

**MINUTES
WATAUGA CITY COUNCIL
SPECIAL MEETING
MONDAY, AUGUST 24, 2020
VIDEOCONFERENCE
6:30 PM**

CALL TO ORDER

The City Council of the City of Watauga, Texas convened by videoconference at 6:34 p.m.

ROLL CALL

Mayor, Arthur Miner

Mayor Pro Tem/Council Member, Place 2, Tom Snyder

Council Member, Place 1, Danielle Tucker (Logged In/No Audio)

Council Member, Place 3, Lovie Downey

Council Member, Place 4, Andrew Neal

Council Member, Place 5, Juanita Kina

Council Member, Place 6, Mark Taylor

Council Member, Place 7, (Vacant)

and

Andrea Gardner, City Manager/City Secretary

Sandra Gibson, Finance Director

Deby Woodard, Assistant Finance Director

Marcia Reyna, Director of Human Services and Civil Service

and

Caroline Kelly, Russell Rodriguez Hyde Bullock LLP

Andrew Friedman, SAMCO Capital Markets

ANNOUNCEMENTS

Mayor Miner stated that he has large amount of paperwork to read through so it will be a long meeting.

Council Member Downey shared that an Operation Underground Railroad event will be held at Capp Smith Park Saturday, August 29, 2020.

Council Member Neal and Council Member Taylor both announced that the Clear the Shelter event is being held this week.

PUBLIC TESTIMONY

Ms. Kelly provided a legal statement regarding several submissions of public testimony and comments received prior to the meeting stating a vast majority will be read into the record. However, many were incomplete and not submitted per the City's rules for

public testimony and thus will not be read into the record.

Mayor Miner read the following public comments (*Comments will be archived with approved minutes*)

Ms. Danielle Tucker, 5952 Highcrest Drive, Watauga

Ms. Kelly clarified that although Ms. Tucker submitted her resignation from Council, she is currently in holdover status and cannot comment on any item that is not on the agenda as doing so would violate the open meetings act. However, since Ms. Tucker submitted multiple comments, those that reference items that are on the agenda may be read into the record.

Mayor Miner stated that he will not continue with reading submission from Ms. Tucker based on legal counsel. Mayor Miner continued and read the following public comments (*Comments will be archived with approved minutes*)

Ms. Lori Hubbard, 5948 Hillglen Drive, Watauga

Ms. Christy McCauley Blackburn, 6320 Hunters Glen, Watauga

Mr. Chuck Hubbard, 5948 Hillglen Drive, Watauga

Council Member Taylor clarified that the May election is a General Election and not a Special Election. Voting will take place for council seats 3, 4, 5 and for Mayor.

Ms. Gardner stated the only thing that is considered a General Election is voting for City Council places and any other matter would fall under a Special Election.

Mayor Miner continued to read the following public comments (*Comments will be archived with approved minutes*)

Ms. Jan Hill, 6444 Westridge, Watauga

Mayor Miner responded that he is provided a list of monthly expenditures as does the full Council.

Ms. Gibson provided the following statements of fact; purchases over \$50,000 are taken to Council for approval as is required per the Texas Local Government Code; the budget is the maximum spending limit however there are other requirements as far as presenting items and purchases to council for final approval. A monthly report of major funds with revenue and expenditures is also provided to the Council in comparison to the budget and prior year.

Mayor Miner continued to read the following public comments (*Comments will be archived with approved minutes*)

Ms. Sherri Hopkins, 7509 Meadowbrook Drive, Watauga

Ms. Diane Kissel, 6524 Brookdale Drive, Watauga

CONSENT AGENDA

Mayor Miner read through the following consent agenda items and requested Council to present any changes.

1. **Consider and approval of the Monthly Financial Report for the period ending June, 30, 2020**
2. **Consideration and approval of the Quarterly Investment Report for the period ending June 30, 2020**
3. **Consider action and approval of a resolution accepting the Certified Tax Roll for Tax Year 2020 from the Tarrant Appraisal District as certified by the Chief Appraiser Jeff Law**

Mayor Miner called for a motion.

Mayor Pro Tem Snyder made a motion to accept the item as presented. Motion seconded by Council Member Downey. As there was no additional discussion, Mayor Miner called for the Council to vote. By show of hands, motion passed 5-0.

Ayes: Snyder, Downey, Neal, King, Taylor

Nays: None

PUBLIC HEARING

Mayor Miner opened the public hearing at 6:58 p.m.

