

AGENDA

Notice is hereby given of a meeting of the Board of Commissioners of Burkburnett to be held on **Monday, November 17, 2014 at 7:00 p.m.** at City Hall-Council Chambers, 501 Sheppard Road, Burkburnett, Texas for the purpose of considering the following agenda items. The Board of Commissioners may discuss and take action on any item on this agenda. The Board of Commissioners reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

The public may speak on items listed on the posted agenda. All persons desiring to address a specific agenda item must submit an "Appearance before the City Commissioners" form prior to the reading of the item to the City Clerk, Janelle Dolan. The Mayor will allow comments before each agenda item for which they have requested to be heard. Comments will be limited to three (3) minutes with a maximum two (2) minute extension following approval by a majority of the members of the Board of Commissioners.

Item 1. Mayor: Call meeting to order.

Item 2. Invocation-Joe Coombes, Senior Pastor of First Baptist Church

Item 3. Pledge of Allegiance.

Item 4. CONSENT AGENDA:

A. Approval of Minutes from October 20, 2014

Item 5. Discuss and take any action necessary on variance request for water well location.

Item 6. Discuss and take any action necessary on the reappointment of Mike Avey to serve as Burkburnett's representative on the Wichita Appraisal District Board of Directors for a two-year term.

Item 7. Discuss and take any action necessary on Family Aquatic Center donations/sponsorships.

Item 8. Discuss and take any action necessary on appointment to Planning and Zoning Board.

Item 9. Discuss and take any action necessary on appointment to Parks and Recreation Board.

Item 10. Resolution Number 569. A resolution authorizing the Burkburnett Development Corporation to fund \$500,000 for the development and support of the Burkburnett Family Aquatic Center, Final Reading.

Item 11. Review of monthly reports.

- A. Administration
- B. Public Works

- Family Aquatic Center
 - Water Wells
 - Effluent/Reuse Water Vending
 - Community Development Block Grant (CDBG)
- C. Public Safety/Fire Department
- Asset Forfeiture Account
 - New Reserves
- D. Economic Development
- Prospect Update
 - Façade Grant Program

Item 12. Public Comments.

The Board of Commissioners invites citizens to speak on any topic.

Please fill out an “Appearance Before City Commissioners” form in order to address the Commissioners and turn the form in prior to 7:00 p.m. to City Clerk, Janelle Dolan.

Public Comments are limited to five minutes. Time limits can be adjusted by the Mayor as to accommodate more or fewer speakers.

Unless the item is specifically noted on this agenda, the Board of Commissioners is required under the Texas Open Meetings Act to limit its response to one of the following:

- *Responding with a statement of specific factual information or reciting the City’s existing policy on that issue; or
- *Directing the person making the inquiry to visit with City Staff about the issue.

Item 13. City Manager’s report.

- A. Thanksgiving Holiday
- B. Christmas Dinner-December 11, 2014 at 6pm
- C. Christmas Parade-December 12, 2014

Item 14. Commissioner’s Comments.

Pursuant to Government Code Section 551.0415, City Commissioner Members may make a report about items of Community interest during a meeting of the governing body without having given notice of the report. Items of community interest include:

- *Expressions of thanks, congratulations, or condolence;
- *Information regarding holiday schedules;
- *An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of the person’s public office of public employment is not an honorary or salutory recognition for purposes of this subdivision;
- *A reminder about an upcoming event organized or sponsored by the governing body;
- *Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- *Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

Item 15. Adjournment.

I, Janelle Dolan, City Clerk for the City of Burkburnett, Texas do hereby certify that I posted this agenda on the glass front door of the City Hall, facing the outside at 2:00 p.m. on November 14, 2014 in compliance with the Open Meeting Act Chapter 551.

Janelle Dolan

Janelle Dolan, City Clerk

Posted 11/14/2014 @ 2:00 pm

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 72 hours prior to this meeting. Please contact the City Clerk's office at (940) 569-2263 for further information.

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, October 20, 2014 at 7:00 p.m. in the Council Chambers of the City Hall, 501 Sheppard Road, Burkburnett, Texas. The meeting was open to the public with notice being given in compliance with the Open Meetings Act. The following Commissioners were present:

Carl Law	Mayor
Bill Lindenborn	Mayor Pro Tem
Randy Brewster	Commissioner
Frank Ducos	Commissioner
Don Hardy	Commissioner
Marguerite Love	Commissioner

Commissioner Tugman was not present.

