NOTICE OF REGULAR MEETING
CITY OF PILOT POINT
CITY COUNCIL MEETING

NOTICE IS HEREBY GIVEN THAT CITY COUNCIL OF THE CITY OF PILOT POINT, TEXAS, WILL HOLD A REGULAR MEETING ON:

July 8, 2019

AT 6:30 PM - PILOT POINT CITY HALL - COUNCIL CHAMBERS

102 EAST MAIN STREET, PILOT POINT, TX

AGENDA

A. ROLL CALL/CALL TO ORDER

B. PLEDGE TO FLAGS
   1. United States of America
   2. Texas Flag

   Honor the Texas Flag, I pledge allegiance to thee,
   Texas, one state under God, one and indivisible

C. INVOCATION

D. ITEMS OF COMMUNITY INTEREST

E. PUBLIC FORUM, PRESENTATIONS AND RECOGNITION:

   Public Forum: (Citizens are allowed 3 minutes to speak. If the issue is on the agenda, the City Council may choose to discuss and consider the item. If the issue is not on the agenda, the Council is not permitted by state law to respond to or discuss the item other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry. The Council may request the issue to be placed on a future agenda for action in accordance with state law. This forum is not the appropriate place to address complaints against Public Officials and/or Staff. Complaints of this nature should be made in writing and filed with the City Manager.)

F. CONSENT AGENDA

   1. Discuss, consider, and possible action a resolution approving the Library Board Bylaw Revisions.
   2. Discuss, consider, and possible action on appointing Rebekah Norris-Ramirez to the Library Board.
   3. Discuss, consider, and possible action on the minutes of May 28, 2019, June 3, 2019, and June 08, 2019.
   4. Discuss, consider, and possible action on appointing Joyce Wood to the Museum Advisory Board.
G. REGULAR AGENDA

1. Discuss, consider, and possible action on a resolution for the appointment of one member of the Board of Managers of the Denco Area 9-1-1 District.

2. Discuss consider and possible action on the Final Plat, related Subdivider's Agreement and Park Land dedication for Mustang Creek Subdivision, also described as plus or minus 14.94 acres in the C. Smith Survey, Abstract No. 1139, in Denton County, Pilot Point, Texas for the creation of a 64-lot residential subdivision. The property is generally located on North Montague Street, bordered to the north by West Gould Street and the south by FM 1192.

3. Discuss, consider and possible action requesting that the City Secretary redact certain personal information on the Mayoral recall petition that resides on the City's website.

4. Discuss, consider and possible action to purchase a 2015 Chevrolet Tahoe for the Police Department from the City of Prosper in the amount of $11,000.

5. Discuss, consider, and possible action to direct staff to purchase traffic calming devices for Northside Drive.

H. EXECUTIVE SESSION

The City Council of the City of Pilot Point will recess into Executive Session (Closed Meeting) pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to discuss the following:

1. In accordance with Texas Government Code, Section 551.071: Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding:
   1. Yarbrough Farms;
   2. City Manager complaint; and
   3. Investigation regarding employee complaints made during the May 28, 2019, council meeting
   4. City Attorney legal bills

I. RECONVENE INTO REGULAR SESSION

The City Council of the City of Pilot Point will reconvene into Regular Session (Open Meeting) pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding the following items discussed in Executive Session:

1. In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

J. FUTURE AGENDA ITEMS/REQUESTS BY COUNCILMEMBERS TO BE ON NEXT AGENDA

Councilmembers shall not comment upon, deliberate, or discuss any item that is not on the agenda. Councilmembers shall not make routine inquiries about operations or project status on an item that is not posted. Any Councilmember may, however, state an issue and a request that this issue be placed on a future agenda.
K. ADJOURN

The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including 551.071 (private consultation with the attorney for the City); 551.072 (discussing purchase, exchange, lease or value of real property); 551.074 (discussing personnel or to hear complaints against personnel); and 551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Pursuant to Section 551.127, Texas Government Code, one or more Councilmembers may attend this meeting remotely using videoconferencing technology. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting. A quorum will be physically present at the posted meeting location of City Hall.

In compliance with the Americans with Disabilities Act, the City of Pilot Point will provide reasonable accommodations for disabled persons attending this meeting. Requests should be received at least 24 hours prior to the scheduled meeting by contacting the City Secretary's office at 940-686-2165.

I the undersigned authority do hereby certify this notice was posted on the official bulletin board for the City of Pilot Point, Texas on **July 5, 2019 by 5:00 pm**, and shall remain posted for at least 72 hours preceding the scheduled time of said meeting.

________________________
Alice Holloway, City Secretary
City Council Agenda
July 8, 2019

Agenda Item: F.1. Resolution (Action Item)

Agenda Description:
Discuss, consider, and possible action a resolution approving the Library Board Bylaw Revisions.

Background Information:
The City Council approved the amendments. The item is back on agenda to be approved by resolution for records purposes.

The Library Board Bylaws were last updated in September 2015. The Library Board proposes the following revisions to their Bylaws to the Council on June 24, 2019 and were approved.

Financial Information:
n/a

City Contact and Recommendations:
Wendy Turner, Library Director

ATTACHMENTS:

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CITY OF PILOT POINT
RESOLUTION NO. __________

A RESOLUTION OF THE CITY COUNCIL OF PILOT POINT, TEXAS APPROVING THE REVISED PILOT POINT COMMUNITY LIBRARY BOARD BYLAWS.

WHEREAS, the City Council of the City of Pilot Point, Texas has previously authorized the creation of the Pilot Point Community Library Board; and

WHEREAS, the Pilot Point Community Library Board has approved the proposed revisions to the Bylaws of the Board on June 18, 2019: and

WHEREAS, the City Council has reviewed and approved the proposed revisions to the existing Bylaws of the Pilot Point Community Library Board and determined to authorize and approved such revisions: and

WHEREAS, the City Council hereby finds and determines the adoption of this resolution is the best interests of the citizens of the City of Pilot Point.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PILOT POINT, TEXAS THAT:

Section 1. The Mayor and City Council of the City of Pilot Point, Texas hereby approve the revisions to the Bylaws of the Pilot Point Community Library Board attached hereto as Exhibit A.


CITY OF PILOT POINT, TEXAS

__________________________________
Shea Dane-Patterson, Mayor

ATTEST:

__________________________________
Alice Holloway, City Secretary
The Pilot Point Community Library is a department of the city government. The Pilot Point Community Library board is an advisory board.

**BYLAWS OF THE PILOT POINT COMMUNITY LIBRARY BOARD**

**LIBRARY BOARD:** The Library Board shall consist of five members. Candidate names will be submitted for approval to the City Council.

Each board member is appointed for a term of two years, a year being the calendar year from July through June. Positions will alternate years so there will be at least 2 returning members each July.

If a vacancy occurs on the Board, applications will be accepted and submitted to the City Council for approval. The newly appointed board member will serve out the unexpired term of the vacant position.

That person may then be a candidate for a two-year term as a board member.

When a member of the Board misses three consecutive board meetings, that member will be removed automatically and his/her place filled according to the above procedure for filling a vacancy.

At the time of coming onto the Board, each member is to receive a copy of the bylaws and a copy of the *Public Library Advisory Board Handbook*, both items to be returned to the librarian when the member leaves the Board.

**OFFICERS:** Officers of the Board shall be as follows: President, Vice President, and Recording Secretary.

**ELECTION OFFICERS:** Officers of the Board shall be elected at the regular July meeting, their term of office to begin at the July meeting until the following July when new officers will be elected.

Nominations for office shall be made from the floor.

Officers shall be elected by a majority of votes case by ballot.

Term of office is for one year.
DUTIES: The president shall preside at all meetings, call special meetings, appoint committees, work closely with the librarian in such matters as preparation of agendas, and serve as an ex-officio member of committees.

The vice president shall perform all the duties of the president in his/her absence.

The recording secretary shall keep minutes of the meetings in a neat and permanent manner, use both the given and the surname of a person mentioned in the minutes, take the roll call and maintain the attendance record of board members, and maintain a record of the terms of service of board members. The recording secretary is responsible for having minutes of the previous meeting available in the event of absence.

COMMITTEES: The Board may establish such standing committees as it deems necessary.

LIBRARIAN: The librarian shall be an ex-officio member of the Library Board and shall attend all meetings of the board except executive sessions, unless his/her presence is required.

The librarian shall make a Library Report to the Board at board meetings.

The librarian is responsible for having the Library open to patrons at the posted hours.

MEETINGS: The library board meetings (day and time) will be set by the Library Board.

Special meetings of the Board may be called by the president upon the request of three board members for the transaction of only that business stated in the call for meeting.

QUORUM: A quorum for the transaction of business shall consist of three of the members of the Board.

PARLIMENTARY AUTHORITY: The rules contained in the most recent edition of Robert’s Rule of Order shall govern the proceedings of meetings of the Board except in such cases as are governed by the bylaws of the Board.
AMENDMENT: These bylaws may be amended at any regular meeting by a two-thirds vote.

City Council Agenda
July 8, 2019

Agenda Item: F.2. Minute Resolution (Action Item)

Agenda Description:
Discuss, consider, and possible action on appointing Rebekah Norris-Ramirez to the Library Board.

Background Information:
Councilmember Delcourt has decided to no longer serve on the Library Board. I have one application that has expressed the desire to serve on the library board:

Financial Information:
NA

City Contact and Recommendations:
Alice Holloway, City Secretary

ATTACHMENTS:
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<td>Ramirez Application</td>
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CITY OF PILOT POINT
BOARDS AND COMMISSIONS

APPLICATION FOR APPOINTMENT TO A BOARD OR COMMISSION. Please complete and return to the City Secretary, 102 E. Main St., Pilot Point, Texas 76258, place in the night drop box located in the City Hall parking lot, or fax to (940) 686-4338. For more information, contact the City Secretary at (940) 324-5025.

Please note preference of Board or Commission by numbering your choice(s):

Note: Vacancies may not exist on all boards and commissions.

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<tr>
<th>Must reside in city limits</th>
<th>Must reside in City Limits or ETJ</th>
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<tr>
<td>Planning &amp; Zoning Commission</td>
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<td>Board of Adjustments</td>
<td>Pilot Point Economic Development</td>
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<td>Historic Preservation Review Board</td>
<td>Museum Advisory Board</td>
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<td></td>
<td>Keep Pilot Point Beautiful Advisory Board</td>
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<td>Library Advisory Board</td>
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<td>Parks and Recreation Board</td>
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<thead>
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<th>Name</th>
<th>Home Address &amp; Zip Code</th>
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<tr>
<td>Rebekah Norris-Ramirez</td>
<td>7811 North 4th St, Pilot Point, TX 76258</td>
<td>903-227-4033</td>
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<thead>
<tr>
<th>Email address:</th>
<th><a href="mailto:rebekah.norris6@gmail.com">rebekah.norris6@gmail.com</a></th>
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Registered Voter? Yes or No | Resident in City for 10 years |
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<tr>
<td>Yes</td>
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Education: College

Special knowledge or experience

Multilingual, paralegal, licensed insurance

Other information (civic activities, etc.)

Church @ Midway, various community involvement

Are you, or a member of your family, involved in any business transaction with the City of Pilot Point? Yes or No

If yes, please explain.

Have you ever been convicted of a felony? Yes or No

If yes, please explain.

I am aware of the meeting dates and times of the Board/Commission I have applied on if appointed. I agree to serve on the Board/Commission which I have applied, or would consider an alternate appointment to my second or third service preference.

Signature: ____________________________  Date Submitted: 6/26/2019
City Council Agenda
July 8, 2019

Agenda Item: F.3. Minute Resolution (Action Item)

Agenda Description:
Discuss, consider, and possible action on the minutes of May 28, 2019, June 3, 2019, and June 08, 2019.

