

NOTICE OF REGULAR COUNCIL MEETING

AUGUST 5TH, 2013 7:00 PM

SHADY SHORES COMMUNITY CENTER

101 S. SHADY SHORES ROAD

SHADY SHORES, TX 76208

AGENDA

1. CALL TO ORDER – [The meeting was called to order at 7:00 PM.](#)

MEMBERS PRESENT

**Cindy Spencer, Mayor
Cindy Aughinbaugh, Mayor Pro-Tem
Paula Woolworth
Patty Durkin
Charles Grimes
Matthew Haines**

MEMBERS ABSENT

**Also Present: Sarah Swanson, Town Secretary
Jim Shepherd, Town Attorney
Richard Arvizu, Town Engineer**

2. PLEDGE ALLEGIANCE TO THE UNITED STATES FLAG AND THE TEXAS FLAG.

(HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE.)

3. CONSENT AGENDA—each item listed on the consent agenda is considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

- A. Consider and take action relative to the following minutes:
 - 1. Town Council Meeting Minutes July 1, 2013
 - 2. Consider and take action relative to the June 2013 Financial Reports.

Patty Durkin made a motion to approve the consent agenda. Cindy Aughinbaugh seconded. Motion carried.

4. COUNCILMEMBER/COMMITTEE REPORTS-Consider and take action relative to the following Councilmember/Committee member reports:

1. Roads (Spencer)

The July 23rd article on the Shady Shores Roads in the Denton Record Chronicle had information that is not current or accurate.

The target date for road construction completion on Garza and Shady Shores is August 15th.

2. Community Events (Spencer)

The Community Events Committee met July 18th. Mindy Grimes is the new chairperson for 2013-2014.

An exciting new project of the committee is the creation of a community newsletter. Barbara Thorngren has agreed to be the journalist and editor of the "Shady Shores News". It will be posted on the web-site and will be emailed on a monthly basis. We ask that all citizens participate by emailing her with ideas, events, comments, etc. that you feel would be beneficial to the community.

The following are the upcoming events for the next year:

1. April and October are our community garage sales.
2. October 26th will be a combination of two former events: Hoot-n-Holler and Trick or Treat. This event will include our Annual Chili Cook-Off, a Costume Contest, a Pumpkin Carving and/or Painting Contest, and Trick or Treat.
3. December 7th will be our annual Christmas Celebration. It will begin with an Indoor Christmas Bizarre for Shady Shores Crafters and Artists. Late afternoon and early evening will include Games, Pictures with Santa, The Choir and Orchestra from Stephens Elementary School, Cookies and Hot Chocolate and will end with the lighting of the Town Christmas Tree.
4. The CEC will work with the KSSB committee on the fall Trash Bash and the spring Earth Day/Trash Bash event in April. They also hope to partner with the schools during the Earth Day event.
5. The committee would like to thank everyone who has given their support in the past and encourage all Shady Shores residents to become involved in our future events.

3. Animal Control (Grimes)

Animal control is mild for this time of year.

4. Code Enforcement (Grimes)

He has been busy, is doing a good job, and most residents are taking it in stride.

5. Police Report (Durkin)

There were 300 calls in July, one arrest and 19 citations.

6. Fire Report (Woolworth)

There have been 71 calls, year to date. The Assistant Fire Chief said that we are completely on trend and par from previous results.

5. CITIZENS COMMENTS-PURSUANT TO THE STATE OF TEXAS OPEN MEETINGS

STATUTE: The governing body of the Town of Shady Shores may not take action on items not posted on the agenda. Those items mentioned by citizens may be placed on a future agenda.

JoAnne Lee – 409 S. Shady Shores Rd.

Ms. Lee asked the Council to consider the noise of vehicles, all terrain, go-karts, and dirt bikes. She has a neighbor with a dirt bike track on their property facing Shady Shores Rd. The noise is very bad. The main problem is the dust that goes onto Shady Shores Rd., making the traffic slow or to a stop. It's like smoke from a fire, making it hard to get through.

Paul Brown – 420 Fritz

At the July 1st Council Meeting, the Council had the opportunity to note and admit errors from the June 19th Special Council Meeting. On June 20th, in reference to the June 19th Special Council Meeting, he sent Alderman Durkin an email pointing out serious errors in Question Number Four, about the DISD Middle School development. On July 1st, Alderman Durkin replied. Alderman Durkin had the opportunity to amend the statements at the July 1st meeting, but did not.

6. **HYDROLOGY STUDY:** Hydrology study presentation by the Town Engineer, Richard Arvizu. Discuss and deliberate going forward with the Hydrology Study.

Town Engineer, Richard Arvizu, put together a Request for Qualifications. The Master Drainage Plan will help identify drainage system deficiencies and provide a document that will guide the Town in prioritizing drainage capital improvement projects (CIPs). All questions about the meaning or intent of the RFQ are to be directed to the Town Secretary, Sarah Swanson, via email. There is no express or implied obligation for the Town to reimburse responding firms for any expenses incurred in preparing SOQs in response to this RFQ.

