

AGENDA

Notice is hereby given of a meeting of the Board of Commissioners of Burkburnett to be held on **Monday, March 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-

Item 3. Pledge of Allegiance.

Item 4. CONSENT AGENDA:

A. Approval of Minutes from February 4th Workshop, February 4th Special Called Meeting, February 17, 2014 and February 24, 2014 Special Called Meeting

Item 5. Discuss and take any action necessary on Fiscal Year 2013 Audit.

Item 6. Discuss and take any action necessary on ballot language for Charter Amendment.

Item 7. Discuss and take any action necessary on authorizing Cemetery Board to solicit funds for the Burkburnett Memorial Cemetery.

Item 8. Ordinance Number 852. An ordinance approving the use of credit card payments made by cardholders and setting service fees for those who owe utility bills, fines, court costs and other charges to the City.

Item 9. Discuss and take any action necessary on Friendship Park Permit Application-American Cancer Society Relay for Life.

Item 10. Ordinance Number 853. An Ordinance Superseding Ordinance Number 847 extending the current water rates for an additional 90 days.

Item 11. Discuss and take any action necessary on proposal from Flowpoint for an overhead bulk water station.

Item 12. Discuss and take any action necessary on awarding engineering services for City of Burkburnett TxCDBG Grant.

Item 13. 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 551.074(a)-Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

- 1) Assistant City Manager Evaluation Report

Item 14. Reconvene to regular session and take action, if any, on matters discussed in Executive Session.

Item 15. Review of monthly reports.

- A. Administration
- B. Public Works
- C. Public Safety
- D. Economic Development

Item 16. 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.

Item 17. City Manager's report.

Item 18. 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 19. 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 1:30 p.m. on March 14, 2014 in compliance with the Open Meeting Act Chapter 551.



Janelle Dolan, City Clerk

Posted 3/14/2014 @ 1:30pm

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 special called meeting on Monday, February 4, 2014 at 5:30 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 Meeting Act. The following Commissioners were present:

Carl Law	Mayor
Bill Lindenborn	Mayor Pro-Tem
Josh Andrajack	Commissioner
Randy Brewster	Commissioner
Marguerite Love	Commissioner
Mike Tugman	Commissioner

Commissioner Hardy was not present.

Others present: Chester Nolen, Interim City Manager; Mike Whaley, Assistant City Manager; Trish Holley, Director of Administration; Ed Stahr, Chief of Police and Janelle Dolan, City Clerk.

Item 1. Mayor Law called the meeting to order.

Item 2. Invocation was given by Commissioner Andrajack.

Item 3. The pledge was led by Commissioner Love.

Item 4. Chester Nolen, Interim City Manager, addressed the Mayor and Commissioners and reported the River Creek Golf Course Committee is requesting \$18,652 for improvements at the Course:

1. Construct a hog wire fence along the West and North boundary to prevent feral hogs from entering the course and causing significant damage. The cost of this project is \$14,500 with the Men's Golf Association contributing \$5,000.
2. Construction of brick pilasters around the support posts for the pavilion at the course, the cost of which is \$5,352.
3. Painting of the pavilion. The structure is showing rust and needs to be painted, the cost of which is \$3,800.

Mr. Nolen stated these improvements will greatly enhance the facility and make the course playable, particularly the fence. Feral hogs are wandering

onto the course and devastating areas of the fairways on the north end. It is only a matter of time until they move onto the greens which then becomes a major expense.

Motion was made by Commissioner Tugman, seconded by Commissioner Andrajack to approve the request from the Golf Course Committee for golf course improvements for \$18,652 to be paid out of the golf course money market. Motion carried unanimously.

Item 5. City Manager Comments.

Item 6. Council comments.

Item 7. Motion was made by Commissioner Tugman, seconded by Commissioner Lindenborn to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk

**MINUTES
BOARD OF COMMISSIONERS
WORKSHOP SESSION**

The Board of Commissioners of the City of Burkburnett, Texas met in a Workshop/Meeting on February 4, 2014 at 5:00 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 Meeting Act. The following Commissioners were present:

Carl Law	Mayor
Bill Lindenborn	Mayor Pro-Tem
Josh Andrajack	Commissioner
Randy Brewster	Commissioner
Marguerite Love	Commissioner
Mike Tugman	Commissioner

Commissioner Hardy was not present.