Background Information:

Financial Information:

City Contact and Recommendations:

ATTACHMENTS:

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<td>June 3, 2019 minutes</td>
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<td>5/28/19 minutes</td>
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City of Pilot Point, Texas
Minutes of the June 8, 2019
City Council Special Meeting

The City Council of the City of Pilot Point, Texas met on this date at 8:00 a.m. for a Special City Council meeting. City Council members present were Mayor Shea Dane-Patterson, Jim Porter, Whitney Delcourt, Matt McIlravy, Ronald Petty, and Andy Singleton. City Staff members present were City Manager Alan Guard, Librarian Wendy Turner, Development Services Director John Taylor, Public Works Director Trent Vandagriff, Police Chief Tim Conner, and City Secretary Alice Holloway.

AGENDA
A. ROLL CALL/CALL TO ORDER
Mayor Dane-Patterson announced a quorum at 8:09 a.m. and called the meeting to order.

B. REGULAR AGENDA
 1. Budget Workshop
City Manager Alan Guard presented a presentation on the FY 2020 General fund and the FY 2020 Utility Fund Budget.

The following were discussed during the FY 2020 GF Budget portion:

- Overview of Revenues and Expenditures for 2018
- Total Revenue for 2018 - $3,640,373
- Total Expenditures for 2018 - $3,793,720
- Ending Undesignated Fund Balance for 2018 - $902,097
- Fund balance as a percentage - 24.0%
- Total GF Fund Balance - $1,019,992

Mayor Dane-Patterson asked if we overspent on the budget. City Manager Guard answered yes.

- Budgeted Revenue for 2019 - $3,983,657
- Budgeted Expenditures for 2019 - $3,888,528
- Net Change from Budget - $95,129
- Projected Revenue for 2019 - $3,835,156
- Projected Expenditures $3,863,028
- Net Change in fund Balance for 2019 ($27,872)
- Est. Unassigned Fund Balance for 2019 - $874,225
- Fund Balance as a Percentage for 2019 - 23.0%
- Staff will be working one on one and as a group to eliminate the deficit for FY 2019 and attempt to increase GF reserves

City Manager Guard stated that he is guessing that the taxable value for 2019 be a little
under $300,000,000.

- On average taxable values, since 2012, the average home increased 44.1%.
- Property values went up 44% and tax levied went up 16%

City Manager Guard stated that the City needs to talk to EDC about being a bigger contributor to the Parks and to Main St.

City Manager Guard stated that no raises are in the budget this year for any employee. Mr. Guard stated that last year, employees only received a 2% cola raise. No other raises where given out other than police and fire employees phase 2 of raises was given.

City Manager Guard stated that the full year of Texas Municipal Retirement System is at 6%. In addition, there are no new GF positions except for three additional firefighter positions if the Safer Grant is awarded. the next in the budget for the Safer Grant is $41,600.

Funding Priorities discussed are:

- $3.00 come off utility bills (Councilmember Petty)
- How to get storm water out of sewer system
- Drainage education
- More SRO's for PPISD
- More sidewalks (Councilmember Singleton)
- Quiet Zone
- Salary increases (Councilmember Porter)
- Street Maintenance
- Police strategies (City Manager Guard)

The following were discussed during the FY 2020 Utility Fund Budget portion:

- Overview of Revenues and Expenditures
- Budgeted Revenue for 2019 - $2,850,079
- Projected Revenue for 2019 - $2,767,879
- Budgeted Expense for 2019 - $2,748,758
- Projected Expense for 2019 - $2,761,258
- Budgeted Surplus for 2019 - $101,321
- Projected surplus for 2019 - $6,621
- Lower revenues due to fewer homes built, so fewer water/sewer taps
- On the expense side - Insurance repairs
- No increase in budget for 2020
- Continue higher level in certifications/licenses for 2020
- Debt payment increase due to CO Sales - Sewer Plant Expansion for 2020
- Capital Equipment needs for 2020 is three sewer pumps for a total of $27,000
- Pay as you go projects for 2020 includes manhole rehabilitation at $40,000 per year and Hydrastop vales at $20,000 per year.
- Proposed capital projects include water line replacement and sewer line replacement, both at $250,000 each. In addition, each $1,000,000 of debt equals
to $75,000 per year of debt payment for 20 years at 4% interest.

City Manager Guard presented the proposed water rates:
- 2018 increase was 12% - Total revenue $1,073,874
- 2019 increase was 12% - Total revenue $1,346,219
- 2020 increase proposal at 12% - Total revenue $1,685,928
- 2021 increase proposal at 10% - Total revenue $1,872,968
- 2022 increase proposal at 10% - Total revenue $2,080,557
- 2023 increase proposal at 4% - Total revenue $2,184,883

City Manager Guard presented the proposed sewer rates:
- 2018 increase was 12% - Total revenue $757,486
- 2019 increase was 12% - Total revenue $946,172
- 2020 increase proposal at 12% - Total revenue $1,180,600
- 2021 increase proposal at 10% - Total revenue $1,311,158
- 2022 increase proposal at 10% - Total revenue $1,456,022
- 2023 increase proposal at 4% - Total revenue $1,528,561

City Manager Guard presented the proposed stormwater fees:
- 2018 Rates per month - Residential $3.00 - Commercial $15.00
- 2019 Rates per month - Residential $3.00 - Commercial $15.00
- 2020 Rates per month - Residential $4.00 - Commercial $20.00
- 2021 Rates per month - Residential $4.00 - Commercial $20.00
- 2022 Rates per month - Residential $5.00 - Commercial $25.00

Funding priorities discussed are:
- Manhole plan (Mayor Dane-Patterson)
- Park Plan (Alan Guard)

City Manager Guard stated that the next budget workshop will be held on Saturday, June 22, 2019.

C. ADJOURN

Councilmember Petty moved to adjourn at 10:29 a.m. Councilmember Singleton seconded the motion. The motion passed unanimously.

________________________________
Shea Dane-Patterson, Mayor

ATTEST:

________________________________
Alice Holloway, City Secretary
City of Pilot Point, Texas

Minutes of the June 3, 2019

City Council Special Meeting

The City Council of the City of Pilot Point, Texas met on this date at 6:30 p.m. for a Regular City Council meeting. City Council members present were Mayor Shea Dane-Patterson, Jim Porter, Whitney Delcourt, Andy Singleton, Dean Cordell, Ronald Petty, and Matt McIlravy. City Staff members present were City Manager Alan Guard, Police Chief Tim Conner, Development Services Director John Taylor, City Attorney Andy Messer, and City Secretary Alice Holloway.

AGENDA

A. ROLL CALL/CALL TO ORDER
   Mayor Dane-Patterson announced a quorum at 6:33 p.m. and called the meeting to order.

B. PLEDGE TO FLAGS
   1. United States of America
   2. Texas Flag

      Honor the Texas Flag, I pledge allegiance to thee,
      Texas, one state under God, one and indivisible

   Mayor Dane-Patterson led the Pledge to Flags.

C. INVOCATION
   Invocation led by GA Moore, pastor of Mustang Baptist Church.

D. ITEMS OF COMMUNITY INTEREST
   Mayor Dane-Patterson made the following announcements:
      • Budget workshop this Saturday at 8am- city hall
      • Regular city council meeting on June 10th at 6:30 pm
      • Hot Rod and Hero’s on Saturday, June 15th
      • Movies in the Park-Captain Marvel-Allen Groff Park on Friday, June 28th at dusk

E. PUBLIC FORUM, PRESENTATIONS AND RECOGNITION:

Public Forum: (Citizens are allowed 3 minutes to speak. If the issue is on the agenda, the City Council may choose to discuss and consider the item. If the issue is not on the agenda, the Council is not permitted by state law to respond to or discuss the item other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry. The Council may request the issue to be placed on a future agenda for action in accordance with state law. This forum is not the appropriate place to address complaints against Public Officials and/or Staff. Complaints of this nature should be made in writing and filed with the City Manager.)
F. REGULAR AGENDA

1. Discuss, consider, and possible action on a resolution approving the financing of one Brush Truck by Point Bank of Pilot Point, TX in the amount of $150,000 at an interest rate of 3.85% for the Fire Department.

   Councilmember Cordell moved to approve a resolution authorizing the financing of a brush truck in the amount of $150,000 at an interest rate of 3.85%. Councilmember McIlravy seconded the motion. The motion passed unanimously.

2. Discuss, consider, and possible action on an agreement with Granulawn for a Fertilization Program for the Groff Memorial Park Baseball Fields, Common area, Soccer Fields, Back-up Soccer Field, and Old City Park.

   Councilmember Petty moved to approve an agreement with Granulawn for a fertilization Program. Mayor Dane-Patterson seconded the motion. The motion passed unanimously.

3. Discuss, consider, and possible action on approving an irrigation system for the Old City Park.

   Councilmember Porter moved to approve an irrigation system for the Old City Park and for staff to obtain bids and accept the lowest bid up to $10,000 and have City Manager Guard act upon it. Councilmember McIlravy seconded the motion. The motion passed unanimously.

4. Discuss, consider, and possible action on the City Manager's Employment Contract and authorizing the Mayor to sign all necessary documents.

   Councilmember Petty moved to approve the first amendment of the City Manager's Contract. Councilmember Delcourt seconded the motion. The motion passed unanimously.

5. Discuss, consider, and possible action on appointment to the Denton County Lake Ray Roberts Planning & Zoning Commission.

   Councilmember Porter moved to appoint Councilmember Delcourt to the Denton County Lake Ray Roberts Planning & Zoning Commission. Councilmember Petty seconded the motion. The motion passed unanimously.

6. Discuss, consider, and possible action on board appointments.

   Councilmember Porter moved to appoint Rocky Marshall to the Parks Board. Councilmember Delcourt seconded the motion. The motion passed unanimously.

7. Discussion on a resolution providing a process for council participation in preparing a city council agenda.

   Council tabled this item to discuss at a workshop to be held on June 17, 2019 at 6:30 p.m. Mayor Dane-Patterson asked that the City Manager of Coppell be contacted about their program between elected officials and staff.


   Council tabled this item to discuss at a workshop to be held on June 17, 2019 at 6:30
9. **Discuss, consider, and possible action on setting a date for a workshop to set expectations regarding the purchasing policy and the enforcement of City policies and ordinances.**

Council tabled this item to discuss at a workshop to be held on June 17, 2019 at 6:30 p.m. Mayor Dane-Patterson asked that the City Manager of Coppell be contacted about their program between elected officials and staff.

10. **Discussion on the Winter Festival hosted by the Pilot Point Chamber of Commerce.**

Ric Sadler talked about the up-coming Winter Festival. Mr. Sadler asked for any suggestions to make the festival better.

Mayor Dane-Patterson said she was concerned that the low turnout of the board members was because they had to pay $50.00 for their spouse/guest. She received some response that it was too expensive.

Mayor Dane-Patterson stated in previous years, it did not cost the board member or their guest to attend their appreciation dinner.

Mr. Sadler ask that the council appoint a person to help with the planning of this event. There may be a way of getting more sponsorship's to lower the price.

Council tabled this item for staff to bring back information regarding previous board attendance and cost to the next meeting.

11. **Discuss and receive update from police department regarding the Sila Carr complaint and ongoing issues with neighbor.**

Terry Carr and Sila Carr both addressed the city council in regards to a conflict with their neighbor David Strickland. The Carr's questioned if there is an active permit for a fence at Mr. Strickland's home.

City Attorney Messer stated that there is a cross complaint filed between both neighbors in municipal court.

Development Services Director Taylor stated there is nothing in the ordinance that states a property must have a fence. If the permit is over a year old with no activity it is expired.

Police Chief Conner stated that he had the code enforcement officer look into this matter. Councilmember Cordell stated that he does not want the code enforcement officer going to this location alone.

