

hTHE FLOWER MOUND TOWN COUNCIL WORK SESSION HELD ON THE 18th DAY OF SEPTEMBER 2008 IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:00 P.M.

The Town Council met in a work session with the following members present:

Tim Trotter	Mayor Pro Tem
Joel Lindsey	Deputy Mayor Pro Tem
Jean Levenick	Councilmember Place 4
Jeff Tasker	Councilmember Place 5

with the following members absent:

Jody Smith	Mayor
Al Filidoro	Councilmember Place 2

constituting a quorum with the following members of the Town Staff participating:

Harlan Jefferson	Town Manager
Paula Paschal	Town Secretary
Chuck Springer	Assistant Town Manager/Chief Financial Officer
Kent Collins	Assistant Town Manager

A. CALL TOWN COUNCIL WORK SESSION TO ORDER

Mayor Pro Tem Trotter called the work session to order at 6:01 p.m.

B. INVOCATION

Mayor Pro Tem Trotter gave the Invocation.

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG

Mayor Pro Tem Trotter led the pledges.

D. WORK SESSION ITEM

1. **Hold a discussion regarding amendments to the Town's Underground Utility regulations, specifically the requirement of placing existing overhead utilities underground in conjunction with development or redevelopment of property.**

Assistant Town Manager Kent Collins gave the following presentation.

Note: The Power Point Presentation is on file in the Town Secretary's Office.

Mr. Collins gave two examples of cost amounts – Firestone received an exception and the distance was roughly 200 feet at an estimate of \$400,000 to put the lines underground. Old Settlers Montessori also received an exception. It was 189 feet at an estimate of \$177,000. The factors that made the amounts so diverse were different

providers, different equipment, and the number of strands to place underground. Mr. Collins stated the utility company had to look at all the elements.

Mr. Collins addressed concerns from Councilmember Tasker. He stated the cost did not necessarily depend on the scale of the project. He stated it was more expensive to place electrical lines underground than other utilities. A great deal of ground equipment had to be added. Additionally there were separation requirements that telecommunications may not have. There was a large difference between boring versus open trench (because of driveways, etc.). There could be scheduling issues. He noted that the cost estimate on FM 407 from Briarhill to Chinn Chapel was close to \$4 million. He noted that many other communities were not very successful in getting developers to place the electrical lines underground.

Mayor Pro Tem Trotter had a concern if there was a large amount of money in escrow to bury the lines – which might not happen for 10-15 years – there was no telling how much it would cost at that point. He asked how the Town could make up for any potential shortfall, and justify keeping the money if there was no guarantee that the lines would be buried.

Town Manager Harlan Jefferson stated a few years ago the City of Colleyville had a \$5 million bond proposition to bury utilities, and it was defeated by the voters. Escrow was the only option. Staff estimated that the Town could have up to 10 years to keep the money in escrow before considering refunding the funds. If the money was refunded, there was no penalty to the Town, but it did allow the Town to be in a position to move forward. The Town would have to deal with the issue in sections and get to a point where the lines could be put underground without having to erect too many additional poles. If there was a shortfall, staff would have to come to the Council with strategies (normally reserve funds). Mr. Jefferson gave an update on the concrete poles on FM 1171. He stated staff was working with CoServ, and the estimate to bury one concrete pole at Glenwick was \$113,000. The estimate to bury the lines and remove the two concrete poles in front of the Wellington entryway signs was \$202,000. Staff was still looking at the design, therefore the amounts could change.

Mayor Pro Tem Trotter asked why the path for the Wellington poles made such a strong turn, requiring four additional poles. He thought the original lines were straight across Bruton Orand.

Mr. Collins responded that it was following the right-of-way (ROW) for the deceleration lane. The ROW was dictating the location for the poles. He noted the utility providers had a very narrow swath within TxDOT ROW - a 10 foot band for all utilities.

Councilmember Tasker stated citizens had asked him why not bury the lines when a road is being widened.

Mr. Collins stated the Town would have to pay the incremental cost because it was always cheaper to put utilities overhead. A municipality could tell a utility company where to place their lines with a roadway widening or reconstruction, but could not force them to put them underground.

Mr. Jefferson commented that underground utilities would drive up costs and slow down projects. He stated CoServ should have allowed the Town to review the plans so that the location of the poles did not have to be changed. That contributed to the increasing costs.

Mayor Pro Tem Trotter asked about the Glenwick lines, noting they crossed over FM 1171 and crossed back near the ballfields. He asked how much of the lines would be underground.

Mr. Jefferson stated they would take the line from the concrete pole under FM 1171 and any other poles that would be needed would be wooden poles. That was the portion that dictated the concrete pole.

Deputy Mayor Pro Tem Lindsey suggested that the ordinance could require co-location, a limit to the number of concrete poles, and/or a reduction in the number of overhead poles.

Mr. Jefferson stated CoServ had committed to working with the Town in the future.

Mayor Pro Tem Trotter summarized that if the Council did not go with utilizing an escrow, they basically abandoned the underground ordinance.

Councilmember Tasker stated he would rather see the lines buried but there did not seem to be an optimum solution.

Mr. Jefferson commented that a CoServ representative approached staff about an electric substation behind Tom Thumb on FM 1171.

Mayor Pro Tem Trotter summarized that the Council would not move forward with the ordinance.

Councilmember Tasker asked staff to find out how much it would cost for the burying of lines at Glenwick and Wellington.

Councilmember Levenick asked if there will be any more concrete poles on the rest of FM 1171.

Mr. Jefferson stated staff would have the opportunity to look at the plans when they come in.

Mr. Collins commented that the second set of poles near Glenwick will come down in about a month.

E. ADJOURN WORK SESSION

Mayor Pro Tem Trotter adjourned the work session at 6:38 p.m.

TOWN OF FLOWER MOUND, TEXAS

TIM TROTTER, MAYOR PRO TEM

ATTEST:

PAULA J. PASCHAL, TOWN SECRETARY