David Medanich, First Southwest Company, and Kristen Savant, Fulbright & Jaworski LLP, were present.

Others present: Chester Nolen, Interim City Manager; Mike Whaley, Assistant City Manager; Trish Holley, Director of Administration; Ed Stahr, Chief of Police and Janelle Dolan, City Clerk.

Item 1. Mayor Law called the meeting to order.

Item 2. Chester Nolen, Interim City Manager, introduced David Medanich, First Southwest Company and Kristen Savant, Fulbright & Jaworski LLP, who provided information on two different ways to fund the shortfall in the water well project.

Item 3. City Manager Comments.

- Mr. Whaley reported 4 of 6 test wells have been drilled and the estimated completion date of drilling the water wells is the end of March 2014.

Item 4. Council comments.

Item 5. There being no further business the meeting was adjourned.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, February 17, 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
Josh Andrajack	Commissioner
Randy Brewster	Commissioner
Don Hardy	Commissioner
Marguerite Love	Commissioner
Michael Tugman	Commissioner

Mayor Pro Tem Lindenborn was not present.

David Medanich, First Southwest Company was present.

Others present: Chester Nolen, Interim City Manager; Mike Whaley, Assistant City Manager; Trish Holley, Director of Administration; Janelle Dolan, City Clerk; Ed Stahr, Police Chief; and Deana Sheriff, Economic Development Director.

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

Item 2. Invocation was given by Rev. Richard Kirkham, Pastor of St. Jude Catholic Church.

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

Item 4. Consent Agenda.

A. Approval of Minutes from January 20 Workshop and January 20, 2014

Motion was made by Commissioner Love, seconded by Commissioner Brewster to approve Consent Agenda 4 with the following correction to the minutes from January 20, 2014: Item 10. B. Mr. Whaley *reported* there will be a preconstruction (FAC) meeting next week. Motion carried unanimously.

Item 5. Ordinance Number 851 was presented. Caption of same being:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF BURKBURNETT, TEXAS, TAX NOTES, SERIES 2014”; SPECIFYING THE TERMS AND FEATURES OF SAID NOTES; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID NOTES; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID NOTES, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Motion was made by Commissioner Tugman, seconded by Commissioner Brewster to approve Ordinance Number 851 as presented. Motion carried unanimously.

Item 6. Motion was made by Commissioner Tugman, seconded by Commissioner Andrajack to approve the reappointments of the following individuals to serve on the Parks and Recreation Board: Mark Swope, Jeremy Duff, Rodney McCleskey Jr. and Cory Brinkley. Motion carried unanimously.

Item 7. Resolution Number 555 was presented in its entirety. A resolution ordering a general election to be held on May 10, 2014 to elect four (4) City Commissioners.

Motion was made by Commissioner Brewster, seconded by Commissioner Hardy to approve Resolution Number 555 with the following change: three commissioners to four commissioners in the caption. Motion carried unanimously.

Item 8. Resolution Number 556 was presented in its entirety. A resolution adopting an internal grievance procedure for complaints alleging any action prohibited by the U.S. Department of Housing and Urban Development regulations for Section 3.

Mike Whaley, Assistant City Manager, addressed the Mayor and Commissioners and reported this is a new requirement by the State for the Community Development Block Grant. Mr. Whaley stated it requires the contractor to ensure disadvantaged individuals are allowed to apply for any positions that may be open for the project and passing of this resolution satisfies the City’s responsibility to Section 3 policy of the CDBG to facilitate this requirement.

Motion was made by Commissioner Hardy, seconded by Commissioner Andrajack to approve Resolution Number 556 as presented. Motion carried unanimously.

Item 9. Motion was made by Commissioner Tugman, seconded by Commissioner Andrajack to approve the permit application for the Taste of the Town and the Lions Club to use the Community Center on April 27, 2014. . Motion carried unanimously. Commissioners Tugman and Brewster both disclosed at this time they are members of the Lions Club.