Mayor Dane-Patterson stated that she would like to see a revision to the fence ordinance that addresses building materials being left out when a permit has expired and no construction is happening.
G. STAFF REPORT

1. April Monthly Court Report
2. April Main Street Report
3. April Library Report
4. April City Secretary Report
5. April Finance Report

H. EXECUTIVE SESSION

The City Council of the City of Pilot Point will recess into Executive Session (Closed Meeting) pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to discuss the following:

1. In accordance with Texas Government Code, Section 551.071: Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding: (i) Acquisition of approximately 8.16 acres just east of the railroad tracks and south of the City of Pilot Point Wastewater Treatment Plant (the Cargile Property) for the purpose of constructing an expansion of the wastewater treatment plant, (ii) Acquisition of 0.139 acres west side of US 377 and north of East Burks Street for a proposed permanent sanitary sewer easement; (iii) Roles of Mayor, City Manager and Councilmembers; (iv) Yarbrough Farms.

Mayor Dane-Patterson read the purpose of the Executive Session and council convened into Executive Session at 7:52 p.m.

I. RECONVENE INTO REGULAR SESSION

The City Council of the City of Pilot Point will reconvene into Regular Session (Open Meeting) pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding the following items discussed in Executive Session.

1. In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

Mayor Dane-Patterson announced the meeting is back in regular session at 8:41 p.m.

No action as result of Executive Session.

J. FUTURE AGENDA ITEMS/REQUESTS BY COUNCILMEMBERS TO BE ON NEXT AGENDA

Councilmembers shall not comment upon, deliberate, or discuss any item that is not on the agenda. Councilmembers shall not make routine inquiries about operations or project status on an item that is not posted. Any Councilmember may, however, state an issue and a
request that this issue be placed on a future agenda.

The following items were placed on the next agenda:

- Legislature Update
- Permit Fees
- Fence Ordinance
- Employee Plan
- Outdoor Warning Sirens
- Board Appreciation Dinner

K. ADJOURN

Mayor Dane-Patterson moved to adjourn at 8:44 p.m. Councilmember Delcourt seconded the motion. The motion passed unanimously.

_________________________________________
Shea Dane-Patterson, Mayor

ATTEST:

_________________________________________
Alice Holloway, City Secretary
City of Pilot Point, Texas

Minutes of the May 28, 2019

City Council Meeting

The City Council of the City of Pilot Point, Texas met on this date at 6:33 p.m. for a Regular City Council meeting. City Council members present were Mayor Shea Dane-Patterson, Jim Porter, Whitney Delcourt, Andy Singleton, Dean Cordell, Ronald Petty, and Matt McIlravy. City Staff members present were City Manager Alan Guard, Police Chief Tim Conner, Development Services Director John Taylor, City Attorney Andy Messer, and City Secretary Alice Holloway.

AGENDA

A. ROLL CALL/CALL TO ORDER
   Mayor Dane-Patterson announced a quorum at 6:33 p.m. and called the meeting to order.

B. PLEDGE TO FLAGS
   1. United States of America
   2. Texas Flag
      
      Honor the Texas Flag, I pledge allegiance to thee,
      Texas, one state under God, one and indivisible

   Mayor Dane-Patterson led the Pledge to Flags.

C. INVOCATION
   Invocation led by Ric Sadler, retired Police Chief and member of the Pilot Point Positive Club.

D. ITEMS OF COMMUNITY INTEREST
   Movies in the Park will be held on May 31, 2019 at the Old City Park.

E. PUBLIC FORUM, PRESENTATIONS AND RECOGNITION:
   Public Forum: (Citizens are allowed 3 minutes to speak. If the issue is on the agenda, the City Council may choose to discuss and consider the item. If the issue is not on the agenda, the Council is not permitted by state law to respond to or discuss the item other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry. The Council may request the issue to be placed on a future agenda for action in accordance with state law. This forum is not the appropriate place to address complaints against Public Officials and/or Staff. Complaints of this nature should be made in writing and filed with the City Manager.)

   1. American Legion recognition of Pilot Point Police Department Detective John Gardner
      Detective John Gardner was presented a commendation of outstanding service from the American Legion.
2. Presentation of Police Department and Library Budget Overview

Librarian Turner gave a presentation regarding the library. The following was discussed:
- Mission Statement
- Staffing
- Programs
- Current Budget
- Budget Needs
- Budget Wants

Police Chief Conner gave a verbal presentation regarding the police department. The following was discussed:
- Mission Statement
- Staffing
- Current Budget
- Budget Needs
- School Resource Officers
- Training
- Budget Wants

Public Forum:

1) Sila Carr - Ms. Carr stated she is having problems with her neighbor. She stated she moved to Pilot Point in 2010 with their two kids. She has had several issues with her neighbor. She stated that her neighbor filed code complaints for minor issues. In addition, she stated that Mr. Stricklin, continues to curse at her and children. Since March 30, the neighbor has put up 8 ft. polls to build a wall between them. She stated that Mr. Stricklin would call the service dog over to his house and then start screaming at her and her children because the dog is on his property.

Mayor Dane-Patterson stated that this topic is not on the agenda. She stated that the police department can follow up on the complaint. Councilmember Petty requested this item be placed on the next agenda for an update.

2) Pete Hollar - Mr. Hollar stated that he and charter commission spent the whole summer going over the charter and it was taken very seriously. Mr. Hollar stated that all power in the City is vested in the City Council. City Council has the power to do everything. There is no CEO. The duties of the city manager are given by the city council. It is very clear in the charter and the ordinance that was passed that the spending limit for the city manager is $5000.00. Any person breaks this rule is guilty of insubordination. If the council allows it, you are guilty of insubordination to the citizens.

3) Robert Wright - Mr. Wright stated that the city manager was fired in Chickasaw in 2017 and there is a lawsuit against Chickasaw. My question to the council is why was he hired under those circumstances. In addition, he stated that the city manager has a BA in Poltic Science and a MA in Politic Economy. Mr. Wright stated that it is the city manager playing politics and that is not what we need from our city manager. In addition, he stated that the city manager hired a consultant from Frisco without the approval of the city council or EDC. Mr. Wright stated when he asked how it was going to match with
the RUDAT Plan, neither one, city manager or consultant knew about the plan. Mr. Wright stated that his recommendation is to not renew the city manager contract. As for the low-income housing, the city manager pushed the horrible idea until the community pushed back. Mr. Wright stated he can only wonder why he pushed so hard, was there something personally in it for him. Mr. Wright stated his recommendation is to not renew the city manager contract.

Linda Bullwinkle - Ms. Bullwinkle read letter from the Lake Ray Roberts Club regarding the relationship between the mayor and city manager regarding leadership and things happening in Pilot Point. Ms. Bullwinkle spoke in support the city manager.

4) Champ Walker - Mr. Walker stated that it is embarrassing for the City Manager to request for his review to be held in open session to air his dirty laundry out in public for the city. The citizens must come to council meetings to make sure the city manager is doing his job. Mr. Walker states he is against the renewal of the city manager contract.

5) Howard Kimble - Mr. Kimble stated that the city manager ignored the rules of the charter, and that he understands that the city manager spent over $100,000 of the city's raining day fund. Mr. Kimble stated that the city manager is a dictator for the citizens because he believes the citizens are too dumb to think for themselves.

F. CONSENT AGENDA

1. Discuss, consider, and possible action on an Interlocal Cooperation Agreement for shared Governance Communications and Dispatch Service System and authorize the Mayor to sign all necessary documents.

2. Discuss, consider, and possible action on a resolution approving an agreement between the City of Pilot Point and the Texas Department of Transportation authorizing the temporary closure of State right of way for the Glen Templeton concert scheduled for Sunday, June 30, 2019.

3. Discuss, consider, and possible action on a resolution approving an agreement between the City of Pilot Point and the Texas Department of Transportation authorizing the temporary closure of State right of way for the Bonnie and Clyde Days Festival scheduled for Saturday, October 12, 2019.

4. Discuss, consider and possible action on a resolution approving an agreement between the City of Pilot Point and the Mustang Special Utility District to transfer retail utility service areas.

Councilmember Porter moved to approve the Consent Agenda with date changed to July 5, 2019. Councilmember Delcourt seconded the motion. The motion passed unanimously.

G. EXECUTIVE SESSION

The City Council of the City of Pilot Point will recess into Executive Session (Closed
Meeting pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to discuss the following:

1. In accordance with Texas Government Code, Section 551.071: Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding: (i) Acquisition of approximately 8.16 acres just east of the railroad tracks and south of the City of Pilot Point Wastewater Treatment Plant (the Cargile Property) for the purpose of constructing an expansion of the wastewater treatment plant, (ii) Acquisition of 0.139 acres west side of US 377 and north of East Burks Street for a proposed permanent sanitary sewer easement; (iii) Roles of Mayor, City Manager and Councilmembers; (iv) Yarbrough Farms; and (v) City Manager contract.

2. In accordance with the Texas Government Code, Section 551.074: To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:

City Manager

Mayor Dane-Patterson stated that at this time, City Manager Guard has requested item 2 be held in open session.

Council Member Porter moved to not allow letters and emails to be read unless the person is present. Councilmember Petty seconded the motion. The motion passed.

City Manager Alan Guard stated that he understands this is a difficult time for the city. There are several issues by citizens.

City Manager Guard made a presentation in response to his May 13, 2019 Evaluation. Mr. Guard made the following statements:

He appreciated Mayor Hollar's comment "where did the money go".

- 887,000 committed prior to my arrival
- After my arrival - $174,000 added after I arrived
- $30,000 to fund a community survey and Council and staff retreats – my proposal, Council approved
- $20,000 for new HVAC at Library – my proposal, Council approved
- $15,000 for new computers – my proposal, Council approved
- $65,000 for splash pad at Old City Park – Council requested and approved
- $44,000 for water/sewer mapping – my proposal, Council approved
- 84% of the drop-in fund balance was committed before I arrived in town
- In reference to the Fence accusation, commercial development must put up a screening fence between residential property, masonry is the usual requirement, the ordinance, approved by Council February 2018 allows alternatives approved by the Development Services Director, owner requested to put up a vinyl fence
and agreed to replace with masonry within five years. That is better than what is required by the ordinance.

- Email chain was show between City Manager Guard, Mayor Dane-Patterson, and Councilmember Petty regarding Councilmember Petty's trash issue.
- The Purchasing Policy that was adopted in 2013 was review, including the bid process.
- In reference to the Mayor's argument regarding signature authority of contracts and agreements, the policy states a contract up to $5,000 shall be authorized by the city manager and contracts over $5,000 requires approval by the city council. Mr. Guard stated he believes this is a typing error. Councilmember Petty stated that section A5 does not give the city manager authority to spend over $5,000 without council approval. Mayor Dane-Patterson stated that Mr. Guard is failing to read the ordinance adopted by the council. Mayor Dane-Patterson stated that the ordinance clearly states that the city manager can make purchases up to $5,000. In addition, she states that the ordinance states twice that the city manager does not have the authority to spend over $5000.00 without council approval. Mayor Dane-Patterson explained to City Manager Guard that if he failed to read the entire document, it is on him, and he failed to follow policy. Mr. Guard asked ex-finance supervisor Jan Messman to come up to the podium and she stated she believes this was a typo and believes it is $50,000. Mr. Guard stated that if you look at state law, it is common since to him that $50,000 is the spending limit. In addition, Mr. Guard stated that many staff members have told him that he has the authority to spend up to 50,000, this includes the city secretary. The city secretary herself has even brought me contracts.
- In reference to Mario Cisneros position and pay, the Capital Projects Manager is part of Administration and reports directly to the city manager. There is no Capital Projects Department. No council consent was needed. A raise was given to Mario Cisneros on July 16, 2018, midway through a pay period. It was done to match the new public works director.
- In reference to the Downtown Square Plan, it was previously stated that the city manager presented new plans without council knowledge. Mr. Guard stated that the council was informed about hiring Eikon during the FY 2018 budget workshops as related to the Capital Projects Advisory Committee. In addition, Mr. Guard stated that the Historic Preservation Commission meeting was a posted meeting and that it is his understanding that the city secretary posts all meetings and puts them on the calendar on the City website. In addition, he stated that he assumed council was made aware of all public meetings and if that is not the case, it can be corrected.
- In reference to SNAG Driveway Curtain Credits, this was part of Burks Street. It was being paved using a payment machine. Mr. Guard stated that it was discussed with SNAG and Ironhorse whether to slow down production and put in the driveway aprons or do a continuous pour with a full curb. Mr. Guard stated he made the decision to give SNAG $4,800 credit.
- In reference to the city secretary and liquor permits, fees have been collected every year for liquor permits by Finance and the number of years each permit is good for varies so the amount collected each year varies. It has always been the city secretary's job to collect alcoholic permit fees. Finance has done a great
job collecting and recently gave the duties back to the city secretary.