Others present: Mike Whaley, City Manager; Trish Holley, Director of Administration; Gordon Smith, Director of Public Works; Janelle Dolan, City Clerk; Ed Stahr, Police Chief; and Rod Ryalls, Fire Chief.

Item 1. Mayor Law called the meeting to order and welcomed the visitors.

Item 2. Invocation was given by Christina Haworth, Pastor of First Christian Church.

Item 3. The Pledge of Allegiance was led by Commissioner Hardy.

Item 4. Consent Agenda.

- A. Approval of Minutes from September 2, 2014 and September 10, 2014– Special Called Meetings; September 15, 2014; and September 24, 2014– Special Called Meeting.

Motion was made by Commissioner Love, seconded by Commissioner Lindenborn to approve Consent Agenda 4. Motion carried unanimously.

Item 5. Mike Whaley, City Manager, addressed the Mayor and Commissioners and stated a Letter of Agreement for Architectural Services/Construction Documents and Contract Administration had been submitted by Rick Sims, with Bundy, Young, Sims & Potter, Inc. Mr. Whaley stated the purpose of the agreement is to develop construction documents and provide contract administration for erecting two (2) entryway signs for the City of Burkburnett. This professional agreement is not to exceed \$15,000.

Motion was made by Commissioner Brewster, seconded by Commissioner Lindenborn to Approve the professional agreement with Bundy, Young, Sims & Potter, Inc. for architectural services/construction documents for entryway signs for the City of Burkburnett. Motion carried unanimously.

Item 6. Mr. Whaley addressed the Mayor and Commissioners and reported a final plat was prepared by Corlett, Probst, & Boyd for owner William McCanns for the purpose of expanding and reconstructing the Sonic Drive-In. Mr. Whaley reported the proposed property is zoned commercial business (CB) and the plat reflects proper building lot lines and easements. Mr. Whaley stated that the request is in compliance with the Comprehensive Plan and City Staff has reviewed the plat for utility, access, drainage, etc., and finds no conflict with the Zoning Ordinance. The Planning and Zoning Commission (P&Z) recommended approval of the final plat.

Motion was made by Commissioner Hardy, seconded by Commissioner Ducos accept the P&Z recommendation and approve the final plat as submitted. Motion carried unanimously.

Item 7. Mr. Whaley addressed the Mayor and Commissioners and stated Mr. Bill McCanns, owner of the Sonic Drive-In, located at 205 S. Avenue D has purchased the property at 203 S. Avenue D for the purpose of expanding and reconstructing the Sonic Drive-In. The site plan was prepared by Corlett, Probst, & Boyd. Mr. Whaley reported the proposed property is zoned commercial business (CB). Mr. Whaley stated City Staff has reviewed the site plan as well as preliminary construction details such as, storm drainage, proposed public or private streets or alleys, easements, set back, and utilities. The Zoning Board of Adjustment (ZBA) has approved a variance request for both front and side setback requirements and the Planning and Zoning Commission (P&Z) approved the site plan pending the ruling from the ZBA. Mr. Whaley stated that it is Staff's recommendation to accept the P & Z recommendation and approve Sonic Drive-In site plan as submitted.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Hardy to accept the P & Z Commission's recommendation and approve the Sonic Drive-In site plan. Motion carried unanimously.

Item 8. Mayor Law closed the regular meeting at 7:15 p.m. and opened the "Public Hearing" for the following Planning & Zoning Commission Cases:

- A. Case #2014-18 re-zone application for Carport Overlay District 1100 BLK of Clover, block rezoned as a carport overlay district.

Mr. Whaley addressed the Mayor and Commissioners and stated an application was submitted by James and Judith McIlrath, owners of property located at 1102 Clover. This request is to allow for a carport overlay district on the 1100 BLK of Clover. Mr. Whaley

reported all publishing and mail out requirements have been met. Also, the required number of signatures (75%) has been satisfied and ownership has been verified by City Staff. Mr. Whaley stated the Planning and Zoning Board unanimously approved the request.

Item 9. Mayor Law closed the “Public Hearing” at 7:17 p.m. and reopened the regular meeting to take action on the Planning & Zoning Commission Cases:

- A. Case #2014-18 re-zone application for Carport Overlay District 1100 BLK of Clover, block rezoned as a carport overlay district.