Item 10. Mayor Law closed the meeting at 7:09 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:

SECTION 551.074(a)-Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

- 1) Assistant City Manager Evaluation Report

Item 11. Mayor Law reconvened the regular meeting at 7:45 p.m. No action was taken.

Item 12. Review of monthly reports.

- A. Administration-
- B. Public Works-
- C. Public Safety-
- D. Economic Development-Deana Sheriff reported she is working on some projects for the revitalization of the downtown district and Tractor Supply Company is scheduled to open March 15.

Item 13. Public comments.

The following addressed the Mayor and Commissioners:
Brenda Miller, 1406 Shady Lane – Pioneer Crossings

Item 14. City Manager's report.

Item 15. Commission comments.

Item 16. Motion was made by Commissioner Tugman, seconded by Commissioner Hardy to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Minutes, February 17, 2014

Janelle Dolan, City Clerk

MINUTES
BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a special called meeting on Monday, February 24, 2014 at 6:30 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 Meeting Act. The following Commissioners were present:

Carl Law	Mayor
Bill Lindenborn	Mayor Pro-Tem
Josh Andrajack	Commissioner
Randy Brewster	Commissioner
Don Hardy	Commissioner
Marguerite Love	Commissioner
Mike Tugman	Commissioner

Rick Sims, Bundy, Young, Sims & Potter, Inc.

Others present: Chester Nolen, Interim City Manager; Mike Whaley, Assistant City Manager; Trish Holley, Director of Administration; Janelle Dolan, City Clerk; Ed Stahr, Police Chief; and Deana Sheriff, Economic Development Director.

Item 1. Mayor Law called the meeting to order.

Item 2. Invocation was given by Commissioner Brewster

Item 3. The pledge was led by Commissioner Andrajack.

Mayor moved up Item 8.

Item 8. Mayor Law closed the meeting at 6:31 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:

SECTION 551.074(a)-Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

1) Employment of Public Works Director

Item 9. Mayor Law reconvened the regular meeting at 6:47 p.m.

Motion was made by Commissioner Tugman seconded by Commissioner Andrajack for the Board of Commissioners give advice and consent to Chester Nolen to hire Gordon Smith as the new public works director. Motion passed unanimously.

Item 4. Mike Whaley, Assistant City Manager, introduced Rick Sims with Bundy, Young, Sims, & Potter, Inc. Mr. Sims addressed the Mayor and Commissioners and discussed potential design and locations of entry signs. Mr. Sims reviewed the various locations for the entry signs on the North and South entry ways to the City. Mr. Sims provided a design rendition that showed the word Burkburnett in front of two oil derricks with the letters being about 3 feet tall.

Motion was made by Commissioner Brewster, seconded by Commissioner Lindenborn to not make a decision on the design and location tonight but have Mr. Sims continue gathering information to review at a later date. Motion carried unanimously.

Item 5. Rick Sims discussed the Facility Master Plan with the Mayor and Commissioners. Mr. Sims provided information on what buildings would benefit from making improvements and or renovations and those that would not. It was the consensus of the Board of Commissioners that Mr. Sims continue working on the Facility Master Plan and a work session be scheduled in the future.

Commissioner Brewster left at 7:32 pm.

Item 6. Resolution Number 557 was presented in its entirety. An application for participation in Texas Short Term Asset Reserve Program (TexSTAR) that provides additional investment options emphasizing safety and liquidity. Chester Nolen, Interim City Manager, addressed the Mayor and Commissioners and stated that Resolution 557 and Resolution 558 provide some new investment options as the City recently sold some new debt. Mr. Nolen stated both programs Texas Short Term Asset Reserve Program (TexSTAR) and Local Government Investment Cooperative (LOGIC) are administered by First Southwest Company and JPMorgan Asset Management. Mr. Nolen stated that approval of application of participation with TexStar and LOGIC does not bind the City of Burkburnett to invest any public funds.

Motion was made by Commissioner Andrajack to approve Resolution Number 557 as presented. No second made. Motion failed.

Item 7. Resolution Number 558 was presented in its entirety. An application for participation in Local Government Investment Cooperative (LOGIC) that

provides additional investment options emphasizing safety, liquidity, and diversification.