- In reference to permits and fees, Mr. Guard stated in the time frame noted by the Mayor, 843 permits issued and 1 needs investigating.

Councilmember Petty moved to not allow the same person to speak twice on the same topic. Councilmember Porter seconded the motion. The motion passed unanimously.

1) Mario Cisneros- Mr. Cisneros stated it is rude when people is not paying attention to the city manager when he is speaking. Mr. Cisneros stated that he was involved in the well, not involved, until he was asked to get involved. Mr. Cisneros asked the council to stay out of the way and let the employees do their job. Mr. Cisneros stated that City Manager is not going to make everyone happy, including citizens and/or staff. Councilmember Petty stated called point of order because the three-minute timer went off. Mr. Cisneros told Councilmember Petty that he knows what point of order is, and maybe the time is not up, it is not up to folks when it is up.

2) Justine Wollaston - Ms. Wollaston stated the city manager is very proactive and it is the mayor playing politics. Ms. Wollaston stated that she recommends the renewal of the contract.

3) Joe Brown- Mr. Brown stated he is from Pilot Point and loves Pilot Point. Mr. Brown stated to Mayor Dane-Patterson that she is doing an outstanding job and his heart goes out to her. Mr. Brown stated that he knows it is tough for her here being a woman and it is very shameful how people is treating her. Mr. Brown stated that the city manager states he loves Pilot Point, but the black community never sees his face. People just moving in are getting help, but not his family, who has been here for decades. In addition, he stated they are being treated like garbage. Mr. Brown stated that he has served his country and loves good Americans. Mr. Brown stated that you can say what you want, so many people saying they are Christians, but not acting like it. In addition, he stated he don’t like how the mayor is being treated because she is a lady, they are using bully tactics on her. Mr. Brown stated that he asked Mario Cisneros in the past for assistance once, Mario Cisneros got out of the neighborhood fast. Last, Mr. Brown made the following statement- God bless you Mayor.

Andy Messer stated there is two items on the agenda in executive session. At the end of this time, he is addressing some time to discuss time with council for legal advice before any action is taken.

Mayor Dane-Patterson confirmed with Andy Messer that he researched the documents that was provided and that reviewed documentation backing up what Mayor Dane-Patterson provided, but could not be factual until city manager Guard replied to the allegations.

Mr. Messer stated that there are differences between purchasing and contracts. There is some confusion on what is happening. Asst. City Attorney Marie Johnson stated that it is in the policy any contract over $5,000 must be approved by city council. Ms. Johnson
stated that there are two different parts in the purchasing policy, and it is not being read correctly.

Following statements were made:

Councilmember Singleton- As a leader, you need to enable to trust your employees and not micromanage. If we don’t trust the city manager, then he needs to be fired. Councilmember Singleton don’t believe this is what’s going on. In addition, he stated that he has trust in the city manager. This is not the time that to start over in the middle of all the projects going on.

Councilmember Delcourt- In response to a citizen’s comment, she was on council when the city manager was hired. We went through a process and we hired him at the city attorney’s advice. During the time, he was still putting his name out and with an upcoming interview with another city, we had a council meeting and we hired him. We wanted someone with a strong finance background, and he has what we were looking for. In addition, she stated once we have council rules in place, it will make things better. Ms. Delcourt stated that she lived here almost 13 years, the average city manager stays 2.5 years. There will be mistakes made unless everyone gets on the same page. Its budget season, we are building a wastewater treatment plant, just had a bond package, don’t think it’s a good time to change and she supports the city manager.

Councilmember Porter - read a letter he wrote earlier. The letter stated that this is an important meeting. Feel strongly that Alan Guard should continue his role. Mr. Porter stated that Alan has led our city forward, he has always been ahead of us and helped us accomplished many things. In addition, he stated that the city manager is soon to be president of rotary club, member of chamber of commerce, and with very few exceptions, he is supported by city staff. Mr. Porter stated that the citizens approved a 9.5 bond proposal with Alan’s leadership and the CPAC committee. Mr. Porter stated that we are preparing for over 1000 homes with the guiding hand of our city manager. In addition, we have momentum for our city and don’t want to lose it. Mr. Porter asked the other council members to help him extend our city managers contract for another year.

Councilmember Petty- Asked what the ethnic graphic for the community is. Guard stated he could not answer that off the top of his head. Councilmember Petty asked what the ethnic graphic of the workforce was, Mr. Guard stated it is very white and male. Councilmember Petty asked if he had hired any ethic employees. Mr. Guard stated yes, just hired an ethic permit tech and just hired the first female firefighter.

Councilmember Petty asked the city manager if he believes the 2013 purchasing policy over road the 2006 policy? City Manager Guard answered yes but believed there is an error. Councilmember Petty then asked if he believes the council has no power after leaving the dais, why is the council email and contact information on the website. Councilmember Petty stated that if a citizen has a concern and if he wants council to discuss it at a council meeting, it can take 2-3 weeks. City Manager Guard stated that he knows the council has ties in the community, but his recommendation is to have the citizen contact the main number.
Councilmember Cordell-In regard to the mural, I believe it will bring the city into a law city because the city manager authorized a third party to paint on a city building without city council approval. City Manager Guard stated that the library board voted to approve the mural and it was being funded by the friends of the library. The friends of the library were afraid that if it went to council, it would be changed. He stated he was just trying to help them.

City Attorney Andy Messer stated that it is city property and, in his view, a 3rd party cannot come in and paint on city property without council. Allowing a 3rd party to paint on city property can result in a lawsuit.

Councilmember Cordell stated that he previously told the city manager that he lost all confidence in him. Councilmember Cordell stated that if we asked for something, it should be given to us and not go to an investigation. If nothing is going on illegal, then give it to up. Mr. Cordell asked City Manager if he has ever yelled at employees in city hall. I have raised my voice, not attacked them personally or professionally. Councilmember Cordell stated to the city manager that the council drilled him during the interview process on how he felt about council talking to citizens and was told that you have no problems with it, but that is not the case. City Manager Guard stated yes; it is. Councilmember Cordell stated that if he asks his son a question, he states he can’t talk about it and that he has been told not to say anything. Councilmember Cordell stated to the city manager that he wants it one way but not the other way. We must get on the same page.

Councilmember McIlravy- No comment

Mayor Dane-Patterson stated that since employees’ names were mentioned by Mr. Guard, she would like to ask City Secretary Alice about the liquor license, how it got put on her desk and got taken off her desk. City Secretary Alice Holloway stated that the liqueur permitting was never on her desk. She stated she had been with the City of Pilot Point for 8 years and has only processed the TABC pre-qualification license. City Secretary Alice Holloway stated that employee JoAnn Wright can testify that when she worked the front office, they processed the license. In addition, she stated that Calvin Manual was present, and he can testify that once he got moved to permitting, his office handled them.

City Secretary Alice Holloway stated the whole process of the alcohol permitting getting moved to her office started one day when she was walking in the hallway and an employee got extremely loud and stated that the city had not collected any funds this year regarding alcohol permits. Ms. Holloway stated she went back to her office. Mr. Guard came in and she told him what happened. Mr. Guard stated that the employee had just been very busy. I explained that there is never a reason for anyone to be rude to another person regardless if busy or not. Ms. Holloway stated years ago; finance department requested to do all the invoicing for all departments. Ms. Holloway stated that permits cannot be issued without application and payments. She stated she is not saying anybody did a bad job, just stating that there was no communication between the departments. In
addition, she states that while speaking to several businesses in town regarding their permits, several stated that they came to city hall to get their alcohol permit, but was told to wait until they got their invoice. Ms. Holloway stated that finance never sent the invoices out. Ms. Holloway stated that during conversation with Mr. Guard, she told him that she would be happy to take over the process, but wants to do the whole process, A-Z, including invoicing, issuing permits, etc. She stated with this process; she will know that all steps are being taken care of. Mr. Guard agreed. She stated that the first thing her office did was an inventory of business, what’s been paid in the past, and who needs a permit. She stated that her office as of today had collected all permits except for three. Ms. Holloway addressed the yelling comments. She stated she has reported to council several times about the yelling and feels like people are thinking she is lying. Ms. Holloway stated that she, Councilmember Porter, and another employee had a discussion on the last incident. During the conversation, the employee told Mr. Porter that it was extremely loud, she was at the front office and came back to her office to see who he was screaming at. She stated she was shocked that the whole city did not hear it because it was so loud. In addition, she stated she asked the employee if she was the only employee was gets yelled at by the city manager and the employee stated yes to her and Councilmember Porter. She stated that she asked Councilmember Porter to please make sure that the other council members don’t think she is lying, and Mr. Porter stated that they don’t believe that. Ms. Holloway stated that she was sorry to bring up a private conversation, and Mr. Porter confirmed that was a confidential conversation. Ms. Holloway stated that she hates to say this, but because of so many things happening, she has had to record conversations, have turned over everything to her attorney, and have filed a complaint with the EEOC because of the way he is being treated. Ms. Holloway stated that so many people know what the truth is but will not stand up. Ms. Holloway stated that after serving the city for 8 years, she only expects to be treated fairly. She stated that is all she has ever asked for. Ms. Holloway stated that she came to council two months ago expecting to resign to accept another job offer, more money, better benefits, but the council asked me to stay and increased her salary. She stated that she stayed because she loves Pilot Point. loves the citizens and have made Pilot Point her home. In addition, she stated that she goes to church here, lives here, her daughter graduated school here, and she has wonderful friends here. In addition, she stated that she doesn’t care about the politics; she just wants to be able to do her job and do it peacefully. Mayor Dane-Patterson asked Councilmember Porter if the conversation happened and Mr. Porter stated yes.

Accounts Payable Clerk Judith Hernandez stated that she has never heard yelling at Alice during the conversation regarding Councilmember Cordell. She stated that she can tell the difference if he is yelling or being frustrated and he was not yelling.

Ex-Deputy Development Services Director Calvin Manual- Mr. Manuel stated that he was not planning on speaking at the meeting but feels it’s important that he does. Mr. Manuel stated that he knows for a fact that an employee was called dumb by the city manager and that there are several employees treated differently and he was one of them. Mr. Manuel stated that during time with the City, he was told by the city manager that there was no place here for him, then he was told by the city manager to meet with a phycologist at city hall. He stated he was called an asshole during the meeting. Mr. Manuel stated that he went to Alice who was HR and Alan about several issues, but they
never got resolved. Mr. Manuel stated that he learned to put his head down and keep working. Mr. Manuel stated that there are many other employees that feel the same way. Councilmember Petty asked if they were afraid of retaliation and he stated yes. Mr. Manuel stated that after he handled the whole permitting office on his own, he was told he was not qualified and after the new person was hired, was treated very differently. Mayor Dane-Patterson asked for clarification. Mr. Manuel stated he was interim development services director twice, and then was told he was not qualified for the director position. Mr. Guard stated that he never made that comment, and Mr. Manuel told Mr. Guard that he did. Mr. Manuel stated that all he can confirm regarding alcohol permits is that when John Dean was city manager, he moved alcohol permits from front office to permitting.