1. **Public Hearing on the Watauga Economic Development Corporation FY2020-2021 Proposed Budget**

Mayor Miner stated that there was no one present in the council chambers requesting to speak, however, will read the following comments into the official record. *(Comments will be archived with approved minutes)*

Before moving forward with reading the comments, Mayor Miner called upon Ms. Gibson to provide a brief summary of the item to Council and stated that a Public Hearing was held June 13, 2020 and the proposed budget was adopted July 31, 2020.

Mayor Miner continued with reading comments from the following:

Ms. Andra Dunn, 6516 Alta Vista Drive
Mr. Cristian Robinson, 6032 Rickee Drive
Mr. Chaney DuBois, 6630 E 124 Pl S Bixby, Oklahoma
Mr. Brian Lay, 6252 Spring Buck Run, Fort Worth
Mr. Zachary Mays, 7141 Winchester Road, North Richland Hills
Mr. Kirin Obeidin, 6637 Anne Court, Watauga
Mr. Rubab Malik, 1504 Juliet Place, Watauga

Mr. Trey Sanders, 5520 Finian Lane, North Richland Hills
Mr. Milo Grey, 1725 Saxon Drive, Bedford
Mr. Joseph Metz, 7724 Red Oak St, Watauga
Mr. Tony Mccowan, 1600 Grassy View Drive, Fort Worth
Mr. Yxng Shroomie, 3901 Long Straw Drive, Fort Worth

Mayor Miner called for Council discussion. Council Member Taylor requested that the topic of the Watauga Skate park be added to a future agenda.

Mayor Miner closed the public hearing at 7:13 p.m.

2. Public Hearing on the Fiscal Year 2020-2021 Proposed Budget

Mayor Miner opened the public hearing at 7:13 p.m.

Mayor Miner stated that there was no one present in the Council Chambers requesting to speak.

Mayor Miner called upon Ms. Gibson to provide a brief summary of the item.

Mayor Miner stated that citizen comments were not received.

Mayor Miner inquired regarding water/sewer and if finance is expecting bad debt to be lower due to Covid and to residents relocating with no deposit on file. Ms. Gibson responded in the affirmative.

Mayor Miner closed the public hearing at 7:23 p.m.

Mayor Miner stated that the meeting was changed to a virtual format at approximately 4:00 p.m. on August 21, 2020, due to perceived threats to Council and Staff.

ACTION ITEMS

- 1. Presentation by SAMCO Capital Markets, the City's Financial Advisor, and provide direction to the City Manager about refunding currently outstanding city debt for interest rate savings and authorizing the City's Financial Advisor, Bond Counsel and staff to proceed if certain savings targets are reached and other matters related thereto**

Mr. Andrew Friedman a presentation regarding a bond refunding opportunity to and stated that it is callable on February 1, 2021 and can refund 90 days prior to call date. He further stated that Council can act in October or November of this year to refinance \$1,685,000 of callable bonds, without penalty. SAMCO is recommending that the Council pursue this refunding opportunity to save money.

Mayor Miner asked the Council to provide direction:

Place 1, Tucker - No Audio
Place 2, Snyder - Proceed
Place 3, Downey - Proceed
Place 4, Neal - Proceed
Place 5, King - Proceed
Place 6, Taylor - Proceed

2. **Discuss and consider action to approve an ordinance authorizing the issuance of "City of Watauga, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2020" in an amount not to exceed \$3,000,000.00; providing for the payment of said certificates by the levy of an ad valorem tax upon all taxable property within the City and further securing said certificates by a lien on and pledge of the pledged revenues of the system; providing the terms and conditions of said certificates and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of said certificates, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement and an official bid form; complying with the requirements of the letter of representations previously executed with the depository trust company; authorizing the execution of any necessary engagement agreements with the City's Financial Advisors and/or Bond Counsel; and providing an effective date {CAPTION}**

Ms. Gardner read the following ordinance caption:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF WATAUGA, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2020"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING SAID CERTIFICATES BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF SAID CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SAID CERTIFICATES, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN OFFICIAL BID FORM; COMPLYING WITH THE REQUIREMENTS OF THE LETTER OF REPRESENTATIONS PREVIOUSLY EXECUTED WITH THE DEPOSITORY TRUST COMPANY; AUTHORIZING THE EXECUTION OF ANY NECESSARY

**ENGAGEMENT AGREEMENT WITH THE CITY'S FINANCIAL ADVISORS;
AND PROVIDING AN EFFECTIVE DATE**

Mayor Miner read public comments submitted by the following: *(Comments will be archived with approved minutes)*

Mr. Paul Hopkins, 7509 Meadowbrook Drive, Watauga
Ms. Sherri Hopkins, 7509 Meadowbrook Drive, Watauga

Mayor Miner called for a motion. Council Member Downey made a motion to accept the item as presented. Motion seconded by Council Member Taylor.