Motion was made by Commissioner Andrajack, seconded by Commissioner Love to approve Resolution Number 558 as presented.

Ayes: Mayor Pro Tem Lindenborn, Commissioners Andrajack, Hardy and Love

Nays: Mayor Law and Commissioner Tugman

Absent: Commissioner Brewster

Motion carried.

Item 10. City Manager Comments.

Item 11. Council comments.

Item 12. Motion was made by Commissioner Tugman, seconded by Commissioner Lindenborn to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk



City Commission Agenda Memo

From: Chester Nolen
Date: 03/17/2014
Item: Charter Revision Ballot Language

Background

The City Commission appointed a Charter Revision Commission in 2013 to review and identify possible changes to the City Charter. To that end our City Attorney is requesting input from the City Commission in regard to the following items:

- Art. III Sec. 10 Eminent Domain
- Art. IV Sec. 8 Gender
- Art. IV Sec. 23 Wording of Ordinances
- Art. IV a Sec. 5 Recall Certification
- Art. VIII Sec. 1 Franchise Agreements

The Commission is being asked to affirm if they want these particular items included on the ballot to be voted by the Citizenry of Burkburnett.

Fiscal Impact

At the present time there is no known fiscal impact on the City for these changes.

Options

1. Approve the request
2. Deny the request

Staff Recommendation

Staff recommends approval of the request



City Commission Agenda Memo

From: Mike Whaley
Date: March 17th, 2014
Item: Item 7. Cemetery Board/Solicit Funds

Background

On Monday, March 10th we conducted the Cemetery Board meeting. One of the agenda items was to review Ordinance 817 which created the board and defined its duties and powers. Section 5 of the ordinance states that the Cemetery Board shall not solicit funds on behalf of the City unless expressly authorized to do so by the Board of Commissioners. Historically, it could not be determined if this express authorization had been given. The Cemetery Board requested audience with the Board of Commissioners in order to receive authorization by the Board of Commissioners to solicit funds for various items (benches, screening on pavilion, sound system, etc.).

Fiscal Impact

Undetermined at this point

Options

- Authorize the Cemetery Board to solicit funds for all the items requested
- Authorize the Cemetery Board to solicit funds for specific items only
- Do not authorize the Cemetery to solicit funds for the items requested

Staff Recommendation

It would be staff opinion to determine if the items being requested should be the responsibility of the City to provide or the responsibility of the funeral home to provide. For instance, a portable sound system, screen and projector, or similar requests may need to be the funeral home's responsibility instead of the City's. On such items it would have to be determined if they would be permanent fixtures or if they would have to be set up and taken down for each service. If permanent then we run into problems such as damage due to exposure to heat, cold, wind, rain and other elements or possible vandalism due to the lack of being able to secure the items in an open pavilion. If these items are to be set up and taken down for each service then who will be responsible to do so and responsible for the condition of such items? I believe these things need to be determined before the City allows soliciting of funds for all items requested. Other items, such as the benches or similar permanent structures, staff does not see a problem with authorizing Cemetery board to solicit funds.

Attachments

N/A



City Commission Agenda Memo

From: Trish Holley, Director of Administration

Date: March 17, 2014

Item: Ordinance Number 852

Background

The City of Burkburnett allows individuals to make payments for utility bills, fines, court costs and other charges by using credit cards over the internet, telephone, in person and the new automated kiosk payment center that will soon be installed.

The City will be contracting with AdComp Systems, Inc. for the purpose of the collection of payments for utility bills, fines, court costs and other charges by credit cards, 24 hours per day, 7 days a week. A fee will be charged to the cardholder, no fees will be assessed to the City for use of the credit card payments.

AdComp Systems, Inc. sets the service fees as attached in Annexure "A" and must provide a 30 day notice to the City before making any changes.

Staff Recommendation

Approve Ordinance Number 852 for the use of Credit Card Payments made by cardholders with vendor AdComp Systems, Inc. (Current credit card vendor will not interface with the automated kiosk payment center).