The Town reserves all rights available under applicable laws, including without limitation, and with or without cause and with or without notice, the right to:

- Reject or accept any or all SOQs as a result of this request or to negotiate separately with any source whatsoever in any manner necessary to serve the best interest of the Town
- To negotiate with all qualified sources, or to cancel, in part or in its entirety, this RFQ if found in the best interest of the Town
- Revise and modify, at any time before the RFQ submittal due date, its evaluation methodology as set forth herein
- Extend the RFQ submittal date
- Appoint an evaluation committee to review RFQ submittals or responses, make recommendations and seek the assistance of outside technical experts and consultants in RFQ submittal evaluation
- Hold interviews and conduct discussions and correspondence with one or more of the firms responding to this RFQ to seek an improved understanding and evaluation of the responses to this RFQ
- Disclose information contained in an RFQ submittal to the public as required under the Texas Public Information Act
- Waive deficiencies in an RFQ submittal, accept and review a non-conforming RFQ submittal or seek clarifications or supplements to an RFQ submittal

A committee appointed by the Mayor and/or Town Council will review the responses to the RFQ and develop a short list of firms/teams to interview based on qualifications, resources, and availability to provide the services requested. These interviews will provide an opportunity for the interviewees of the services to be provided and the responder's approach to providing these services.

Upon completion of interviews, one successful firm will be selected based on demonstrated competence and qualifications as determined by the Town. The Town will begin contract negotiations with the most highly qualified firm.

As for the Scope of Work, at a minimum, the Master Drainage Plan should include the following: Base Mapping, Drainage Policy and Criteria Development, Public Input, Existing Drainage Facilities Assessment, Recommendations, Funding Opportunities, Other Services to be included.

The following are the submittal requirements/evaluation criteria: Firm Introduction, Experience on Similar Projects, Qualifications of Project Manager and Key Personnel, Project Understanding/Approach.

The Council decided to do further research with various local cities to inquire about hydrology studies that they have done. The Council will report their findings at the next meeting and possibly make a decision to move forward.

7. APPOINTMENT TO THE DENCO 911 BOARD OF MANAGERS: Consider and take action relative to casting a vote for an individual to serve on the DENCO 9-1-1 District Board of Managers.

Paula Woolworth made a motion to vote for Charla Marchuk for the Denco 911 Board of Managers. Matthew Haines seconded. Motion carried.

8. ORDINANCE 257-6-2013: Consider and take action on Ordinance 257-6-2013 regarding the three way stop sign at Garza Rd. and W. Shady Shores Rd.

Cindy Aughinbaugh made a motion to approve Ordinance 257-6-2013. Patty Durkin seconded. Motion carried.

9. ORDINANCE 258-7-2013: Consider and take action on Ordinance 258-7-2013 regarding flashing school zone signs at two locations on W Shady Shores Rd.

The location of the flashing school zones still need to be determined by the Town Engineer. Cindy Aughinbaugh made a motion to table Ordinance 258-7-2013. Matthew Haines seconded. Motion carried.

10. RESOLUTION 744 AMENDING RESOLUTION 734 INVESTMENT POLICY:

Consider and take action relative to amending Resolution 734 restating the Shady Shores Investment policy for the 2013-2014 fiscal year as recommended by the Investment Committee.

Patty Durkin made a motion to approve Resolution 744. Charles Grimes seconded. Motion carried.

11. RESOLUTION 745 AMENDING RESOLUTION 735 REGARDING INVESTMENT

COMMITTEE: Consider and take action regarding Resolution 745 amending Resolution 735 appointing a Chief Investment Officer and members to serve on the investment committee for the fiscal year 2013-2014.

Patty Durkin made a motion to approve Resolution 745. Paula Woolworth seconded. Motion carried.

12. RECOMMENDATION OF THE INVESTMENT COMMITTEE: Consider and discuss the recommendation of the Investment Committee to research the possibility of transferring money from our savings account into two new CDs that would be laddered with our two existing CDs.

The Investment Committee is going to call a meeting and create a plan for these options.

13. ORDINANCE 255-4-2013: Amending Ordinance No. 148-12-2002 and No. 148-1-2003 Defining Certain Nuisances and Unlawful Acts

Cindy Aughinbaugh made a motion to table Ordinance 255-4-2013 and to send it back to Planning and Zoning for further review. Matthew Haines seconded. Motion carried.

14. SEPTEMBER COUNCIL MEETING: Consider and take action relative to setting a date for the September 2013 Town Council Meeting.

Cindy Aughinbaugh made a motion to have the next Council Meeting on September 9, 2013. Patty Durkin seconded. Motion carried.

15. EXECUTIVE SESSION: Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated, the Town Council may hold a closed meeting.

At 9:30 PM, Cindy Aughinbaugh made a motion to move into Executive Session. Paula Woolworth seconded. Motion carried.

At 10:30 PM, Cindy Aughinbaugh made a motion to reconvene in regular session. Matthew Haines seconded. Motion carried.

- A. Government code 551.071-Confidential legal advice regarding pending or contemplated litigation.
- B. Government code 551.074-Personnel-to deliberate the appointment, employment, evaluation, reassignment or duties of office staff.

16. ADJOURN:

Cindy Aughinbaugh made a motion to adjourn. Charles Grimes seconded. Motion carried.