Mayor Dane-Patterson stated that she requested a report regarding all permitting. Mr. Guard handed her a report that showed 26 permits (not non-profit) that shows nonpaid permits that goes back to 2015. In addition, they showed 0 fees collected/balance. She stated the big ones was Kens Court/Lamppost homes. She stated It showed on 2/2019 the permits were picked up and 0 fees paid. Mr. Manuel was asked why he left the city. He stated after everything going on, he was no longer comfortable at the City of Pilot Point and he left when a better opportunity came alone. Mayor Dane-Patterson asked Mr. Manuel if permits were issued without being charged. Mr. Calvin stated he was directed by the city manager not to collect the fees and issue the permits to Mr. Tutor. Mr. Guard stated that they were not given the permits. Mr. Manuel stated that he was asked by the city manager to issue the permits and they were given the permits. Mr. Guard stated that Mr. Tutor did not realize he was given permits. Mayor Dane-Patterson stated that the report showed that the permits were issued, but the fees were not paid. City Manager Guard stated this is all a misunderstanding. In addition, he stated that John Taylor and Randy Tutor will confirm what was discussed.

Mayor Dane-Patterson stated that the City Attorney asked city secretary to get proof of all payments made of permit fees. City Secretary Holloway sent an email to finance department. The finance department then sent the city manager an email that the city secretary was requesting the information. She stated that the city manager then asked the city secretary who was asking for the information. She stated that the city attorney had her cut and paste an email that they developed for her to send to the city manager and copied them on it requesting bank statements. She stated she told Attorney Marie Johnson beforehand that if she asked for the statements, the city manager will say that he don’t take direction from just one person on the council. She stated that at 4:56 pm, she got a response from the city manager that he sent the documents City Attorney Andy Messer.

Asst. City Attorney Marie Johnson stated that she understood that the City Secretary was having difficulty getting bank statements. Because of this, she had the mayor send a directive to the city manager requesting the statements. Unknown to her and to Alice, the bank statements was sent to Alice at 4:58pm. City Manager stated he did not withhold any information. Ms. Johnson stated that City Secretary Holloway had been running around doing all different things for many different people and did not see the email at 4:58 pm. City Manager Guard stated that he wanted to make sure that all the council received the same information. City Secretary Holloway stated that after researching the
permitting reports, unable to locate permit files in the permitting department, she sent an email to finance asking for bank statements to match up with permitting report to help show what was paid. She stated that night, she seen the bank statements in an email from the city manager.

Mayor Dane-Patterson told Mr. Guard that he took an oath to follow policies and regulation whether he likes them or not, whether he believed there was a typo or not is not an excuse. She told the city manager whether he likes the subdivision ordinance or not, it should be followed. She stated that the city manager said earlier that he Mustang Creek Development they could move dirt. She stated in policy that construction cannot start until everything is approved. She stated the city manager violated policy. She stated that council cannot talk to staff, so if staff is not doing their job, it reflects on the city manager. She told the city manager he is responsible. Mayor Dane-Patterson asked the audients if utilities are part of construction. City Manager Guard stated she cannot ask them that question. Mayor Dane-Patterson stated that unities must be installed, or houses cannot be built. She stated that the ordinances state all utilities must be installed before permits can be issued and this policy has not been followed. She stated that the city manager is the stopping point between staff and city council. She stated there are a lot of things going on, including spending, but the city manager is not following policy, and have chosen to ignore them. Mayor Dane-Patterson stated she talked to the city manager at the beginning of his employment about the purchasing policy and there was also discussion about the policy when Elisa was on council.

Mayor Dane-Patterson stated that the city manager failed to listen to the attorney when he stated that council must approve murals on city buildings. She stated she then got a call from Western Son distillery regarding an issue was a neighboring business. She was told the city manager was called to help resolve the issue. She stated that they told her that the first thing the city manager said when he arrived was “can you donate money to our upcoming event”. She stated that they told her that they then asked them to pay $4,500.00 and they would be allowed to paint on the side of the building by the community center and the funds were going to help remodel the building. She stated this conversation was after the city attorney told him he had to get council approval. Mayor Dane-Patterson stated that the city manager was putting the city in a position of being suit. City Manager Guard asked City Attorney Messer if that was true. City Attorney Messer answered yes.

**H. RECONVENE INTO REGULAR SESSION**

The City Council of the City of Pilot Point will reconvene into Regular Session (Open Meeting) pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding the following items discussed in Executive Session:

1. In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

   Mayor Dane-Patterson opened the Executive Session item 2 in open session at the
I. **REGULAR AGENDA**

1. Discuss, consider, and possible action on a resolution approving the financing of one Brush Truck by Point Bank of Pilot Point, TX in the amount of $150,000 at an interest rate of 3.85% for the Fire Department.

   Mayor Dane-Patterson moved to table all items under Regular Agenda until the next meeting. Councilmember Petty seconded the motion. The motion tabled unanimously.

2. Discuss, consider, and possible action on an agreement with Granulawn for a Fertilization Program for the Groff Memorial Park Baseball Fields, Common area, Soccer Fields, Back-up Soccer Field, and Old City Park.

3. Discuss, consider, and possible action on approving an irrigation system for the Old City Park.

4. Discuss, consider, and possible action on appointment to the Denton County Lake Ray Roberts Planning & Zoning Commission.

5. Discuss, consider, and possible action on board appointments.

6. Discussion on a resolution providing a process for council participation in preparing a city council agenda.


8. Discussion on the Winter Festival hosted by the Pilot Point Chamber of Commerce.

J. **STAFF REPORT**

1. April Monthly Court Report

2. April Main Street Report

3. April Library Report

4. April City Secretary Report

5. April Finance Report

K. **FUTURE AGENDA ITEMS/REQUESTS BY COUNCILMEMBERS TO BE ON NEXT AGENDA**

   *Councilmembers shall not comment upon, deliberate, or discuss any item that is not on the agenda. Councilmembers shall not make routine inquiries about operations or project status on an item that is not posted. Any Councilmember may, however, state an issue and a request that this issue be placed on a future agenda.*

   Councilmember Petty requested the Carr Complaint to be on the next agenda.
L. ADJOURN

Mayor Dane-Patterson made the motion to adjourn. Councilmember McIlravy seconded the motion. The motion passed unanimously. The meeting adjourned at 11:30 p.m.

________________________________
Shea Dane-Patterson, Mayor

ATTEST:

________________________________
Alice Holloway, City Secretary
City Council Agenda
July 8, 2019

Agenda Item: F.4. Minute Resolution (Action Item)

Agenda Description:
Discuss, consider, and possible action on appointing Joyce Wood to the Museum Advisory Board.

Background Information:
Ms. Wood has previously served on the Museum Advisory Board and would like to continue. Ms. Wood's application was received on July 3, 2019.

Financial Information:
NA

City Contact and Recommendations:
Alice Holloway, City Secretary

Staff recommends the appointment of Ms. Wood.

ATTACHMENTS:

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CITY OF PILOT POINT
BOARDS AND COMMISSIONS

APPLICATION FOR APPOINTMENT TO A BOARD OR COMMISSION. Please complete and return to the City Secretary, P.O. Box 457, Pilot Point, Texas 76258, place in the night drop box located in the City Hall parking lot, or fax to (940) 686-4338. For more information, contact the City Secretary at (940) 686-2165 x 19.

Please note preference of Board or Commission by numbering your choice(s):
Note: Vacancies may not exist on all boards and commissions.

Planning & Zoning Commission
Board of Adjustments
Historic Preservation Review Board
Animal Advisory Board
Keep Pilot Point Beautiful Commission

Main Street Advisory Board
Pilot Point Economic Development
Parks Board
Library Board
Museum Advisory Committee

Name
Joyce Wood

Home Address & Zip Code
109 E McKinney

Home Phone
940 686-2442

Age
92

Occupation
retired teacher

Business Address

Business Phone

Email address:

Registered Voter?
Yes or No

Resident in City for
13

years

Education
BS, MA - NTSTC

Special knowledge or experience
MISC. ON CIVIC BOARDS & SCHOOL BOARD

Other information (civic activities, etc.)

Are you, or a member of your family, involved in any business transaction with the City of Pilot Point? Yes or No

If yes, please explain.

Have you ever been convicted of a felony? Yes or No

If yes, please explain.

I am aware of the meeting dates and times of the Board/Commission I have applied an if appointed, I agree to serve on the Board/Commission which I have applied, or would consider an alternate appointment to my second or third service preference.

Signature
Joyce Wood

Date Submitted
7-2-19
City Council Agenda
July 8, 2019

Agenda Item: G.1. (Action Item)

Agenda Description:
Discuss, consider, and possible action on a resolution for the appointment of one member of the Board of Managers of the Denco Area 9-1-1 District.

Background Information:
At the beginning of 2019, cities were asked to make nominations for potential appointment to the districts board of managers. The following nominations were received by the June 15, 2019 deadline:

- Sue Tejml
- Bill Casiteman
- David Terre

The Denco Area 9-1-1 District requests that each participating municipality vote for one of the nominees.

Financial Information:
NA

City Contact and Recommendations:
Alice Holloway, City Secretary

ATTACHMENTS:

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Council Resolution No. ________________

A RESOLUTION FOR THE APPOINTMENT OF ONE MEMBER TO THE BOARD OF MANAGERS OF THE DENCO AREA 9-1-1 DISTRICT.

WHEREAS, Section 772, Health and Safety Code, provides that two voting members of the Board of Managers of an Emergency Communications District shall be appointed jointly by all cities and towns lying wholly or partly within the District;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY / TOWN OF ____________________________ , TEXAS:

Section 1

The City / Town of ____________________________ hereby

VOTES TO APPOINT ____________________________ as a member of the

Board of Managers of the Denco Area 9-1-1 District.

Section 2

That this resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the _____ day of ____________________, 2019.

Mayor ____________________________

City / Town of ____________________________

ATTEST: ____________________________

City / Town Secretary ____________________________

APPROVED AS TO FORM:

City / Town Attorney ____________________________
Sue Rosson Tejml
March 2019

835 Orchid Hill Lane
Argyle-Copper Canyon, TX 76226-4526

Cell: 940-368-1085 stejml@aol.com

PERSONAL: Native Texan; raised in Corpus Christi (Copper Canyon resident 28 years)
Married to Emil Tejml 50 years plus (engineer & attorney)
(In case you wondered, his Czech name is pronounced TAY mull.)
Three adult children, seven grandchildren
With corporate moves, we have lived in 4 states, 6 Texas cities, worked abroad
Stay-at-home mother, until I became an attorney at age 40.

EDUCATION: University of Texas at Austin (B.A. History)
Texas A&M University at Kingsville (M.A. History)
Rice University (full scholarship for PhD History, lack dissertation for degree)
New York University Law School: 2 years, Top 10 American Law Schools
University of Houston Law School (LL.B.)

MAYOR: Town of Copper Canyon for 14 years; re-elected unopposed 7th term 2017-2019

2004 Master Plan: Maintained Rural Feeling of Town north of FM 407 Town Center!
MINIMUM ONE ACRE home lots 15 years! 42% Town is Ag Exempt with fields, trees!

"What’s Happening in Copper Canyon" For 14 years I have personally written this
Monthly mayor’s column in the Cross Timbers Gazette, a local newspaper with 47,000
circulation. (Second in circulation in Denton County only to the Dallas Morning News.)
My attempt to keep residents informed of events in our Town and subjects of general interest
in our area – roads, water, gas well drilling, etc. Transparency is always my primary goal!

Argyle Volunteer Fire District Board (Served 14 years, 2005 to present)

Denton County Emergency Services District #1 Our small town’s dilemma was inability to
adequately fund emergency services. The Founding Committee’s task was to educate residents
on the benefits of an ESD. The ESD would collectively provide fire and emergency medical
services to the towns of Argyle, Bartonville, Copper Canyon, Corral City, Northlake, and
FWSD #6 and #7 in Lantana. But a specific property tax would be needed to fund it. ESD#1
was created in 2006 by a 62% positive vote in a district-wide election over 65 square miles.