Attachments

Ordinance Number 852
Service Fees Annexure "A"

Fiscal Impact

None

ORDINANCE NUMBER 852

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS APPROVING THE USE OF CREDIT CARD PAYMENTS MADE BY CARDHOLDERS; SETTING SERVICE FEES; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Board of Commissioners believes that it is in the best interest of the citizens of the City of Burkburnett to allow individuals who owe utility bills, fines, court costs and other charges to the City to be able to pay these charges by use of the internet, telephone and automated kiosk;

WHEREAS, It would not be feasible for the City to provide this payment service without the imposition of charges;

WHEREAS, The City of Burkburnett will be contracting with AdComp Systems, Inc. for the purpose of collection of payments for utility bills, fines, court costs or other charges by credit cards, 24 hours per day, 7 days a week;

WHEREAS, AdComp Systems, Inc. will charge a fee to the Cardholder for the service as outline in Annexure "A" attached hereto and made part of this ordinance. No fees will be assessed to the City for use of credit card payments;

WHEREAS, AdComp Systems, Inc. will allow the use of credit card payments through the City's website, telephone system and the new payment kiosk;

WHEREAS, AdComp Systems, Inc. will not be entitled to any compensation with respect to the services other than the service fees set forth in Annexure "A" and reserves the right to adjust its service fees with a thirty 30-day notice to the City at the anniversary of this ordinance;

WHEREAS, The City and AdComp Systems, Inc. both agree that any information or data obtained documents produced or any other material which is required by law or regulation will be kept confidential and shall not be disclosed without the prior written approval of the other party unless they are non-exempted public records; and

WHEREAS, Either party may terminate services with thirty 30-day written notice to the other party prior to the annual renewal date.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, THAT:

Part 1. Enacted

The fees for the convenience of making payment on the City's website, telephone system and payment kiosk for utility bills, fines, court costs and other charges set forth in the Agreement attached as Annexure "A" are established in this Ordinance.

Part 2. Open Meetings Act

This meeting was open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required.

Part 3. Severability Clause

If any section, sub-section, clause, phrase or portion of this ordinance shall be held unconstitutional or invalid by a court of competent jurisdiction, such section, sub-section, sentence, clause, phrase or portion shall be deemed to be a separate, distinct and independent provision and such invalidity shall not affect the validity of the remaining portions.

Part 4. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Part 5. Effective Date.

This ordinance shall be in force and effect from and after its final passage.

PASSED AND APPROVED on this 17th day of March, 2014.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk

Annexure "A"

ADCOMP'S Transaction Payment Fee Schedule For Utilities

Utility Payments

Transaction Amount	Service Fee
\$0.01 - \$150.00	\$3.95
\$150.01 – \$300.00	\$4.95
\$300.01 - \$600.00	\$6.95
\$600.01 - \$1,000.00	\$9.95
\$1,000.01 AND GREATER	3.00%

Examples

Transaction Amount (\$50.00) + Service Fee (\$3.95) = Total \$53.95
Transaction Amount (\$171.00) + Service Fee (\$4.95) = Total \$175.95
Transaction Amount (\$750.00) + Service Fee (\$9.95) = Total \$759.95



City Commission Agenda Memo

From: Janelle Dolan, City Clerk

Date: March 17, 2014

Item: Discuss and take any action necessary on Friendship Park Permit Application for the American Cancer Society Relay for Life.

Background

The American Cancer Society Relay for Life is scheduled for May 16-17. The American Cancer Society is requesting to allow Friendship Park to remain open beyond normal operating hours (1:00 am). The DJ will be playing until midnight. Section 97.01 of the Code of Ordinances provides that all parks are closed from 12 midnight to 5:00 am. This is an annual event that has historically been approved by the City.

Fiscal Impact

There would be no fiscal impact to the City.

Options

- Recommend the approval of the Permit Application for Friendship Park to the American Cancer Society for the Relay for Life.
- Take no action.

Staff Recommendation

Staff recommends the Board of Commissioners approve the Friendship Park Permit Application to the American Cancer Society.