Motion was made Commissioner Brewster, seconded by Commissioner Lindenborn to approve the re-zone application for 1100 block of Clover, block rezoned as a carport overlay district. Motion carried unanimously.

Item 10. Resolution Number 569 was presented it is entirety. A resolution authorizing the Burkburnett Development Corporation to fund \$500,000 for the development and support of the Burkburnett Family Aquatic Center. First reading, no action taken.

Item 11. Resolution Number 570 was presented it is entirety. A resolution authorizing the establishment of a voluntary contribution program for the Burkburnett Volunteer Fire Department.

Mr. Whaley addressed the Mayor and Commissioners and stated during the Special Called Meetings/Budget Workshops, staff was given the direction to research alternate revenue streams to assist the Burkburnett Volunteer Fire Department with costs associated with operation and training. One of the ideas presented was to establish a voluntary contribution option that would allow our citizens to make voluntary contributions. A form will be mailed out with the monthly water bill and also made available on our website and Facebook page. Citizens could then return the form to City Hall and their contribution would be reflected separately on their monthly water bill. All monies collected will be dedicated solely for the Burkburnett Volunteer Fire Department.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Love to approve Resolution Number 570 as presented. Motion carried unanimously.

Item 12. Ordinance Number 865 was presented. Caption of same being:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING CHAPTER 52, SEWERS OF THE CODE OF ORDINANCES, PROVIDING AN EFFECTIVE DATE AND DECLARING AN EMERGENCY.

Mr. Whaley addressed the Mayor and Commissioners and stated that City Staff was instructed to review the effluent water reuse program and current rate structure. Mr. Whaley stated that due to the increased volume of customers and usage the City was

prompted to install a new automated vending machine to handle the increase. Ordinance Number 865 shows the Staff's recommendation on the effluent water reuse rates as follows:

Non-bulk rate resident \$.0025 cents per gallon or \$2.50 per thousand gallons (remains same)
Non-bulk rate non-resident \$.003 cents per gallon or \$3.00 per thousand gallons
 \$25.00 deposit
Bulk Rate \$.00225 cents per gallon or \$2.25 per thousand gallons (increased from \$2.00)
 \$25.00 deposit

Motion was made by Commissioner Ducos, seconded by Commissioner Hardy to approve Ordinance Number 865 as presented. Motion carried unanimously.

Item 13. Ordinance Number 866 was presented. Caption of same being:

AN ORDINANCE AMENDING CHAPTER 50, OF THE CODE OF ORDINANCES, GARBAGE AND REFUSE; 50.10 COLLECTION CHARGES; 50.19 FEE REQUIRED FOR DUMPING; SPECIFYING THE EFFECTIVE DATE; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Mr. Whaley addressed the Mayor and Commissioners and stated that during the Special Called Meetings/Budget Workshops, staff was instructed to review the Citizen's Collection Station (CCS) and current rate structure. Mr. Whaley stated after reviewing the data pertaining to the CCS, it is the Staff's recommendation that a minimum fee of \$8 be established and leave the rate of \$40.00 per ton in place. This increase would generate approximately \$20,000 if usage remains consistent. Also this ordinance will adjust the rate for customers who request an extra polycart. Currently the rate is \$7.70 and the adjusted rate will be \$7.88. This is a pass-thru adjustment due to an increase from Progressive. It will not increase City revenues.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Ducos to approve Ordinance Number 866 as presented. Motion carried unanimously.

Item 14. Mayor Law closed the meeting at 7:30 p.m. and opened the Executive Session pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code; the Board of Commissioners may convene in Executive Session regarding the following matters:

A. SECTION 551.072-Deliberation Regarding Real Property

1. Discussion of purchase of real property for municipal use
2. Discuss financing terms and options

Item 15. Mayor Law reconvened the regular meeting at 8:25 p.m. No action was taken.

Item 16. Review of monthly reports.

- A. Administration-Janelle Dolan, City Clerk, reported on Friendship Festival which is scheduled for October 25. Currently there are approximately 50 vendors signed up to participate, four bands performing and warm weather in the forecast.
- B. Public Works
 - Family Aquatic Center- Gordon Smith, Director of Public Works, reported they are working on exterior walls of the pump house, the concrete bottom of lazy river completed and most importantly still on schedule.
 - Water Wells- Mr. Smith reported 13 wells are online. Still awaiting approval on one additional well.
 - Effluent/Reuse Water Vending- Mr. Smith reported the effluent water reuse vending machine is completely operational with 24 hour access.
 - Community Development Block Grant (CDBG)-Mr. Smith reported this project is 65-75% complete at this time. Mr. Smith also reported that the potable water vending machine was damaged in the last storm waiting on a part to repair it.
- C. Public Safety/Fire Department-Reports provided in packets.
- D. Economic Development-Nothing reported.