Neighborhood Watch and Crime Prevention
Copper Canyon does not have a police department. Resident Block Captains were recruited for
each street in town. Our Town Council contracted with Denton County Sheriff for Deputies
dedicated to Copper Canyon. Every shift the Deputies drive each street in Copper Canyon and
provide Rush Hour Traffic Patrol. Result is virtually crime free community for past decade!

Dallas Morning News: Copper Canyon one of 10 Best Communities in DFW Metroplex!
Spring 2016. Town rated #6 for safety – a prime concern for all individuals and families!
Maintained Same Low Tax Rate for Last 6 Years: .297505 includes road bond. Under spend budget each fiscal year. Roll surplus into Road Fund or Crime Prevention Fund.

2009 Road Taskforce: One person from almost every road in Town. Town wide election approves $2.5 million bond to rebuild 90% of 25-35 year old asphalt interior residential roads. Standard & Poors rating AA- (now AA+) County funds $14 million to rebuild perimeter commuter roads in concrete: Copper Canyon Rd, Orchid Hill Ln, Chinn Chapel Rd

Drafting Committee: “Best Practices for Municipalities and Gas Pipelines” 2010
A collaborative effort of Mayors, Denton County Commissioners, and Texas Pipeline Association. Goal was to expedite safe pipeline construction, but with a minimal impact on landowners, local businesses, and future development plans of each city.

Initiated Annual Denton County Mayors Crime Luncheon: 7 years (2012-2019)
Goal was to coordinate information on area crime between the Mayors, their Police Chiefs, Denton County Sheriff’s Office, Commissioners Court, Legislative representatives, Congressman Michael Burgess. CoServ Co-Sponsors this annual event with food & financial funds!

DENCO 911: Vice Chair Board of Managers, 6 years (2013-2019.) Elected 3 terms by majority of 32 Denton County city members. Personally update 8 city councils each year on 911.

NENA - National Emergency Number Association: Attend 5 Texas & 5 National Conferences.

LEGAL: Solo Attorney 15 years: General Civil Practice - municipal, family law, oil & gas
Matagorda County Bar Association - President,
State Bar - CLE Committee, District 5 Admissions, Bar Foundation Life Member

FAMILY LAW: State Bar Board Certified in Family Law (10 years)
Texas Supreme Court: Committees on Child Support Guidelines and on Child Visitation Guidelines

MUNICIPAL: Bay City, Texas: City Attorney (6 years) Population approx. 18-20,000
Municipal Prosecutor & Legal Advisor to Police Department
Home Rule Charter: City wide elected Public Office, Co-Chairman

VOLUNTEER: CASA - Court Appointed Special Advocate for Abused Children
Denton County Children’s Advocacy Center - Gave $10,000 for new Office

INTERESTS: Home Design: Designed 5 of our family homes, including in Copper Canyon
Misc.: Computer, cooking, dollhouse miniatures, hunting, organic gardening
Read: Biography, history, current global events, 1800’s British romance novels

Selected for Eisenhower “People to People Ambassador” – Texas Representative to China’s Department of Justice one-month tour for 50 USA American women attorneys & judges.

Visited for a week to month each: Alaska, Australia, Bermuda, Beirut, Canada, China, Czech Rep., England, France, Germany, Greece, Hawaii, Ireland, Italy, Japan, Mexico, Romania, Russia, Saudi Arabia, Scotland, Singapore, South Korea, Switzerland, Tahiti, Turkey, Venezuela, Wales.
David Terre  
3941 Teal Cove  
The Colony, Texas 75056  
972 740-4526

EDUCATION
Moberly Community College (2 Years)
Drake University
Earned a BS Degree in Business Administration and a Minor in Economics

EMPLOYMENT HISTORY
Enjoyed a wonderful 46 year career working for Wilson Sporting Goods; rose through the ranks to become VP of Sales responsible for all domestic sales. Along the way, also managed European Sales Operations while living in Germany; worked in marketing, coordinating successful new product introductions; and, also managed West Coast Distribution Operations.

THE COLONY PLANNING and ZONING COMMISSION
• 2008 - 2011 served as a member and Vice Chair of the board.

THE COLONY CITY COUNCIL
• 2011 – Elected and received the honor of being elected Mayor Pro Tem during my first term.
• 2012 - Appointed to the Local Development Corporation Board of Directors to oversee Grandscape (Nebraska Furniture Mart) Development.
• 2014 – Re-elected to a second term on Council, receiving 71% of the total vote in a three candidate race.
• 2017 - Ran opposed and re-elected to a third term

DENTON COUNTY TAX APPRAISAL DISTRICT
• 2013 - Became the first City Council Member from The Colony to be elected to their Board of Directors.
• 2015 & 2017 – Re-elected to a second and third term on DCAD Board of Directors

HONORS RECEIVED
1982 - Drake University Basketball Hall of Fame
1994 - Moberly Community College Basketball Hall of Fame
1995-2003 - Three-time Senior Olympics Gold Medal Winner playing for the USA Basketball Team
1999 - Received Wilson Wall of Fame Honor
2007 - Selected as Moberly Community College Outstanding Alumni of The Year
2013 - Received Washington High School Hall of Honor Award
2018 - Inducted into the Roaring Lambs Hall of Fame joining the likes of Roger Staubach, Tom Landry, John Wooden and many other great ones.

Why I believe I am uniquely qualified and very much desire to serve on the Denco Area 9-1-1 Emergency Communication District Board of Managers:

- Throughout my life I have served in leadership positions, particularly during my Wilson career and my City Council work. My formula for success has always been to work hard, stay organized, use common sense and live by the Golden Rule. If reelected to this position, I will bring a wealth of experience, proven leadership skills, and a results driven record of accomplishments to the Board of Managers.

- Thank you for your consideration
Bill Castleman

851 Lonesome Dove Lane
Copper Canyon, Texas 75077

(Phone) 214-616-5812
Email: bill@castleman.net

Senior Management Profile

Successful leadership career, highly motivated senior management professional providing strategic, creative and tactical execution of corporate initiatives to enhance productivity, customer service, business development and bottom line financial revenue. Noted for leading and motivating cross-functional teams from conception to implementation. Demonstrated success with start-up and turnaround operations and project management. Excellent communication skills highlighted by presentations to all levels of media. Key skills include:

- Strategic Planning
- New Business & Market Development
- Dual Branding & Market Segmentation
- Marketing Communication
- Budgeting & Cost Control
- Financial Planning / Performance
- Sales Forecasting
- Relationship Management
- Project Management

Professional Experience

Currently Semi-Retired: 2009-present
- Professional Photographer
- Tactical Handgun Instructor; NRA Certified Instructor; Texas LTC Certified Instructor
- Town Council Member - Town of Copper Canyon

CastleHill Communications LLC, Copper Canyon, Texas 2002-2009
President

Communications marketing firm with a particular emphasis in presentation training, DVD and CD development, Graphics, audio/visual techniques and speech writing.

- Consulted with broadcast television stations & groups on performance initiatives, on-air design concepts, news formatting, reporting, & organization, promotion & advertising campaigns. Trained reporters & videographers in storytelling techniques and reporting procedures.

- Helped develop marketing campaigns for small businesses, specializing in video/audio DVDS, photography, and graphic design.

AlphaGraphics, Denton, Texas 1998 - 2002
Owner

Owned and operated an AlphaGraphics Printing Company in Denton, Texas. AlphaGraphics is a commercial printer for some of the largest companies in North Texas. ISO 9002 certified, the company designed and printed everything from brochures to folders and presentations.

- Created a three year strategic plan that recognized the competitive environment, incorporated a market plan, included a detail performa and tracked the progress of the business.

- Managed and trained employees with the goal to perform with excellence and at a high productive level all with a focus on a strong bottom line performance.
CMP Publishing, Manhasset, New York
Managing Director – Television
1996 - 1998

CMP Publishing was one of the largest private publishing companies in the US. Company published computer-related magazines. Based out of Long Island, New York, I helped the company formulate plans to enter commercial television arena. Plans were discontinued when company decided to go public.

Triad Communication, Dallas/ San Francisco
Partner – President
1990 - 1996

Triad Communication, a broadcast television and cable consulting firm, worked for financial institutions on poor performing television stations, broadcast groups, television networks, and cable companies. Worked with global communications companies such as SBC, establishing their cable franchise in Northern England. Assignments included travel domestically and internationally.

- Performed workouts for financial institutions on stations and groups. Advised as to findings and made specific recommendations, In some cases we went in and managed the facilities and either turned them around or prepared them for sale.

- Helped build and develop sales and operational plans for a major cable company in Northern England. Developed sales manual and trained sales managers and account executives. Built and engineered award-winning broadcast facility. Developed operating budget and promotion & marketing campaign.

Act III Broadcasting, Atlanta, Georgia
Executive Vice President/Chief Operating Officer
1988 - 1990

- Act III Broadcasting, based in Atlanta, Georgia, a television broadcast company founded by Norman Lear (of All in the Family fame). Instrumental in purchasing and developing 8 television stations in the Eastern part of the US. Responsibilities included re-formatting, hiring personnel, re-building all 8 stations and negotiating programming and equipment contracts. Developed marketing campaign, negotiated and purchased programming for the stations. Standardized stations in terms of quality on-air look and feel. Participated in raising $150 million for purchase of stations. Negotiated network contract with major television network. Results: Funding was oversubscribed. Targeted station were purchased and turned-around.

- On-site management of Hong Kong Cable Company. Act III had a major programming consulting contract with Hong Kong Cable. I was assigned to oversee that contract and spent about a year in the region, building the cable company operations. Duties including budget planning and implementation; department head hiring; program purchasing & negotiation with major networks; building & studio design consultation.

Other Related Experience

KTXA-TV - Dallas, Texas, Vice President/General Manager
KRDL-TV - Dallas, Texas, Program Director
WKBD-TV, - Detroit, Michigan, Station Manager/Program Director
WFLD-TV - Chicago, Illinois, Executive Producer/Production Manager
Dennenberg Advertising - Washington DC, General Manager
Career Highlights

- Helped launch and manage design of a new $14 million television facility in a major market. Developed a major newscast. Negotiated and purchased programming. Results: Newscast was recognized by professional organization as "The best newscast in Texas." Station opened on time and under budget.

- Directed turnaround of a major market television station in preparation of setting it up for sale. Stepped into a decaying employee morale situation. Set up activities that positively impacted employee morale. Renegotiated program contracts to improve cash flow. Negotiated salary increases for staff and bonuses for management team. Results: Improved bottom line about 25% each year. Revenues improved by 40% each year. Sale and change in management went through successfully, with a good profit for each seller.


- Award-winning producer/director with Emmy awards in television program specials and commercial production.
BOARD OF MANAGERS
FY 2019

Chairman
Jack Miller
Denton County Commissioners Court Appointee
Term Expires: 9/30/2020

Vice-Chairman
Sue Tejml
Town of Copper Canyon
Denton County Cities Appointee
Term Expires: 9/30/2019

Secretary
Chief Terry McGrath
Denton Fire Chief's Assoc. Appointee
Term Expires: 9/30/2019

Jim Carter
Halff and Associates
Denton County Cities Appointee
Term Expires: 9/30/2020

Rob McGee
Verizon
Largest Telephone Service Provider Rep.
Non-Voting Member

Bill Lawrence
Denton County Commissioners Court Appointee
Term Expires: 9/30/2019
City Council Agenda  
July 8, 2019

Agenda Item: G.2. Minute Resolution (Action Item)

Agenda Description:
Discuss consider and possible action on the Final Plat, related Subdivider's Agreement and Park Land dedication for Mustang Creek Subdivision, also described as plus or minus 14.94 acres in the C. Smith Survey, Abstract No. 1139, in Denton County, Pilot Point, Texas for the creation of a 64-lot residential subdivision. The property is generally located on North Montague Street, bordered to the north by West Gould Street and the south by FM 1192.

