

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

**TUESDAY, AUGUST 4, 2015**  
7:30 P.M. Regular Session

**MINUTES**

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

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

Mayor Dave Shuck called the meeting to order at 7:35 p.m. Town Council members present were Alderman Steve Miller, Alderman J. Eric Newton, Alderman Andy Goin, and Mayor Pro-Tem Michael Jordan, being a quorum. Alderman Darren Vader was absent.

**II. PLEDGE OF ALLEGIANCE**

- a. United States Flag
- b. Texas Flag:
  - i. Honor the Texas Flag I pledge allegiance to thee Texas, one State under God, one and indivisible

**III. INVOCATION**

Philip Mack Furlow led invocation.

**IV. OPEN FORUM:**

Don Fisher, President of the Providence HOA, reported that they had a board meeting with 50 to 60 members attending. The major item of discussion was an event, which was ultimately approved with stipulations. He also reported that the HOA had recently held an adult pool party.

There were no further requests to address the Town Council. Alderman Miller motioned to closed Open Forum; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

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

- a. Monthly Reports from Committees: Communications, EDCEC, JPAC, Ordinance and Public Safety

**Committee Reports**

Ordinance Committee – Mayor Pro-Tem Jordan reported that there were a couple of ordinances being worked on, including an ordinance dealing with registered sex offenders. Other ordinances will be covered later on the agenda.

Public Safety Committee – Alderman Newton reported the committee is working on the basic Emergency Management Plan.

Alderman Newton motioned to closed Committee/Staff Reports; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

**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
- b. Treasury Report
- c. Pay Bills
- d. Approve Purchase Orders

Mayor Pro-Tem Jordan motioned to approval the Consent Agenda; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

**VII. ACTION ITEMS**

- a. Consider, discuss and act upon approval of Ordinance No. 2015-075 relating to the Certificate of Occupancy Program.

Town Manager, Brian Roberson, provided the Town Council with a report on the history of how the development of this ordinance originated. Mike Carroll reported that the only change was arrangements for multifamily if the Town ever had any. Mayor Shuck asked about the fees imposed and whether they were covered in other ordinances. Mike Carroll reported that the fees are in the Fee Ordinance and there was no change to that portion of the process.

Alderman Miller motioned to close Town Council Regular Session and convene into Public Hearing; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Shuck closed Town Council Regular Session and convened into Public Hearing at 7:46 p.m.

- b. Conduct first public hearing to receive input on Ordinance No. 2015-075 relating to the Certificate of Occupancy Program.

Philip Mack Furlow read aloud a detailed summary of the ordinance. Mayor Shuck opened the floor to public comment. Don Fisher and Greg Hugie spoke in favor of the ordinance. There were no further requests to address the Town Council. Alderman Goin motioned to close the Public Hearing and reconvene into Town Council Regular Session; Mayor Pro-Tem Jordan seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Shuck closed the Public Hearing and reconvened into Town Council Regular Session at 7:57 p.m.

Alderman Goin asked about any effect the ordinance would have on adding tenants for rented rooms and Mike Carroll stated that it would not be considered a violation of the ordinance. Alderman Goin motioned to approve Ordinance No. 2015-075 entitled Certificate of Occupancy Program; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

- c. Consider, discuss and act upon approval of Ordinance No. 2012-049-02 amending the Tree Preservation and Protection Ordinance to include an exception for removal of trees that are causing damage to improvements and/or private or public property.

Brian Roberson gave a summary of the issues prompting the need for the amendment to the Tree Preservation and Protection Ordinance. Alderman Goin stated that the amendment to the ordinance was the appropriate action to be taken by the Council. Alderman Newton motioned to approve Ordinance No 2012-049-02 amending the Tree Preservation and Protection Ordinance to include an exception for removal of trees causing damage to public or private property; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

- d. Consider, discuss and act upon approval of ordinance amending the FY2014-15 Budget related to transition and dissolution of Providence Village Water Control and Improvement District.

Brian Roberson informed the Council that there would be a need to go into Executive Session before discussing and acting on this action item. Mayor Pro-Tem Jordan motioned to closed Town Council Regular Session and convene into Executive Session; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Shuck closed Town Council Regular Session and convened into Executive Session at 8:14 p.m.

**VIII. EXECUTIVE SESSION**

The Town Council will convene into executive session pursuant to Texas Government Code Sections 551.074, Personnel Matters, and 551.071, Consultation with Attorney, to seek the advice of the Town Attorney or other legal counsel concerning pending or contemplated litigation 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. Transition and dissolution of Providence Village Water Control and Improvement District.
- b. Section 13.255 action against Mustang Special Utility District.
- c. Legal and administrative status involving CCN and asset transfer from Providence Village Water Control and Improvement District to Mustang Special Utility District.