Item 17. There were no public comments.

Item 18. City Manager's report.

- Mr. Whaley reported that 2 police cruisers and Rescue 1 will be leased through American National Leasing.
- SMAC Meeting at MPEC on October 22 at 6:00 pm
- Christmas Party is scheduled for December 11 at 6:00 pm
- Walk-thru of Family Aquatic Center is set for October 21 at 10:00 am and 2:00 pm. Please contact Mr. Whaley to schedule a time.

Item 19. Commission comments.

Item 20. Motion was made by Commissioner Lindenborn, seconded by Commissioner Hardy to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk

Minutes, October 20, 2014



City Commission Agenda Memo

From: Gordon Smith, Director of Public Works
Date: November 17, 2014
Item: Variance Request for front yard water well-913 Mimosa Dr.

Background

A variance request has been submitted by Ms. Robbie Landrum who resides at 913 Mimosa Dr. She is requesting the Board of Commissioners allow her to drill a private water well in the front yard of her property.

Ordinance 612 pertaining to drilling of private water wells restricts the well to the rear yard and does not allow for drilling in the front or side yard. It does however in Section 12 of the ordinance allow for a variance request to be made under cases of emergency or hardship.

Ms. Landrum has chosen to seek a variance from the City under hardship of the Drought Restrictions.

Utility Line locations and site constraints will not allow the driller to enter the back yard to drill the well. The proposed well site if approved will be required to have a well cover that is aesthetically pleasing.

Fiscal Impact

N/A

Options

- Approve Variance
- Not approve Variance

Staff Recommendation

Staff has no specific recommendation.

Attachments

Ms. Landrum's request and site plan drawing.

CITY OF BURKBURNETT
VARIANCE APPLICATION

OFFICE USE:
CASE NO. _____
FEE PAID \$10000
SIGNS ISSUED _____

PROPERTY ADDRESS: 913 Mimosa Dr.

LEGAL DESCRIPTION: 7 19 B2 Mimosa Hts.
LOT(S) BLOCK SECTION SUBDIVISION

ZONING DISTRICT: SF6 PRESENT USE: Single family residence

SPECIFIC REQUEST: I would like to drill a water well on
the south side of my house.

COMPLETE ITEMS 1-4 BELOW:

1. State special circumstances peculiar to the land, structure, or building which necessitates such request. The drilling rig cannot access my back yard because the power lines in the alley are too low, and the sewer line is in the alley.
2. Demonstrate that the special conditions and circumstances are not a result of the actions of the applicant. The problem is the power lines and the sewer line.
3. State how literal interpretation of the provisions of this ordinance deprives the applicant of the rights enjoyed by others in the district. I think everyone should be allowed a water well on property they own.
4. State how granting the variance would not confer upon the applicant any special privilege which is denied by the ordinance to land, structure, or buildings in the district. In this severe drought, I don't consider a water well a special privilege; I consider it a necessity.

I hereby certify that all information contained herein is true and correct, and that all submission requirements have been met.

Robbie Landrum
APPLICANTS SIGNATURE

10/29/14
DATE

APPLICANTS NAME: Robbie Landrum

ADDRESS: 913 Mimosa Dr.

ZIP: 76354

PHONE: 940-569-3190

OFFICE USE

This application for a Variance is hereby:

Approved [] Disapproved [] Conditionally Approved []

based on the Board of Adjustment's action on _____
DATE*

* The Applicant shall obtain a building permit within 180 days from the date of approval.