Background Information:
The property owner proposes a Final Plat of an approved residential subdivision with 64 lots. The Planning and Zoning Commission and the City Council approved a residential PD for this proposed project along with a Preliminary Plat. The city engineer approved the accompanying set of civil construction plans. The one deviation from the Preliminary Plat is recommended by staff and involves the abandonment of excess right-of-way on Gould being an 18.75’ by 308.80’ strip. The existing alignment creates an awkward lot configuration for six lots on Gould and extremely long driveways to get to the roadway. The remaining right-of-way from centerline will be 55.29’ which is more than adequate right-of-way.

Other than this change the Final Plat as proposed conforms to the Preliminary Plat, the PD and the civil plans. The plat has been reviewed by the city engineer and the public works department staff and are not proposing any changes.

The developer has signed a Subdivider's Agreement and is securing Performance Bonds for the infrastructure which will be in place prior to the City Council meeting. Also prior to the council meeting the developer will have a proposal for park land dedication and park improvements within the subdivision.

Financial Information:
NA

City Contact and Recommendations:
The Planning and Zoning Commission reviewed the Final Plat at their July 1, 2019 meeting and unanimously recommended approval.

John Taylor, Development Services Director

ATTACHMENTS:

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<tr>
<td>Mustang Creek Civil Plan acceptance letter</td>
<td>Backup Material</td>
<td>6/26/2019</td>
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LINE OF SAID BLOCK 17;

THENCE IN AN EASTERLY THEN NORTHERLY DIRECTION ALONG A TREE LINE, THE FOLLOWING 6 COURSES AND DISTANCES;

1. THENCE NORTH 00 DEGREES 56 MINUTES 35 SECONDS EAST, WITH THE EAST LINE OF SAID 3.017 ACRE TRACT OF LAND AND THE WEST LINE OF SAID BLOCK 17, A DISTANCE OF 47.64 FEET TO A PK NAIL SET FOR THE SOUTHWEST CORNER OF SAID 0.28 ACRE TRACT OF LAND AND THE SOUTHWEST CORNER OF SAID 0.477 ACRE TRACT OF LAND DESCRIBED IN DEED TO CHAD RINEY, RECORDED IN DOCUMENT #2006-506298, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS FOR THE SOUTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED;

2. THENCE SOUTH 00 DEGREES 56 MINUTES 35 SECONDS WEST, WITH THE EAST LINE OF SAID 0.28 ACRE TRACT OF LAND AND THE WEST LINE OF SAID BLOCK 17, A DISTANCE OF 100.83 FEET TO A CAPPED ENGINEERING SIGHTLINE MARKER FOR THE SOUTHEAST CORNER OF SAID 0.457 ACRE TRACT OF LAND AND CONTINUING ON SAID COURSE FOR A TOTAL DISTANCE OF 206.64 FEET TO A CAPPED ENGINEERING SIGHTLINE MARKER FOR THE SOUTHWEST CORNER OF SAID 0.477 ACRE TRACT OF LAND;

3. THENCE SOUTH 89 DEGREES 48 MINUTES 55 SECONDS EAST, WITH THE SOUTH LINE THEREOF (CALLED TO BE NORTH LINE OF EDDLEMAN STREET). THENCE SOUTH 01 DEGREES 10 MINUTES 20 SECONDS WEST, PASSING THE SOUTHEAST CORNER OF SAID 0.457 ACRE TRACT OF LAND AND CONTINUING ON SAID COURSE FOR A TOTAL DISTANCE OF 100.83 FEET TO A CAPPED ENGINEERING SIGHTLINE MARKER FOR THE SOUTHEAST CORNER OF SAID 0.477 ACRE TRACT OF LAND;

4. THENCE SOUTH 89 DEGREES 03 MINUTES 25 SECONDS WEST, ALONG SAID F.M. 1192 AND WITH THE SOUTH LINE OF SAID 0.28 ACRE TRACT OF LAND, A DISTANCE OF 110.00 FEET TO A CAPPED ENGINEERING SIGHTLINE MARKER FOR THE SOUTHWEST CORNER OF SAID 0.477 ACRE TRACT OF LAND;

5. THENCE NORTH 89 DEGREES 03 MINUTES 24 SECONDS WEST, WITH THE SOUTH LINE OF SAID 14.66 ACRE TRACT OF LAND AND THE NORTH LINE OF APPARENT SOUTH LINE OF GOULD STREET FOR THE THE NORTHWEST CORNER OF SAID BLOCK 17 AND THE MOST NORTHERLY NORTHWEST CORNER FOUND FOR THE NORTHWEST CORNER OF THAT CERTAIN CALLED 0.477 ACRE TRACT OF LAND DESCRIBED IN DEED TO CHAD RINEY, RECORDED IN DOCUMENT #2006-506298, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS FOR THE SOUTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED;

6. THENCE NORTH 00 DEGREES 27 MINUTES 22 SECONDS EAST, WITH THE WEST RIGHT-OF-WAY LINE OF SAID MONTAGUE STREET, THE EAST LINE OF SAID BLOCKS, PASSING BROAD STREET AND WILSON STREET, A DISTANCE OF 687.66 FEET TO A CAPPED ENGINEERING SIGHTLINE MARKER FOR THE SOUTHWEST CORNER OF SAID 0.477 ACRE TRACT OF LAND;
CITY OF PILOT POINT, TEXAS
ORDINANCE NO. 342-12-2017

AN ORDINANCE OF THE CITY OF PILOT POINT, TEXAS AMENDING
CHAPTER 14, ZONING OF THE CODE OF ORDINANCES TO CHANGE
THE ZONING CLASSIFICATION OF 14.94 PLUS OR MINUS ACRE
PARCELS, LOCATED WEST OF MONTAGUE STREET, SOUTH OF
GOULD STREET, AND NORTH OF FM 1192 (W. WALCOTT STREET),
PILOT POINT, TEXAS FROM MULTIFAMILY RESIDENTIAL DUPLEX
TO PLANNED DEVELOPMENT SINGLE FAMILY RESIDENTIAL;
AMENDING THE ORIGINAL ZONING MAP TO REFLECT SUCH
CHANGES; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY; PROVIDING
FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN
EFFECTIVE DATE.

WHEREAS, the City of Pilot Point, Texas (the "City") is a Home Rule City; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has the authority
to adopt a comprehensive Zoning Ordinance and Map regarding the location and use of buildings
and structures and land for business, industrial, and residential purposes and to amend said
Ordinance and Map for the purpose of promoting the public health, safety, morals, and general
welfare, and

WHEREAS, a public hearing was duly held by the Planning & Zoning Commission on the 6th
day of November, 2017, and by the City Council on the 13th day of November, 2017; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication,
and all procedural requirements have been complied with in accordance with Chapter 211 of the
Local Government Code; and

WHEREAS, the City of Pilot Point, Texas does hereby deem it advisable and in the public
interest to amend the Zoning Ordinance by changing the zoning classification of certain
properties within the City of Pilot Point, by amending the Official Zoning Map to reflect such
changes.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
PILOT POINT, TEXAS:

SECTION 1
INCORPORATION OF PREMISES

That the above and foregoing premises are true and correct and are incorporated herein and made
a part hereof for all purposes.
SECTION 2
APPLICATION

The City of Pilot Point's Official Zoning Map is hereby amended to designate the 14.94 acres described in Exhibit "A" as Planned Development. The development standards indicated in Exhibit "B" are hereby incorporated into the Planned Development zoning and shall apply to development within the boundaries described in Exhibit A.

The following provisions are also included in this ordinance:

1. Planning and Zoning Commission prefers that electric facilities serving the PD be placed underground.
2. The PD will have only two car garages.
3. Driveways shall be at least as wide at the garage door opening. For their entire length.
4. All future builders shall build the same quality housing as the first houses in reference to the design standards.
5. All sidewalks shall be at least four feet wide.
6. There shall be sidewalks providing access throughout the internal portions of the PD and in agreed upon locations on the perimeter of the PD.
7. Applicant and the city shall negotiate a set of best practices design standards for the structures' external appearance.
8. Developer shall demonstrate through the platting process that storm water is being adequately handled preventing internal and downstream flooding.
9. Montague and Gould Street shall be improved and plans for such improvements shall be included in the platting documents (engineering plans).
10. A mixture of several materials including stone, brick and hardy plank may be used on the sides and rear of the houses. A design guideline on the maximum % of any one material on the rear and sides shall be identified and put into the PD Ordinance.
11. Residential units shall be placed such that no one unit is adjacent, Including on corners, to the same elevation or immediately across the street from the same elevation.
12. HOA must be in place and a copy of CCNR's provided to the City prior to Council action on the final plat. HOA shall, at minimum, shall maintain the entrance to the PD and shall maintain the detention basin, its fencing and play equipment.

SECTION 3
CUMULATIVE REPEALER CLAUSE

This ordinance shall be cumulative of all provisions of ordinances of the City of Pilot Point, Texas, and shall not repeal any of the provisions of said ordinances except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict. All other provisions of ordinances of the City of Pilot Point, Texas not in direct conflict with this ordinance shall remain in full force and effect.
SECTION 4
SAVINGS CLAUSE

All rights and remedies of the City of Pilot Point, Texas are expressly saved as to any and all violations of the provisions of any other ordinance, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

SECTION 5
SEVERABILITY

The sections, paragraphs, sentences, phrases, clauses and words of this ordinance are severable, and if any section, paragraph, sentence, phrase, clause, or word in this ordinance or application thereof to any person or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council hereby declares that it would have passed such remaining portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 6
EFFECTIVE DATE

The City Secretary of the City of Pilot Point, Texas, is hereby directed to publish in the Official Newspaper of the City of Pilot Point, the Caption and Effective Date clause of this Ordinance as required by Section 52.013 of the Texas Local Government Code.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Pilot Point, Texas this the 13th day of November, 2017.

[Signature]
Shea Dune-Patterson, Mayor

ATTEST:

[Signature]
Alice Holloway, City Secretary
**Exhibit B**

**Craig Liggett Property**

Re-Zoning for a 14.94 Acre Tract

Pilot Point, Texas

**Project Summary:**

The referenced property is currently zoned Multi-Family 1 (MF-1). The application is a request for a zoning change to a Planned Development District (PD). Under the PD this site will be developed as a single family subdivision based on Single Family 3 Residential District (SF-3) with variances as outlined below.

**Subject Tract Area:** 14.94 Acres

**Current Zoning:** MF-1

**Proposed Zoning:** PD Based On SF-3

**Buildable Residential Lots:** 84

**Zoning Requirements:**

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<tr>
<th>Requirement</th>
<th>SF-3</th>
<th>PD</th>
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<tr>
<td>Minimum Lot Area (square feet)</td>
<td>6,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Maximum Density (d.u. per acre)</td>
<td>7</td>
<td>4.3</td>
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<tr>
<td>Minimum Front Yard (feet)</td>
<td>20</td>
<td>20 (garage door)</td>
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<td></td>
<td></td>
<td>15 (porch/porch)</td>
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<tr>
<td>Minimum Side Yard (feet)</td>
<td>5</td>
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<tr>
<td>Minimum Side Yard Corner Lot (feet)</td>
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<tr>
<td>Minimum Rear Yard (feet)</td>
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<tr>
<td>Minimum Lot Width (feet)</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Minimum Lot Depth (feet)</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>Maximum Lot Coverage (%)</td>
<td>40</td>
<td>50</td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>35 feet (2.5 stories)</td>
<td>35 feet (2.5 stories)</td>
</tr>
<tr>
<td>Minimum Living Area (square feet)</td>
<td>1,000</td>
<td>1,000</td>
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**Additional Development Standards:**

- Lot Width shall be measured at the building line.
- Lot Depth shall be the average depth of the lot.
- No alley shall be required.
- Non-Radial lot lines shall be allowed.
Development Services Department

December 11, 2018

Roger Dietz
Dietz Engineering
205 S. Alma Drive
Allen, Texas 75013

The civil engineering plans for the Mustang Creek subdivision has been released for construction by the City of Pilot Point Development Services Department. The City of Pilot Point standard specifications for construction as contained in the adopted North Central Texas Council of Governments Public Works Standards shall take precedence over the approved plans whenever in conflict therewith.