Mayor Miner called for Council discussion. Council Member Neal pointed out that the item has been discussed since July 2020 for street projects and the incubator project that will be funded by the Watauga Economic Development Center.

Mr. Friedman provided an overview of the bidding results of the certificates of obligation that included the following:

- 20 year fixed rate
- Total of (6) bids received
- Best bid from FHN Financial Capital Markets at 1.376487%
- Absolute cheapest debt the City has borrowed
- Four years ago loans were as low as 1.98%

Mayor Miner called for additional Council discussion. Council Member Downey stated that part of this is to facilitate the Fire Station renovation.

Council Member Neal asked Mr. Friedman for confirmation that the interest and sinking rate would not be negatively affected. Mr. Friedman responded in the affirmative and stated that the rate is the lowest seen amongst all his clients. He also reported that Standard & Poor's affirmed the City's AA rating, and even during a pandemic, the City of Watauga received a firm rating with raters citing strong management practices and budgetary flexibility. He further stated that maintaining fund balances to 25% of expenditures is good policy and complimented Ms. Gibson's work on monitoring the city's funds daily, as does Ms. Gardner. Mr. Friedman expressed that keeping the rating up is very important and the AA rating is a real feather in the cap to maintain during a pandemic.

Mayor Miner agreed with Mr. Friedman and echoed kudos to staff.

Ms. Kelly asked for confirmation that Public Testimony was called for this item. Mayor reconfirmed with Ms. Gardner that Mr. Paul Hopkins and Ms. Sherri Hopkins comments were read into the record.

As there was no additional discussion, Mayor Miner called for the Council to vote. By show of hands, motion passed 5-0.

Ayes: Snyder, Downey, Neal, King, Taylor
Nays: None

Mayor confirmed that Council Member Tucker was signed in but had no audio. Council Member Tucker responded that she was on the agenda and Mayor Miner responded that he was not going to argue with her.

3. Discuss and consider action on the Fiscal Year 2020-2021 Proposed Budget

Ms. Gibson provided a brief overview of the item.

Mayor Miner stated that public comments were not received for this item and called for motion.

Council Member Taylor made a motion to move forward with action on the fiscal year proposed budget with approval. Motion seconded by Council Member King. As there was no additional discussion, Mayor Miner called for the Council to vote. By show of hand, motion passed 5-0.

Ayes: Snyder, Downey, Neal, King, Taylor
Nays: None

4. Discuss and consider action to approve an Ordinance amending the FY2019-2020 Budget for anticipated CARES Act grant revenues and expenditures relating to Covid-19 Response

Ms. Gibson provided an overview of the item to Council.

Mayor Miner called for public testimony. (Comments will be archived with approved minutes)

Mayor Miner began to read submission of Ms. Danielle Tucker, 5952 Highcrest Drive, Watauga.

Council Member Taylor claimed a point of order and stated that the present item is to amend the budget and not discuss the Watauga Economic Development Corporation.

Ms. Kelly stated that since Council Member Tucker was online, she should to take the floor and make comments directly. At that point in time, Council Member Tucker logged out of the videoconference platform. Mayor Miner continued with reading the comments submitted by Council Member Tucker.

Council Member Taylor claimed a point of order and stated that the reading of the comments has exceeded three (3) minutes. Mayor Miner asked if it included the interruptions. Council Member Taylor responded that he stopped and restarted timer and the allotted (3) minutes had been exceeded.

Council Member Downey made a motion to accept the item as presented. Motion seconded by Mayor Pro Tem Snyder. As there was no additional discussion, Mayor Miner called for the Council to vote. By show of hand, motion passed 5-0.

Ayes: Snyder, Downey, Neal, King, Taylor
Nays: None

5. Discuss and consider action to approve Weaver and Tidwell, LLP as the vendor for Professional Audit Services

Ms. Woodard gave a brief summary of the item to Council.

Mayor Miner stated that a submission was received from Ms. Danielle Tucker, 5952 Highcrest Drive, Fort Worth (*Submission will be archived with approved minutes*)

Mayor Miner called for a motion.

Mayor Pro Tem Snyder made a motion to accept the item as presented. Motion seconded by Council Member Downey.

Mayor Miner stated that a virtual meeting was held two (2) weeks prior with the Audit Committee and complimented the Finance Department for a job well done. As there was no additional discussion, Mayor Miner called for the Council to vote. By show of hand, motion passed 5-0.