DIRECTOR OF ADMINISTRATION

DATE

INSTRUCTIONS FOR VARIANCE

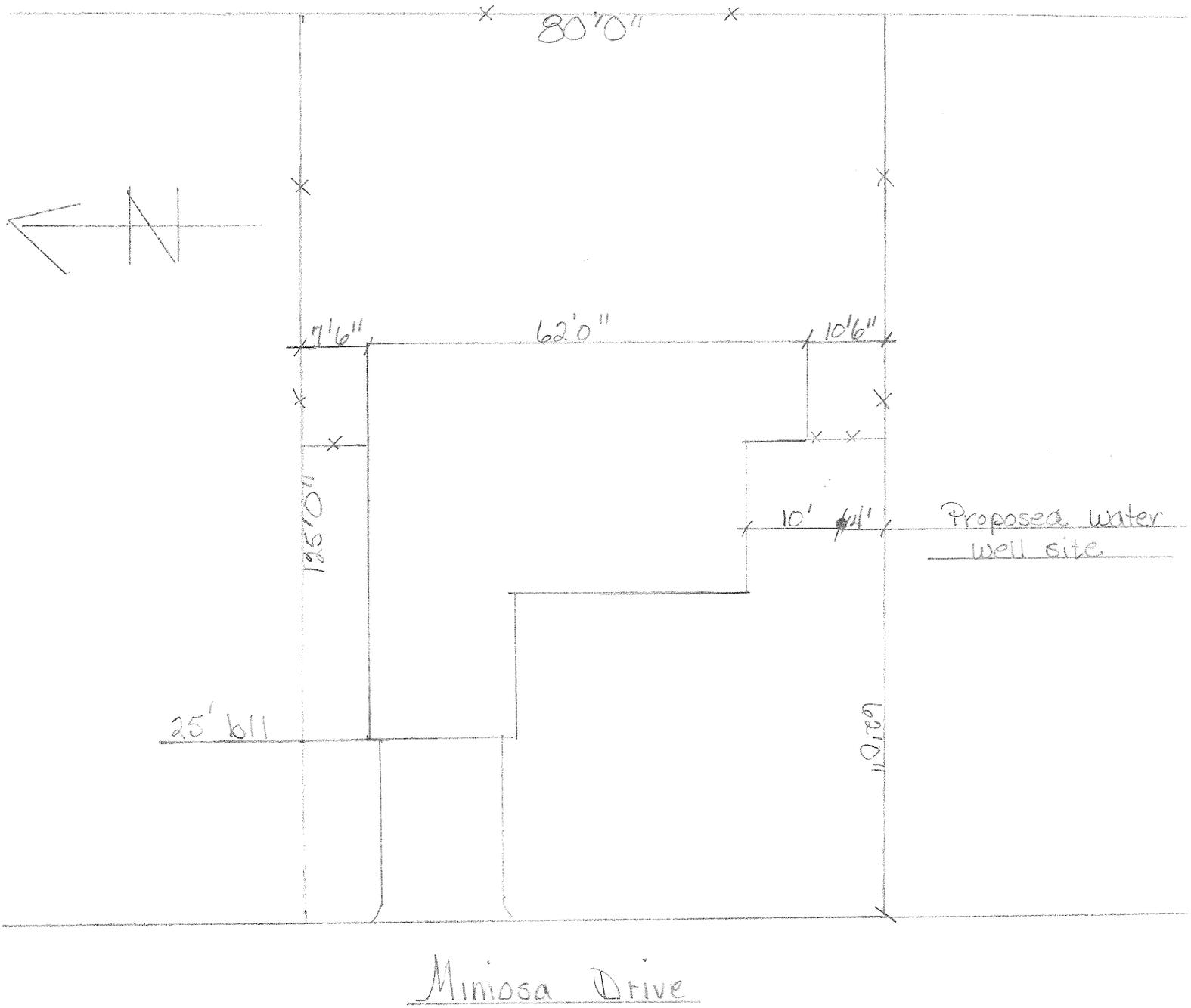
SUBMISSION REQUIREMENTS: Submit site plan drawn to scale.

PROCEDURE FEE: Variance = \$100.00

1. Submit completed application at least 21 days prior to the Board of Adjustment meeting date along with the prescribed fee. The Board of Adjustment meets the NOVEMBER 17 in the Council Chambers, City Hall, 501 Sheppard Road, Burkburnett, Texas, 76354.
2. A staff report on this application will be mailed to the applicant at least 10 days prior to the Board of Adjustment meeting date.

IF YOU HAVE FURTHER QUESTIONS, PLEASE CALL THE PLANNING DIVISION AT (940) 569-2263.

