



Board of Commissioners Agenda Memo

From: Tim James, P.E. – City Manager

Date: December 17, 2012

Item: Resolution 541

Background

At the November meeting, the Board of Commissioners approved amending the BDC Bylaws to include:

- Remove the Board of Commissioners as ex-officio members of the BDC
- Require the BDC to use the City Attorney for legal advice and review
- Increase the number of appointed ex-officio members from four (4) to eight (8)

Fiscal Impact

N/A

Options

- Approve Resolution 541
- Make recommended changes to Resolution 541
- Take no Action

Staff Recommendation

Staff recommends approval of Resolution 541

Attachments

- Resolution 541

RESOLUTION NUMBER 541

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING THE BYLAWS OF THE BURKBURNETT DEVELOPMENT CORPORATION.

WHEREAS, the Burkburnett Development Corporation (the "BDC") is a Type B economic development corporation created by the City of Burkburnett, Texas (the "City") on August 18, 1997; and

WHEREAS, in accordance with Article 10 of the Bylaws of the Burkburnett Development Corporation, the Bylaws may be amended by the Board of Commissioners; and

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the City of Burkburnett and the Burkburnett Development Corporation to amend the Bylaws to include the removal of the Board of Commissioners as ex-officio members, an increase in the number of appointed ex-officio members to eight (8), and a provision that the Burkburnett Development Corporation shall use the City Attorney appointed by the Board of Commissioners for legal consultation and representation.

NOW, THEREFORE, be it

RESOLVED that the Bylaws of the Burkburnett Development Corporation be amended to read:

Article 3, Section 3.04

3.04(a) The City Manager of the City of Burkburnett, Texas (or the City Manager's designee), the Executive Director of the Corporation, the Superintendent of the Burkburnett Independent School District, the Wichita County Commissioner for Precinct 2, and the Chamber of Commerce President shall be non-rotating ex officio members of the Board of Directors. The term of office of these ex officio members shall coincide with their respective terms of office as City Manager or Executive Director, as the case may be.

3.04(b) In addition, the Board of Commissioners of the City of Burkburnett, Texas may appoint up to eight (8) additional ex officio members of the Board of Directors. These appointed ex officio members shall serve for a term of two years; however, these ex officio members shall be limited to a maximum term of three (3) consecutive terms. Their terms will be staggered so that the terms of four of the directors will begin in even-numbered years and the terms of the other four directors will begin in odd-numbered years.

Article 5, Section 5.03

5.03 The Corporation may enter into one or more agreements with the City of Burkburnett, Texas to obtain financial management services and legal representation. The City of Burkburnett, Texas may be compensated at a mutually agreeable rate for such services. The Corporations shall use the City Attorney appointed by the Board of Commissioners for legal consultation and representation.

APPROVED on this 17th day December, 2012.

Carl Law, Mayor

Janelle Dolan, City Clerk



Board of Commissioners Agenda Memo

From: Tim James, P.E. – City Manager

Date: December 17, 2012

Item: Discuss and take any action necessary on BDC Board member appointments

Background

At the November meeting, the Board of Commissioners approved adding four additional ex-officio members to the BDC Board of Directors and had discussed replacing the two Commissioners that are voting members of the BDC Board of Directors.

Fiscal Impact

N/A

Options

- Appoint new members to the BDC Board of Directors
- Take no Action

Staff Recommendation

Staff has no specific recommendation

Attachments

- List of volunteer applicants

The following people have selected the following Boards on the volunteer applications.

BDC Board

Donna Beaver
Cory Brinkley
Ron Clarke
Mark Ewell
Mel Feller
Raymond Holland
Jerry Johnson
Ted Kwas
Jack McMullen
Susan Mitchell
Brint Richter
Mark Swope

Cemetery Board

Raymond Holland
Ted Kwas

ZBA Board

Donna Beaver
Frank Ducos III
Mel Feller
Raymond Holland
Ted Kwas
Brint Richter



Board of Commissioners Agenda Memo

From: Tim James, P.E. – City Manager

Date: December 17, 2012

Item: Discuss and take any action necessary on Cemetery Board appointments

Background

The terms of three Cemetery Board members expire in December. The members with terms expiring are: Brenda Whaley, Paula Smith, and Kathy Patterson. All members are eligible for re-appointment.

Fiscal Impact

N/A

Options

- Re-Appoint the existing members
- Make alternate appointments
- Take no Action

Staff Recommendation

Staff has no specific recommendation

Attachments

- List of volunteer applicants

The following people have selected the following Boards on the volunteer applications.

BDC Board

Donna Beaver
Cory Brinkley
Ron Clarke
Mark Ewell
Mel Feller
Raymond Holland
Jerry Johnson
Ted Kwas
Jack McMullen
Susan Mitchell
Brint Richter
Mark Swope

Cemetery Board

Raymond Holland
Ted Kwas

ZBA Board

Donna Beaver
Frank Ducos III
Mel Feller
Raymond Holland
Ted Kwas
Brint Richter



Board of Commissioners Agenda Memo

From: Tim James, P.E. – City Manager

Date: December 17, 2012

Item: Discuss and take any action necessary on Cemetery Pavilion materials

Background

The Board of Commissioners has previously approved the bids for the construction of the Cemetery Pavilion. The selection of the material for the Pavilion has not yet been done. Rick Sims will present the proposed materials to the Commission for approval.