Ayes: Snyder, Downey, Neal, King, Taylor
Nays: None

6. Discuss and consider action on approval of the Watauga Economic Development Corporation (WEDC) Budget for Fiscal Year 2020-2021

Ms. Gibson stated that required public hearing was held earlier in the evening and the next step is for Council to approve and adopt the budget.

Mayor Miner called for a motion. Council Member Downey made a motion to accept the item as presented. Motion seconded by Council Member Neal. As there was no additional discussion, Mayor Miner called for the Council to vote. By show of right hand, motion passed 5-0.

Ayes: Snyder, Downey, Neal, King, Taylor
Nays: None

7. Discuss and consider action on approval of the Watauga Crime Control Prevention District (WCCPD) Proposed Budget for Fiscal Year 2020-2021

Ms. Gibson provided background on the item and stated the required public hearing was held August 10, 2020, and is now being presented for Council adoption.

Mayor Miner stated a citizen comment was received from Ms. Danielle Tucker, 5952 Highcrest Drive, Watauga. (Submission will be archived with approved minutes)

Council Member Taylor asked to go on record that "Daniel Not on Council" was signed onto the WebEx meeting at this time and objected to the comments being read, as she is in attendance she can directly voice her concerns.

Ms. Tucker elected to sign off the WebEx meeting at that time. Mayor Miner moved forward with reading the submission into the record.

Mayor Miner called for a motion. Council Member Taylor made a motion to approve the proposed budget for FY 2020-2021. Motion seconded by Mayor Pro Tem Snyder.

Mayor Miner called for Council discussion. Council Member Downey stated that she has addressed the comments with Ms. Tucker by email.

Mayor Miner announced that Allen Tucker signed onto the WebEx meeting.

As there was no additional discussion, Mayor Miner called for the Council to vote. By show of right hand, motion passed 5-0.

Ayes: Snyder, Downey, Neal, King, Taylor
Nays: None

8. Discuss the proposed tax rate of \$0.580404 per \$100 valuation for Fiscal Year 2020-2021 and accept Notice About 2020 Tax Rates

Ms. Gibson provided background and explained the proposed tax rates.

Mayor Miner stated that the citizen comment was received from Ms. Danielle Tucker, 5952 Highcrest Drive, Watauga. *(Submission will be archived with approved minutes)*

Mayor Miner called for a motion.

Council Member Downey made a motion to accept the item as presented.
Motion seconded by Council Member King.

Mayor Miner called for Council discussion. Council Member Downey stated that Watauga is not defunding the Police Department.

As there was no additional discussion, Mayor Miner called for the Council to vote. By show of right hand, motion passed 5-0.

Ayes: Snyder, Downey, Neal, King, Taylor
Nays: None

9. Discuss and Consider action on a Staffing Reimbursement Agreement between the City of Watauga and the Watauga Economic Development Corporation

Ms. Gibson provided background on the agreement and stated that the total amount is \$231,781.

Mayor Miner stated that the citizen comment was received from Ms. Danielle Tucker, 5952 Highcrest Drive, Watauga. *(Submission will be archived with approved minutes)*

Council Member Downey called for a point of order and stated that the comments by Ms. Tucker were a ridiculous attack on the City Manager. Mayor Miner stated that the comments were read per the advice of legal counsel.

Council Member Taylor expressed dislike for Ms. Tucker's personal attack on a city staff member and made a motion to approve the item but to strike the comments regarding Ms. Gardner.

Mayor Miner called for a second. Motion seconded by Mayor Pro Tem Snyder.

Mayor Miner commended that the attack on Ms. Gardner was totally uncalled for and unprofessional.

Council Member Taylor stated that the inappropriate comments are un-allowed and that he knows that Ms. Tucker in online and he does not understand why she is playing games and which speaks to the issues at hand.

Mayor Miner called for Council discussion.

As there was no additional discussion, Mayor Miner called for the Council to vote. By show of right hand, motion passed 5-0.

Ayes: Snyder, Downey, Neal, King, Taylor
Nays: None

Mayor Miner recessed the meeting for a short break at 8:34 p.m.

The meeting reconvened at 8:40 p.m.

10. **Acknowledgement of City Councilmember Danielle Tucker's August 17, 2020 resignation as City Councilmember City Council Place 1; discuss and consider action as provided by Section 3.05 of the City Charter to fill the vacancy on City Council by the appointment of a qualified person to fill the unexpired term of office for City Councilmember City Council Place 1 and conduct Oath of Office ceremony (as necessary).**

Mayor Miner introduced the item and asked Ms. Gardner for any comment. Ms. Gardner responded that she had no comments.