20' Alley



Miniosa Drive

Robbie Landrum
913 Mimosa Dr.
Burkburnett, Tx 76354

Scale 1" = 20'



City Commission Agenda Memo

From: Mike Whaley
City Manager

Date: November 17th, 2014

Item: Appointment to the Wichita Appraisal District Board of Directors

Background

Dr. Mike Avey currently serves as the representative for both the City of Burkburnett and the Burkburnett Independent School District on the Wichita Appraisal District Board of Directors. The City received notice that Dr. Avey's two year term will expire on December 31st of this year. Dr. Avey is eligible for reappointment. I have spoken with Mr. Trigg of the Wichita Appraisal District and Mr. Taylor of the Burkburnett Independent School District regarding the reappointment. Both agree that Dr. Avey has done a great job as our representative and is an asset to the Wichita Appraisal District Board of Directors. The BISD is in agreement to reappointing Dr. Avey as our representative to the Wichita Appraisal District Board of Directors.

Fiscal Impact

N/A

Options

- Reappoint Dr. Avey
- Appoint another representative

Staff Recommendation

Staff recommends reappointment of Dr. Avey to the Wichita Appraisal District Board of Directors.

Attachments

WAD Letter
Copy of current Board members



WICHITA APPRAISAL DISTRICT

P.O. Box 5172 • 600 SCOTT STREET • WICHITA FALLS, TEXAS 76307
PHONE: (940) 322-2435 • FAX: (940) 322-8190
www.wadtx.com

October 16, 2014

Mr. Mike Whaley
City Manager
501 Sheppard Rd
Burkburnett, TX 76354

Dear Mr. Whaley:

The term of your representative on the Wichita Appraisal District Board of Directors will expire December 31, 2014. Board members serve two-year terms. There is no term limit exclusion for members of the Board of Directors; therefore your present member is eligible for reappointment. Your representative serving at this time is:

Mike Avey Burkburnett City & ISD

We would appreciate notification of your appointee prior to December 15, 2014, as the new terms begin January 1, 2015. If unable to appoint by this date, please notify us as soon as possible thereafter. Please forward a copy of your resolution for appointment as required by the Texas Property Tax Code. A list of all members of the 2014 Board of Directors is included for your review.

We appreciate your efforts on behalf of the taxpayers of Wichita County in consistently appointing quality Board members. If you have any questions about the Board appointments, please feel free to call me.

Sincerely,

A handwritten signature in black ink that reads "Edward H. Trigg".

Edward H. Trigg
Chief Appraiser

EHT/sls
Enclosure
CC: Mike Avey



City Commission Agenda Memo

From: Mike Whaley
City Manager

Date: November 17th, 2014

Item: FAC Donor/Sponsor Recommendations

Background

The Park and Recreation Board has requested the Board of Commissioners review their suggestions for Donors and Sponsors for the Family Aquatic Center.

Fiscal Impact

Unknown

Options

- Approve suggestions
- Make additional suggestions for donors and sponsors

Staff Recommendation

No specific recommendation.

Staff feels that the recommendations are applicable.

Attachments

Park and Recreation Board recommendations for sponsors and donors.

Donors

Donors are those who wish to donate money to the facility, but not for any specific item. Donations can come in any amount. Here are some suggestions on how to categorize them:

1. Donor \$0-\$100
2. Copper Donor \$101-\$500
3. Bronze Donor \$501-\$1000
4. Silver Donor \$1001-\$2500
5. Gold Donor \$2501-\$5000
6. Platinum Donor \$5001-\$10000

Obviously the names can be changed. The amounts can be changed, and so on. We can also discuss how to represent these donations through a plaque, bricks, and/or name plates, etc.

Sponsors

Sponsors are those who wish to donate money to a specific part of the park, either a specific feature of the park or things like banners or signs that they wish to display at the park. Here are some examples and suggested dollar amounts:

1. Name a slide, for example
"The _____ Super Slide": \$25,000
2. Name the large kid feature in the zero-entry area, for example "The _____ Bucket Dump":
\$15,000
3. Name the lazy river, for example "-
"The _____ Family Float":
\$20,000.
4. Place a large cover over one of the slides with a company/business logo on it:
\$10,000-\$15,000.
5. Put a company/business logo on the pavilion canopy: \$5,000-\$10,000
6. Name a picnic table: \$1,000
7. Name a bench: \$500-\$1,000

These could be permanent sponsorships, or we could incorporate some sort of sunset provision in them where the business/company has to re-up their sponsorship after a certain amount of time, or risk losing it to another business/company. And as previously stated, the amounts can be changed, and other items in the park can be included.