Fiscal Impact

N/A

Options

- Approve the materials
- Make recommendations for alternate materials
- Take no Action

Staff Recommendation

Staff has no specific recommendation

Attachments

- N/A



Board of Commissioners Agenda Memo

From: Tim James, P.E. – City Manager

Date: December 17, 2012

Item: Discuss and take any action necessary on Golf Course Lease

Background

The existing lease agreement with River Golf, Ltd. is set to expire at the end of December. The Golf Committee met on December 4, 2012 to review the existing lease and make a recommendation to the Board of Commissioners regarding the lease. The Golf Committee recommended extending the lease under the existing lease terms for a period of three (3) years. The term would commence on January 1, 2013 and end on December 31, 2015. The proposed lease has been revised based on these dates. All other provisions of the lease remain the same.

Fiscal Impact

The fiscal impact to the City will remain the same since the lease payments would remain the same as the previous contract.

Options

- Approve the proposed lease agreement
- Make recommendations for changes to the proposed lease agreement
- Take no Action

Staff Recommendation

Staff recommends approving the proposed lease agreement

Attachments

- Lease Agreement with River Golf, Ltd.
- Report of rounds played
- Profit/Loss statement

RIVER CREEK G.C.

ROUNDS PLAYED EXCLUDING ANNUAL FEE ROUNDS

YEAR	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	Total
2009	720	843	1852	2364	2401	2369	2459	2683	1919	1623	1116	457	20,806
2010	600	591	1746	2639	2735	3077	3041	2606	2289	2051	899	692	22,966
2011	635	932	1783	2083	2267	2171	1941	1540	1702	1751	724	577	18,106

ANNUAL FEE ROUNDS

YEAR	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	Total
2009	507	510	672	655	816	825	858	919	923	735	859	423	8,702
2010	573	403	819	827	976	951	962	1065	1025	1022	908	793	10,324
2011	752	710	1124	1056	892	901	960	912	1070	965	738	623	10,703

TOTAL ROUNDS PLAYED

YEAR	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	Total
2009	1227	1353	2524	3019	3217	3194	3317	3602	2842	2358	1975	880	29,508
2010	1173	994	2565	3466	3711	4028	4003	3671	3314	3073	1807	1485	33,290
2011	1387	1642	2907	3139	3159	3072	2901	2452	2772	2716	1462	1200	28,809

RIVER CREEK GOLF COURSE

Profit & Loss Statement 2009 -2011

	2011	2010	2009
Ordinary Income/Expense			
Total Income	\$ 831,263.61	\$ 981,763.32	\$ 884,575.04
Total Cost of Goods Sold	\$ 219,286.27	\$ 228,217.96	\$ 240,770.61
Gross Profit	\$ 611,977.34	\$ 753,545.36	\$ 643,804.43
General Expenses	\$ 358,040.97	\$ 362,380.17	\$ 373,539.39
Utilities	\$ 44,257.27	\$ 36,821.70	\$ 35,664.21
Property and Franchise Taxes	\$ 4,645.57	\$ 11,502.68	\$ 13,323.04
Payroll Taxes	\$ 19,695.12	\$ 24,950.00	\$ 21,727.84
Wages & Salaries	\$ 229,935.61	\$ 242,215.39	\$ 229,460.45
Total Expense	\$ 656,574.54	\$ 677,869.94	\$ 673,714.93
Net Ordinary Income	\$ (44,597.20)	\$ 75,675.42	\$ (29,910.50)
Net Income	\$ (44,597.20)	\$ 75,675.42	\$ (29,910.50)



Board of Commissioners Agenda Memo

From: Tim James, P.E. – City Manager

Date: December 17, 2012

Item: Discuss and take any action necessary on Golf Course Pavilion

Background

The Golf Committee met on December 4, 2012 and discussed a proposal to construct a new pavilion on the south side of the existing clubhouse. The existing pavilion does not attach to the clubhouse, does not extend the full length of the clubhouse and does not provide enough covered area for large events. The Golf Committee received quotes for the construction of a new pavilion and has recommended the quote for \$20,000 from Double J welding. Fidelity Bank has approved donating \$10,000 to the project to name the new pavilion in honor of Jack Aaron. The Golf Committee has recommended that the Board of Commissioners approve the new pavilion and use \$10,000 from the Golf Course fund to pay for the remainder of the project.

Fiscal Impact

The City currently has \$37,726 available in the Golf Course fund. The City receives an annual lease payment from River Golf, Ltd. A portion of the lease payment is used to pay the debt service on previous improvements at the golf course and the remainder is put into the Golf Course fund to be used for future capital improvements at the golf course. This project is considered a capital improvement.

Options

- Approve the Golf Course Pavilion project, including using \$10,000 from the Golf Course fund, and naming the pavilion in honor of Jack Aaron.
- Take no Action

Staff Recommendation

Staff recommends approval of the Golf Course Pavilion project

Attachments

- Quote from Double J welding



388 Triple D Ranch Lane
Wichita Falls, TX 76310

Jim Toney Home Janalee Toney
940-636-9295 940-696-3798 940-782-2785

JOB INVOICE

Customer: River Creek

Address: _____

Phone: 855-3361

QTY	DESCRIPTION OF WORK	LABOR	MATERIALS	PRICE
	<i>Bid</i>			
	<i>50 X 75 COVER</i>			
	<i>8" I-Beam</i>			
	<i>4x4 UBRD POST</i>			
	<i>3x6 Rectangle Tubing</i>			
	<i>40 yd sheet metal & trim</i>		<i>12,000</i>	
	<i>labor to erect</i>		<i>8,000</i>	
	<i>No lease</i>			
			<i>Total</i>	<i>20,000</i>
	<i>If we use 8" c. post for frame</i>		<i>9,500</i>	
			<i>8,000</i>	
			<i>Total</i>	<i>17,500</i>

Customer Signature: _____

Received by: _____

LABOR
MATERIAL
SUBTOTAL
TAX
TOTAL

WORK INVOICE
Nº 1816

Please Pay from this Invoice.

Thank You!