Released by:

Brandon Wall, City Engineer (Wall Engineering)  
Date  
12/11/18

Trent Vandagriff, Public Works Director  
Date
City Council Agenda
July 8, 2019

Agenda Item: G.3. Minute Resolution (Action Item)

Agenda Description:
Discuss, consider and possible action requesting that the City Secretary redact certain personal information on the Mayoral recall petition that resides on the City's website.

Background Information:
On June 17, 2019 the City Council considered a recall petition that requested the removal of the Mayor. As a result of the item being placed on the agenda, the agenda packet on the City's website contains copies of the petition documents with the signer's name, address and date of birth (DOB). Council member Singleton made a request to have the personal information redacted (email string attached). On June 19, the City Attorney's Office advised the City Secretary to redact the DOB. This has not been done.

Further, citizens have contacted the City concerned about this issue.

Council member Singleton has asked this item be placed on the agenda and the City Secretary would like Council direction on whether or not to redact the personal information requested.

Cases cited by the City Attorney's Office refer to public information requests. This specific request asks that the information on the City's website be redacted. There is no code or statute that specifically speaks to this information being required to be left on our website. As a practical matter this makes these citizens susceptible to identify theft. It is not good public policy to place Pilot Point citizens in the predicament.

If the City receives a public information request for the un-redacted petitions the documents can be copied and provided, thus fulfilling the Attorney's General requirements.

Financial Information:
NA

City Contact and Recommendations:
Alan Guard, City Manager
Staff recommends that Council direct the City Secretary to remove the current un-redacted Mayoral recall petitions on the City's website and replace them with a version that redacts certain personal information.

ATTACHMENTS:

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<tr>
<td>PIA Releasing</td>
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<td>6/26/2019</td>
</tr>
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</table>
June 25, 2019

Texas Alcoholic Beverage Commission
P. O. Box 13127
Austin, TX 78711

To Whom It May Concern:

The City of Pilot Point is the owner of the gazebo located at 107 W. Main St., Pilot Point, TX 76258. The City hereby gives permission to the Pilot Point Chamber of Commerce for the sale of beer and wine from that gazebo during the Concert on Main to be held on July 5, 2019.

Please contact me at 940-686-2165 if you have any questions. Thank you for your consideration.

Sincerely,

[Signature]
Alan Guard
City Manager

Office of the Attorney General

State of Texas
Informal Letter Ruling No. OR2017-03504
February 16, 2017

*1 Ms. Sarah M. Griffin
Counsel for the City of Hearne
Denton Navarro Rocha Bernal Hyde & Zech, PC
2500 West William Cannon, Suite 609
Austin, Texas 78745-5320

Dear Ms. Griffin:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the “Act”), chapter 552 of the Government Code. Your request was assigned ID# 646553.

The City of Hearne (the “city”), which you represent, received a request for all documents pertaining to a specified recall petition. You claim some of the submitted information is excepted from disclosure under sections 552.101 and 552.117 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.101 excepts from disclosure “information considered to be confidential by law, either constitutional, statutory, or by judicial decision.” Gov’t Code § 552.101. Section 552.101 encompasses the doctrine of common-law privacy. Indus. Found. v. Tex. Indus. Accident Bd., 540 S.W.2d 668, 685 (Tex. 1976). Under the common-law right of privacy, an individual has a right to be free from the publicizing of private affairs in which the public has no legitimate concern. Id. at 682. In considering whether a public citizen's date of birth is private, the Third Court of Appeals looked to the supreme court's rationale in Texas Comptroller of Public Accounts v. Attorney General of Texas, 354 S.W.3d 336 (Tex. 2010). Paxton v. City of Dallas, No. 03-13-00546-CV, 2015 WL 3394061, at *3 (Tex. App.—Austin May 22, 2015, pet. denied) (mem. op.). The supreme court concluded public employees' dates of birth are private under section 552.102 of the Government Code because the employees' privacy interest substantially outweighed the negligible public interest in disclosure. Texas Comptroller, 354 S.W.3d at 347-48. Based on Texas Comptroller, the court of appeals concluded the privacy rights of public employees apply equally to public citizens, and thus, public citizens' dates of birth are also protected by common-law privacy pursuant to section 552.101. City of Dallas, 2015 WL 3394061, at *3. Thus, the city must withhold all public citizens' dates of birth under section 552.101 of the Government Code in conjunction with common-law privacy.

Section 552.117 of the Government Code excepts from disclosure the home addresses and telephone numbers, emergency contact information, social security numbers, and family member information of specified categories of individuals. See Gov't Code § 552.117. We note section 552.117 applies only to records that a governmental body holds in an employment capacity. The information at issue consists of a petition to recall a city council member and, thus, we find the city does not maintain the information in an employment context. Therefore, we find section 552.117(a) of the Government Code does not apply in this situation, and the city may not withhold any of the remaining information on that basis.

*2 In summary, the city must withhold all public citizens' dates of birth under section 552.101 of the Government Code in conjunction with common-law privacy. The city must release the remaining information.
This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml, or call the Office of the Attorney General’s Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

Meredith L. Coffman
Assistant Attorney General
Open Records Division

Footnotes
1 Although you also raise section 552.101 of the Government Code in conjunction with section 552.117 of the Government Code, this office has concluded section 552.101 does not encompass other exceptions found in the Act. See Open Records Decision No. 676 at 1-2 (2002).
2 Section 552.102(a) excepts from disclosure “Information in a personnel file, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” Gov't Code § 552.102(a).
3 As our ruling is dispositive, we need not address your remaining argument against disclosure of this information.

Dear Mr. Hinds:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the “Act”), chapter 552 of the Government Code. Your request was assigned ID# 656613.

The Ellis County Elections Office (the “elections office”) received a request for a list of all registered voters for the Red Oak Independent School District with all available voting history, including voter unique identifiers and dates of birth. You state the elections office has released some information. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Pursuant to subchapter A of chapter 18 of the Election Code, the registrar in each county must prepare for each precinct a certified list of registered voters in the precinct. See Elec. Code §§ 18.001-.004 (discussing original, supplemental, registration correction, and revised original lists of registered voters). Each original and supplemental list of registered voters must contain the voter's name, date of birth, and registration number, the voter's residence address, except as provided by subsections (b) and (c) or section 18.0051, and the notation required by section 15.111 of the Election Code. See id. § 18.005(a)(1)-(2), (4); see also id. §§ 18.0051 (discussing substitute addresses in list of registered voters), 15.111 (a) (explaining registrar shall enter certain notation on registered voter's list beside voter's name on suspense list). Section 18.008 of the Election Code provides, in part, as follows:

(a) The registrar shall furnish a copy of any list prepared under... subchapter [A of chapter 18] to any person requesting it. The copy shall be furnished without the names of voters whose names appear on a list with the notation “S”, or a similar notation, if requested in that form.

Id. § 18.008(a). We note the elections office is the voter registrar for the county pursuant to section 12.001 of the Election Code. See id. § 12.001 (providing county tax assessor collector is voter registrar for county unless position of county elections administrator is created or county clerk is designated as voter registrar). Therefore, we find section 18.008 of the Election Code is applicable to the instant request for information. You raise section 552.101 in conjunction with common-law privacy for the submitted dates of birth. As a general rule, the exceptions to disclosure found in the Act do not apply to information that other statutes make public. See Open Records Decision Nos. 623 at 3 (1994), 525 at 3 (1989). Further, information that is specifically made public by statute may not be withheld under section 552.101 of the Government Code on the basis of common-law privacy. See Collins v. Tex Mall, L.P., 297 S. W.3d 409, 415 (Tex. App.—Fort Worth 2009, no pet.) (statutory provision controls and preempts common law only when statute directly conflicts with common-law principle); Center Point Energy Houston Elec. LLC v. Harris County Toll Rd. Auth., 436 F.3d 541, 544 (5th Cir. 2006) (common law controls only where there is no conflicting or controlling statutory law). Accordingly, the elections office may not withhold the dates of birth at issue under section 552.101 of the Government Code.
Code in conjunction with common-law privacy pursuant to section 18.008 of the Election Code. As no further exceptions to disclosure have been raised, the elections office must release the submitted information.

The elections office asks this office to issue a previous determination permitting it to withhold the full and partial dates of birth of registered voters under section 552.101 of the Government Code in conjunction with common-law privacy. See Gov't Code § 552.301 (a) (allowing governmental body to withhold information subject to previous determination); Open Records Decision No. 673 (2001). We decline to issue such a previous determination at this time. Accordingly, this letter ruling is limited to the particular records at issue in the request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other records or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml, or call the Office of the Attorney General’s Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

Britni Ramirez
Assistant Attorney General
Open Records Division

City Council Agenda  
July 8, 2019

Agenda Item: G.4. Minute Resolution (Action Item)

Agenda Description:
Discuss, consider and possible action to purchase a 2015 Chevrolet Tahoe for the Police Department from the City of Prosper in the amount of $11,000.

Background Information:
The Pilot Point Police Department was contacted recently and informed that the City of Prosper was trading out a 2015 Chevrolet Tahoe from its fleet. SRO Barry Pennell was dispatched to Prosper to check out the vehicle. He reported that it needs minimal work and is overall good shape. The vehicle has 60,000 miles.

The department is scheduled to replace two vehicles next year. If the City acquired this vehicle it would reduce the number needed to be replaced. The price for one of these vehicles new is approximately $55,000. Prosper is asking $11,000.

Financial Information:
Funds are available in the Police equipment replacement budget account 01-80002-02 ($36,000).

City Contact and Recommendations:
Alan Guard, City Manager
Tim Conner, Police Chief
Staff recommends the City purchase the used 2015 Chevrolet Tahoe from the Prosper Police Department for $11,000.
City Council Agenda
July 8, 2019

Agenda Item: G.5. Minute Resolution (Action Item)

Agenda Description:
Discuss, consider, and possible action to direct staff to purchase traffic calming devices for Northside Drive.

Background Information:
Council discussed the issue of speeding vehicles on Northside Drive at the June 24 meeting. In addition to lowering the speed limit to 25 mph, Council directed staff to investigate other methods for calming traffic along the street. Public Works has identified at least three options for reducing speed. All three are doable according to the Public Works Director. Funds are available from the 2013 Certificate of Obligation to complete this work.

Financial Information:
The options range from a few hundred dollars to a few thousand dollars depending on how many are installed. The 2013 Certificate of Obligation can be used for a variety of projects including streets and traffic control. Approximately $42,000 is available.

City Contact and Recommendations:
Alan Guard, City Manager
Trent Vandagriff, Public Works Director

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<td>Option C Traffic Calming</td>
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<td>6/27/2019</td>
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Bring attention and slow vehicle traffic down using the Speed Nub Safety Bump Rumble strips. Made from rubber (yellow sections and recycled rubber (black section), this speed bump rumble strip is designed with a low profile (1/2” height) to prevent vehicle damaged while the black and yellow color combination displays a traditional caution notification.

Preferred for low speed environments such as schools, shopping centers, business and private parking lots, Speed Nub Safety Bumps can add rows of bumps to match the level of caution that drivers need around certain areas.

Each Speed Nub Kit contains two 19.5” sections (1 black and 1 yellow) totaling a 39” speed bump and (8) 3” spikes. Because each kit comes with one black and one yellow piece, designing custom caution layouts is possible.

*Depending on where the Speed Nub is installed, other mount-
Related Products:

- Raised Lane Markers
- 18" Speed Bumps
- 6' Speed Bumps
- Parking Car Stops