City Commission Agenda Memo

From: Mike Whaley
City Manager

Date: November 17th, 2014

Item: Planning and Zoning Commission Appointment

Background

We currently have a vacancy on the Planning and Zoning Commission. Mr. Bob Franklin has resigned from the Commission due to health concerns. An application has been submitted by John A Erickson. If approved, Mr. Erickson would serve the remainder of Mr. Franklin's term which would expire 5-21-2015. Mr. Erickson would then be eligible for reappointment. Staff has reviewed Mr. Erickson's application and believe he is a good candidate for the Planning and Zoning Commission.

Fiscal Impact

N/A

Options

- Approve current applicant
- Make other nominations

Staff Recommendation

Staff recommends approval as presented

Attachments

Copy of Application



City Commission Agenda Memo

From: Gordon Smith, Director of Public Works
Date: November 17, 2014
Item: Appointment for Parks and Recreation Board

Background

On November 5, 2014 the Parks and Recreation Board met and one item was to review the application of Mr. Danny Cremeens for a recommendation to City Commissioners for an appointment to the Parks and Recreation Board.

The Parks and Recreation Board voted unanimously to recommend Mr. Danny Cremeens to the City Commission for appointment to the Parks and Recreation Board.

The vacant position was created upon the resignation of Mr. Mark Swope. The board expressed thankfulness and appreciation for Mr. Swope's service to the Parks and Recreation Board.

Fiscal Impact

N/A

Options

- Approve Appointment
- Not approve Appointment

Staff Recommendation

Approve Appointment of Mr. Danny Cremeens to the Parks and Recreation Board

Attachments

Mr. Danny Cremeens' application



City Commission Agenda Memo

From: Deana Sheriff, Executive Director, Burkburnett Development Corporation

Date: November 17, 2014

Item: Resolution Number 569. A resolution authorizing payment of up to \$500,000 for support of the City of Burkburnett Family Aquatic Center.

Background

In September, 2010, the Burkburnett Development Corporation ("BDC") proposed entering into an agreement with the City of Burkburnett ("City") to finance up to five hundred thousand dollars (\$500,000.00) for the development and support of the Family Aquatic Center, pending passage of Proposition Number 2 on the November 2, 2010 ballot. The Proposition passed, but a resolution was not put before the City for approval. This resolution corrects the oversight.

Fiscal Impact

Up to \$500,000 of Type B funds from Burkburnett Development Corporation shall be expended for the development and support of the Family Aquatic Center. The funds have already been allocated and were properly reflected on the BDC's FY14 and FY15 budget.

Options

- Approve Resolution Number 569
- Not approve Resolution Number 569

Staff Recommendation

Approve Resolution Number 569

Attachments

Resolution Number 569

RESOLUTION NUMBER 569

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AUTHORIZING AN AGREEMENT BETWEEN THE BURKBURNETT DEVELOPMENT CORPORATION AND THE CITY OF BURKBURNETT WHEREAS THE BURKBURNETT DEVELOPMENT CORPORATION AGREES TO FUND FIVE HUNDRED THOUSAND DOLLARS FOR THE DEVELOPMENT AND SUPPORT OF THE BURKBURNETT FAMILY AQUATIC CENTER.

WHEREAS, the Burkburnett Development Corporation (the “BDC”), a Type B economic development corporation created by the City of Burkburnett, Texas (the “City”) which has a population of less than 20,000; and

WHEREAS, the BDC has agreed to enter into an agreement with the City to finance Five Hundred Thousand Dollars (\$500,000.00) of the Burkburnett Family Aquatic Center; and

WHEREAS, this resolution has been given two readings before the Board of Commissioners: one on October 20, 2014 and another on the date this resolution was approved; and

WHEREAS, this resolution was approved in a meeting which was open to the public and preceded by proper notice as required by Chapter 551 of the Texas Government Code;

NOW, THEREFORE, BE IT RESOLVED that the BDC is hereby authorized to enter into an agreement with the City whereas the Burkburnett Development Corporation will fund five hundred thousand dollars of the Burkburnett Family Aquatic Center. Payments to the City of Burkburnett will consist of payments of \$50,000 per year for a period of ten (10) years, for a total of \$500,000.00. Payments will begin in Fiscal Year 2014 and continue through Fiscal Year 2024.

FURTHER RESOLVED that the officers of the City are hereby authorized and directed to take such action as may be reasonably necessary to carry this resolution into effect.

First reading on October 20, 2014.

APPROVED on this _____, 2014, Second and Final Reading.

Carl Law, Mayor

Janelle Dolan, City Clerk