Attachments

Permit Application

APPLICATION FOR PERMIT

ITEM/SUBJECT: Variance of Ordinance 97.01

INITIATING PARTY: American Cancer Society, Relay for Life

COMMENTARY: Please allow "Friendship Park" to remain open beyond normal operating hours for Burkburnett's 10th Annual Relay for Life. This event starts at 8 a.m., Friday, May 16, 2014 (set up) and ending by 1 a.m., Saturday, May 17, 2014.

MANAGER'S REMARKS:

ASSOCIATED INFORMATION:

_____ **APPROVED**

_____ **DISAPPROVED**

_____ **CONDITIONS**

MAYOR Carl Law



City Commission Agenda Memo

From: Mike Whaley
Date: March 17th, 2014
Item: Item 10. Ordinance 853, Water rate review

Background

Ordinance 853 is an extension of Ordinance 847 which was passed in November which stated that the second tier of our water rate structure, Next 8,000 gallons (after the first 2,000 gallons) be increased from \$4.15 to \$ 6.15 per 1,000 gallons and would remain in effect for 90 days. This encapsulated the billing period for December, January, and February. In order to extend this rate structure, the Board of Commissioners would need to adopt Ordinance 853. This would extend the rate structure through May.

Fiscal Impact

N/A

Options

- Approve Ordinance 853 to continue current rate structure
- Do not approve Ordinance 853 and revert back to original rate structure at \$4.15

Staff Recommendation

Due to the current conditions (continuing extreme drought, reality of stage 5 drought restrictions by summer, and the shortfall in the water fund due to lack of sales) it would be the Staff's recommendation to approve the ordinance and extend the current rate structure for an additional 90 days.

Attachments

Ordinance 853

ORDINANCE NUMBER 853

AN ORDINANCE SUPERSEDING ORDINANCE NUMBER 847 OF THE CITY OF BURKBURNETT, TEXAS PRESENTLY CODIFIED AS CHAPTER 53, WATER IN THE CODE OF ORDINANCES, SPECIFYING THE EFFECTIVE DATE; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS; THAT:

Section 1. That Chapter 53 of the Code of Ordinances of the City of Burkburnett be as follows:

SECTION 53.20-RATES; BILLING

(A) That the water rates to be charged and collected per month by the City of Burkburnett, Texas, from all customers within the city limits obtaining service from said Waterworks System of said City, shall be and are hereby fixed as follows:

Minimum First 2,000 Gallons	\$ 20.00
Next 8,000 Gallons	\$ 6.15 per 1,000 gallons
Next 10,000 Gallons	\$ 4.40 per 1,000 gallons
Next 5,000 Gallons	\$ 4.60 per 1,000 gallons
Over 25,000 Gallons	\$ 4.70 per 1,000 gallons

(B) That all customers outside the city limits of Burkburnett obtaining service from the Waterworks System of said City, shall pay double the above fixed rates.

Section 2. This Ordinance shall take effect immediately. All other ordinances and resolutions and parts of thereof in conflict with any part of this Ordinance are hereby expressly repealed to the extent of such conflict. The water usage rate increase of \$6.15 per 1,000 gallons will remain in effect for a period of 90 days, at such time with no further action by council, rates will revert to \$4.15 per 1,000 gallons.

Section 3. In the event any one or more of the provision of this Ordinance should be declared to be invalid, unenforceable or illegal; such invalidity, unenforceability or illegality shall not affect the validity, enforcement, or legality of the remaining portions of this Ordinance.

Section 4. It is hereby officially found and determined that said meeting at which this Ordinance is passed is open to the public as required by law and that notice of said time, place and purpose of said meeting was given.

Section 5. Emergency

The immediate need for implementation of this ordinance due to the current drought conditions that affects the public health and safety of the citizens of the City and its surrounding area creates an emergency therefore requiring the action in the ordinance to become effective immediately and suspends the posting requirements set forth in Article IV, Section 18 (c) of the City Charter.

