

**THE CITY COUNCIL OF THE CITY OF POTTSBORO, TEXAS MET  
THURSDAY, May 12<sup>th</sup>, 2011 6:00 P.M. AT 528 HWY 120 EAST.  
FOR A SPECIAL SESSION.**

---

Present: Mayor: Frank Budra; Mayor Pro-Tem: David Waller, Council Members Gary Watkins, Landon Goins, Mary Helen Chapin and Lucy Hansen.

**SPECIAL SESSION**

**CALL TO ORDER**

Notice is hereby given that the City Council of the City of Pottsboro, Texas has met in Special called Session on **Thursday, May 12<sup>th</sup>, 2011** at 6:00 p.m. at 528 Hwy 120 E Pottsboro TX in the Council Chambers, pursuant to the Open Meeting Laws of the State of Texas.

Frank Budra called the meeting to order at 6:00 p.m.

**PLEDGE OF ALLEGIANCE** - to the flag of the United States.

**COUNCILMEMBER**

**1. Councilmember position**

Consideration and/or action on filling the vacant Councilmember position.

**Kevin M. Farley, City Manager**

Landon Goins motioned to appoint Lucy Hansen to the remainder of the vacant Councilmember position. The motion was seconded by Mary Helen Chapin. Motion carried unanimously

**2. Oath of Office.**

Consideration and/or action on administration of the Oath of Office for the newly appointed official.

**Denise Smith, City Secretary/ Comptroller**

Frank Budra administered the Oath of Office.

**CITIZENS TO BE HEARD**

This time is set aside for any person having business before the Council that is not scheduled on the agenda to speak to the Council. Please submit a completed Speaker's Request Form to the City Secretary at the beginning of the council meeting. All comments must be directed toward the Presiding Officer rather than an individual council member or staff. Each speaker must limit their comments to the subject matter listed on the Speaker's Request Form and must refrain from personal attacks toward any individual. Speakers are limited to five minutes. Council may not comment publicly on matters brought to their attention during the Citizens' participation. Council may direct the City Manager to resolve or request the matter to be placed on a future agenda. Such public comments shall not include any "*deliberation*" as defined by Chapter 551 of the government Code, as now or hereafter amended. If you have a subject that may require City Council action, you may obtain a form from the City Secretary's office and request to have the item placed on a future agenda.

No comments were made.

**CONSENT AGENDA:**

Consent Agenda Items are considered to be routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the mayor, council member or city manager, and acted upon separately.

### **3. Minutes**

Consideration and/or action on the Minutes from the April 5<sup>th</sup> and 21<sup>st</sup>, 2011 Council meetings.

**Denise Smith, City Secretary/ Comptroller**

Landon Goins motioned to approve the Consent Agenda Item as presented. The motion was seconded by Mary Helen Chapin. Motion carried unanimously.

### **ACTION ITEMS:**

#### **4. Capital Improvement Program - Certificates of Obligation**

Consideration and/or action on all matters relating to proposed issuance of Certificates of Obligation to fund the City of Pottsboro Capital Improvement Program.

a. Discussion of the Proposed Issuance of Certificates of Obligation and Consideration of an Ordinance Authorizing the Issuance of City Of Pottsboro, Texas Combination Tax and Waterworks and Sewer System (Limited Pledge) Revenue Certificates of Obligation, Series 2011; Specifying the Terms and Features of said Certificates; Awarding the Sale of said Certificates; Providing for the Payment of said Certificates of Obligation by the Levy of an Ad Valorem Tax upon all Taxable Property within the City and a Limited Pledge of the Net Revenues from the Operation of the City's Waterworks and Sewer System; and Resolving Other Matters Incident and Relating to the Issuance, Payment, Security, Sale, and Delivery of said Certificates of Obligation, Including the Approval and Execution of a Paying Agent/Registrar Agreement and the Approval and Distribution of an Official Statement; and Providing an Effective Date.

b. Consideration of the Approval of and Authorization to Execute a Financial Advisory Contract with Specialized Public Finance, Inc.

#### **Kevin M. Farley, City Manager**

Kevin M. Farley, City Manager and Steven Adams, Managing Director of Specialized Public Finance Inc. reviewed information regarding the issuance of the Certificates of Obligation. The City received five bids with the winning bid reflecting a True Interest Cost (TIC) of 3.7216% which was submitted by Morgan Keegan & Company, Inc. The City also received an A+ rating by Standard & Poor.

Mary Helen Chapin motioned to approve the issuance of Certificates of Obligation and awarding the \$2,000,000 Combined Tax and Waterworks and Sewer System (Limited Pledge) Revenue Certificates of Obligation, Series 2011 to Morgan Keegan and Company, Inc. The motion was seconded by David Waller. Motion carried unanimously.

David Waller motioned to approve and authorization to execute a financial advisory contract with Specialized Public Finance, Inc. as presented. The motion was seconded by Mary Helen Chapin. Motion carried unanimously.

#### **5. ATMOS Cities Steering Committee**

Consideration and/or action on 2011 membership with ATMOS Cities Steering Committee.

#### **Kevin M. Farley, City Manager**

Gary Watkins motioned to approve the City's continued participation with the ATMOS Cities Steering Committee as stated in Resolution 1135 as amended, with a five cent per capita fee. The motion was seconded by David Waller. Motion carried unanimously.

**6. Texoma Housing Partners Public Housing Board of Commissioners**

Consideration and/or action on reappointing the current and/or new commissioner to serve on the Texoma Housing Partners Public Housing Board of Commissioners for a three year term.

**Kevin M. Farley, City Manager**

David Waller motioned to appoint Frank Budra to the Texoma Housing Partners Public Housing Board of Commissioners for a three year term. The motion was seconded by Gary Watkins. Motion carried unanimously.

**7. Planning and Zoning Commissioners**

Consideration and/or action on reappointing the current and/or new commissioner to serve on the Planning and Zoning commission for a two year term.

**Denise Smith, City Secretary/ Comptroller**

David Waller motioned to reappoint Steven Vedral and Cathy Frosch and appoint Wanda Poe to the Planning and Zoning commission for a two year term. The motion was seconded by Mary Helen Chapin. Motion carried unanimously.

**8. Miscellaneous Water Improvements**

Consideration and/or action on all matters relating to Change Order Request No. 2 from Sperling Construction on the Miscellaneous Water Improvements.

**Kevin M. Farley, City Manager**

David Waller motioned approve Change Order Request No. 2C from Sperling Construction and accept the Miscellaneous Water Improvements project as complete. The motion was seconded by Mary Helen Chapin. Motion carried unanimously.

**9. Access Management Guidelines**

**Public hearing**

Consideration and/or action on all matters relating to access driveway permitting authorization for the City of Pottsboro.

A. Consider requesting access permitting authority from Texas Department of Transportation (TXDOT).

B. Consider establishing, by Ordinance 1270, access management guidelines.

**Kevin M. Farley, City Manager**

Landon Goins motioned to approve requesting access permitting authority from Texas Department of Transportation (TXDOT) and approve to Ordinance 1270 establishing the City's access management guidelines. The motion was seconded by David Waller. Motion carried unanimously.

**ADJOURNMENT:**

Motion by Gary Watkins to adjourn; second by Mary Helen Chapin; motion carried unanimously.

Meeting adjourned at 6:51 p.m.

*Frank Budra*

Mayor

*Denise Smith*

City Secretary