Mayor Miner called for a motion. Mayor Pro Tem Snyder made a motion to accept the resignation.

Ms. Kelley stated that the City Secretary had already accepted the written resignation and this item is to update the Council to allow for input if they desire to seek a replacement appointment.

Mayor Miner read the following public comments into the record. (*Submissions archived with approved minutes*)

Ms. Sandy Fitch, 6041 Harrison Way, Watauga
Ms. Helen Massey, 6628 Hughes Drive, Watauga
Ms. Deborah Adams, 6000 Robin Drive, Watauga
Ms. Lisa Worley, 6517 Johnnie St, Watauga
Mr. Scott Worley, 6517 Johnnie St, Watauga
Ms. Christi McCauley Blackburn, 6320 Hunters Glen, Watauga
Ms. Janelle Foley, 6537 Meadowlark Lane E, Watauga

Mr. Chuck Hubbard, 5948 Hillglen Drive, Watauga
Ms. Cheney Cruze, 6013 Kary Lynn Drive S, Watauga
Ms. Andra Dunn, 6516 Alta Vista Drive, Watauga
Ms. Danielle Tucker, 5952 Highcrest Drive
Ms. Sherri Hopkins, 7509 Meadowbrook Drive, Watauga
Ms. Kathy Roberts, 7021 Richardson Drive

Mayor Pro Tem Snyder addressed some of the public comments regarding filling Place 1 with Ms. Tucker. He explained that she was the only person on the ballot so it made sense to support the appointment, but thinks the seat should remain vacant.

Council Member Taylor concurred with Mayor Pro Tem Snyder to leave the seat vacant and wants to make sure Council brings action against Danielle Tucker in a hearing pursuant to section 3.08 at the September Regular Council meeting.

Mayor Miner stated that he was disappointed that a person who was afforded the opportunity made such a mess. He further stated that Council made a good faith effort, not a misguided effort and had the election been held in May, the same person would already be in place because she runs unopposed. The Council did what they considered was best at the time.

Council Member Downey stated that a good faith effort was made, and as of 5:00 p.m. today, Ms. Tucker did not remove her name from the ballot. She has made aggressive statements to staff. Ms. Downey concurs with Mayor Pro Tem Snyder and Council Member Taylor's comments.

Council Member Neal stated that Ms. Gardner is the hardest working individual, and that Ms. Tucker has attacked her, his neighbors, and his wife. He also stated that the seat should remain vacant.

Council Member King agreed that the seat remain vacant.

Mayor Miner recommended that the seat should be left open. At the August 10, 2020 meeting a total of (12) citizen comments requesting Place 7 not be filled. He also noted that several of the comments received regarding filling Place 1 with Ms. Cruze are the same that requested Place 7 be left vacant. Mayor Miner stated that he has asked the City Attorney to take action to legally remove her from the Council.

Mayor Pro Tem Snyder stated that it is great to hear recommendations of Ms. Cruze and is not dismissing any public comments, however it is a little too soon to place anyone in the Place 1 seat. He also stated that due to the attacks on

City Staff, City Manager, Council and anyone affiliated with the City, he agrees that action to formally remove her is needed.

Mayor Miner asked Ms. Gardner to accept his apologies as she's had to endure a lot over the past two weeks. He also stated that he is in favor of not appointing anyone to the position at this time.

Mayor repeated that the motion to accept the item as presented was made by Mayor Pro Tem Snyder and seconded by Council Member Neal. As there was no further discussion, Mayor Miner called for the Council to vote. By show of hands, motion passed 5-0.

Ayes: Snyder, Downey, Neal, King, Taylor

Nays: None

ADJOURNMENT

Mayor Miner adjourned the meeting at 9:09 p.m.

APPROVED:

this 12TH day of OCTOBER, 2020

SIGNED:

this 13TH day of OCTOBER, 2020

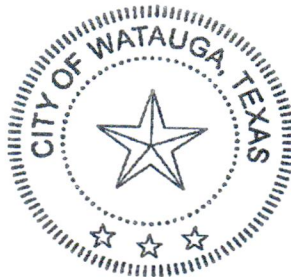
APPROVED:

Arthur L. Miner /s/
Arthur L. Miner, Mayor

ATTEST:

Andrea Gardner /s/

Andrea Gardner, City Secretary



NOTE: Original Audio and Video Recording of this meeting is preserved and maintained by the City Secretary's Office