Alderman Newton motioned to close Executive Session and reconvene into Town Council Regular Session; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Shuck closed Executive Session and reconvened into Town Council Regular Session at 9:14 p.m.

**IX. RECONVENE INTO OPEN SESSION**

- a. Consider and act upon items discussed in Executive Session.
  - (d) Consider, discuss and act upon approval of ordinance amending the FY2014-15 Budget related to transition and dissolution of Providence Village Water Control and Improvement District.

Brian Roberson stated that there was a need to amend the current fiscal year budget to include \$50,000 for analysis of system, accounting and engineering services, and other expenses related to the transition and dissolution of the WCID. Alderman Goin motioned to approve Ordinance amending the 2014-15 Fiscal Year Budget to include \$50,000 for transition and dissolution expenses; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

**X. ACTION ITEMS (Cont'd)**

- e. Consider, discuss and act upon authorizing the Town Manager to use the funds budgeted for transition and dissolution of Providence Village Water Control and Improvement District as he deems appropriate and authorize the Town Manager to sign any documents or contracts needed to effectuate the transition and dissolution.

Alderman Miller motioned to approve authorizing the Town Manager to sign contracts and use budgeted funds for transition and dissolution of WCID as deemed appropriate; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

- f. Consider, discuss and act upon approval of engagement letter with Dye & Bloomfield, LLC for accounting services relating to PVWCID transition and dissolution.

Brian Roberson gave a summary of the responsibilities currently being handled by Lisa Bloomfield on behalf of the WCID and how the Town would benefit from her firm's services during the transition and dissolution. Alderman Miller motioned to approve the engagement letter with Dye & Bloomfield for bookkeeping services; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

- g. Consider, discuss and act upon approval and authorization of consultants to begin preparation for disclosure documents relating to Series 2015 bonds.

Brian Roberson explained that the Town was staying a step ahead on the bond issue in the event PVWCID is unable to complete the issuance of the bond. In order to do so, it is necessary for the Town's consultants to begin preparation for disclosure documents relating to the Series 2015 bonds. Alderman Goin motioned to authorize the consultants to begin preparation for disclosure documents relating to the Series 2015 bonds; Mayor Pro-Tem Jordan seconded. Motion carried: 5 in favor, 0 opposed.

- h. Consider, discuss and act upon preliminary budget for FY2015-16.

Brian Roberson gave a summary of the 3 specific classes of the budget, including the Utility, General Maintenance and Operation and Fire Plan. Mr. Roberson further informed the Town Council that the preliminary budget being presented was a consolidation of the WCID budget and the Town's budget. Mayor Pro-Tem Jordan motioned to accept the preliminary budget for FY2015-16; Alderman Goin seconded. Motion carried: 5 in favor, 0 opposed.

- i. Consider, discuss and act upon ordinance dissolving Providence Village Water Control and Improvement District under Section 43.075 of the Local Government Code.

No action taken at this time.

- j. Consider and discuss Section 13.255 action against Mustang Special Utility District.

Philip Mack Furlow stated that there was nothing to report to the public.

- k. Discuss legal and administrative status involving CCN and asset transfer from Providence Village Water Control and Improvement District to Mustang Special Utility District.

Philip Mack Furlow stated that the case been abated.

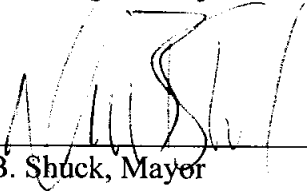
- l. Identify agenda items to be discussed at future meeting.

No additional items suggested.

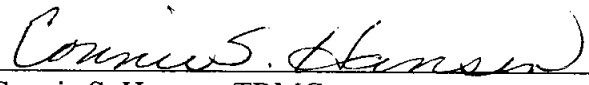
**XI. ADJOURNMENT**

Mayor Pro-Tem Jordan motioned to adjourn; Alderman Goin seconded. Motion carried: 5 in favor, 0 opposed.

Meeting was adjourned at 9:27 p.m.

  
\_\_\_\_\_  
David B. Shuck, Mayor

10/6/15  
\_\_\_\_\_  
Date Minutes Approved

  
\_\_\_\_\_  
Connie S. Hansen, TRMC  
Town Secretary

10/6/15  
\_\_\_\_\_  
Date Minutes Approved

