this year, resulting in a budget amount of \$1.99M available. Mayor Jordan asked about Mr. Roberson's use of the term "original \$1.99M budget" and he explained that this was the number we were originally working with for the construction, including foundation upgrades, AV/IT and FFE adjustments. Mr. Roberson then went over the concessions that were made to lower the cost.

Mayor Jordan stated that he has had misgivings about the project from the beginning and believes that we need to go back to the drawing board. Alderman Inman asked what he was trying to accomplish and Mayor Jordan stated that he believes that the building is "too grand for the Town." Mayor Jordan stated that he believed \$1.1M should be our target. Alderman Inman asked about the additional costs involved by waiting and stated that she disagreed on the original budget amount but remembers it being \$1.8M.

Michael Tubiolo, the project engineer with Eikon Consulting Group, reported that the cost for 30-50 year building for future growth was reasonable and to step back, the Town would be losing a considerable amount due to inflation rates. There was discussion regarding best value. Mayor Jordan stated that he believes that the building was extravagant and there was extensive discussion regarding the costs and amenities. Michael Tubiolo reported that the building was designed to meet the current façade and architecture of the Town and that while some items in the building look expensive, they are actually prefabricated and cost effective. He further stated that Eikon worked diligently with Town Hall staff to keep costs reduced. Mayor Jordan adamantly stated that it was over the budget amount, and he has had misgivings since the project started and therefore the Town should not even be considering it.

Mayor Pro-Tem Newton stated that he agreed with Mayor Jordan. There was extensive discussion regarding where to cut size and costs. Alderman Blue asked about square foot standard pricing and Alderman Connor asked about the potential for designing a 2-story building. There was discussion regarding reduction in cost by eliminating offices and replacing them with cubicles. Michael Tubiolo responded that cubicles would not reduce the cost. Alderman Blue asked if there was a way to get to the \$1.5M price and what would it take. Michael Tubiolo reported that attempting to redesign the

building would only increase the cost due to additional design engineering costs and additional increases in inflation.

There was discussion on whether or not the item could be tabled to allow the Town Council time to consider the information presented to them and it was reported that statute required that a contract be awarded within 45 days of the bid proposal date or the bid process would need to be repeated. It was determined that by September 2, 2018 the Town Council would need to either accept or reject the bid.

Mayor Pro-Tem Newton move to table the item until the August 21, 2018 meeting; Alderman Inman seconded. Motion carried: 5 in favor, 0 opposed.

- f. Consider, discuss and act upon an Ordinance Calling a Special Election to be held on November 6, 2018 for consideration by the qualified voters of the Town for a proposition(s) adopting a sales and use tax in the total combined amount up to 0.5 percent for municipal purposes, including economic development, street maintenance and repair, and/or a crime control and prevention district; and other matters related to the Special Election.

Brian Roberson stated that this matter would be discussed in Executive Session and did expect action following Executive Session.

- g. Discuss legal and administrative status involving condemnation proceedings and appraisal for a public utility easement on DCAD Property ID's 699640, 38118 and 147912.

Brian Roberson reported that this would also be discussed in Executive Session.

- h. Identify agenda items to be discussed at future meeting.

Mayor Pro-Tem Newton moved to close Town Council Regular Session and convene into Executive Session; Alderman Blue seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Jordan closed Regular Session and convened into Executive Session at 9:27 p.m.

## **VIII. EXECUTIVE SESSION**

The Town Council will convene into executive session pursuant to Texas Government Code Section 551.071, Consultation with Attorney, to seek the advice of the Town Attorney or other legal counsel concerning pending or contemplated litigation, or a settlement offer; or on a matter in which the duty of the attorney(s) to the Town under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

- a. Legal and administrative status involving condemnation proceedings and appraisal for a public utility easement on DCAD Property ID's 699640, 38118 and 147912;

- b. Imposition of Sales and Use Taxes for economic development, street maintenance and/or a crime control and prevention district; and
- c. Crime Control and Prevention District creation, temporary directors, and crime control plan and budget plan.

Mayor Jordan closed Executive Session and reconvened into Regular Session at 10:34 p.m.

**IX. RECONVENE INTO OPEN SESSION**

- a. Consider and act upon items discussed in Executive Session.

Mayor Pro-Tem Newton moved to approve Ordinance No. 2018-195 Calling a Special Election to be held on November 6, 2018 for consideration by the qualified voters of the Town for a proposition(s) adopting a sales and use tax in the total combined amount up to 0.5 percent for Type B Sales & Use Tax; Alderman Connor seconded. Motion carried: 5 in favor, 0 opposed.

**X. ADJOURNMENT**

Mayor Pro-Tem Newton moved to adjourn; Alderman Inman seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Jordan adjourned the meeting at 10:36 p.m.



Michael Jordan, Mayor

09/04/2018

Date Minutes Approved



Connie S. Hansen, TRMC  
Town Secretary

9/4/18

Date Minutes Approved