PASSED AND APPROVED on this 17th day of March 2014.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk



City Commission Agenda Memo

From: Mike Whaley
Date: March 17th, 2014
Item: Item 11. Flowpoint Estimate / Bulk Water Station

Background

Previously we discussed an option of converting water vending machine to an automated system. We have received an estimate for that system from Flowpoint Environmental Systems who have recently worked with the City of Wichita Falls to install their new bulk water station. The estimate total is \$43,632.38. There would also be some additional cost associated with the project for electrical service, driveway, and materials, approximately \$5,000.00 to \$7,000.00. Total financial impact will be approximately \$50,000.00. The City currently has a water money market balance of \$123,039.27. It would be staff's opinion if the Board chooses to move ahead with this project to fund the project utilizing a portion of the water money market.

Fiscal Impact

\$50,000.00

Options

- Authorize staff to utilize funds from the water money market balance of \$123,039.27 to fund the installation of the bulk water station.
- Authorize staff to utilize funds from an alternate source to fund the installation of the bulk water station
- Drop the project all together

Staff Recommendation

Utilize funds from the water money market balance of \$123,039.27 to fund the installation of the bulk water station.

Attachments

Flowpoint estimate
Pic



QUOTE

Flowpoint Environmental Systems

191 University Blvd #467
 Denver, CO 80206
 Phone: 877-655-5585
 Fax: 888-655-5588
 sales@flowpointsystems.com

QUOTE # QO0595
 DATE: 11/20/2013
 EXPIRATION DATE 1/20/2014

TO Kelvin Parker
 City of Burkburnett
 501 Sheppard Road
 Burkburnett TX 76354
 (940) 613-2235

SALESPERSON	LOCATION	SHIPPING METHOD	SHIPPING TERMS	DELIVERY DATE	PAYMENT TERMS
Jason Jones		INCLUDED	FOB FACTORY		

LINE ITEM	QUANTITY	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	1.0000	WATER SYSTEMS WATER SYSTEMS 1.00 WG2RPCOMXXXXEW11XXXXXXXXX WATER GENERAL - 2" INCLUDES:REDUCED PRESSURE PRINCIPLE ASSEMBLY BACKFLOW PREVENTOR, COMBINATION METER/ VALVE,ETHERNET COMMUNICATION,1000 WATT WINTERIZATION PACKAGE, & ONE ACCESS POINT. 12 MONTHS FREE ONLINE BILLING SOFTWARE TECHNICAL SUPPORT. 1 ELECTRONIC SHOP DRAWINGS. 1 ELECTRONIC O&M MANUAL. 1.00 ODV OPTIONAL 1/2" DRAIN VALVE ASSEMBLY 1.00 WG-OVERHEAD FILL-SUPPORT OPTIONAL PIPE AND SUPPORT-WATER GENERAL 1.00 COMM-CELL-US CELLULAR COMMUNICATION - US FREIGHT SHIPPING CHARGES STARTUP - SITE STARTUP UNIT ON SITE		
		TOTAL		43,632.38

Quotation prepared by: Jason Jones

This is a quotation on the goods named, and is subject to the following conditions:

Taxes are not included. All prices are in US dollars unless otherwise noted. Installation is by others. Owner is responsible for all utility service connections including water service to and from station. Owner is responsible for offloading and / or storing the station until it is installed. Payment Terms: 10% on acceptance of quote, 10% on approval of shop drawings, 70% on delivery, 10% after start up services are completed. FOB Factory means the Owner is responsible for the station during freight (including, but not limited to any damage to unit during freight). Start Up services require: 1. Minimum 3 weeks notice to book 2. 90% payment 3. Completion of Start-up readiness checklist.

To accept this quotation, sign here and return: SIGN: _____ PRINT NAME: _____

POSITION: _____ DATE: _____

Flowpoint One Year Manufacturer's Warranty (Included):

Flowpoint Environmental Systems (Manufacturer) warranty is as follows, and extends ONLY to the original purchaser of the equipment and is limited to the purchase price of each part. Manufacturer warrant products against defects in materials or workmanship as follows:

LABOR: For a period of 1 (one) year from the date of commission (start up), if Manufacturer determines that the equipment is defective subject to the limitations of this warranty, Manufacturer will replace or repair it at no charge for labor. Manufacturer warrants any such work done against defects in materials or workmanship for the remaining portion of the original warranty period.

PARTS: For a period of 1 (one) year from the date of commission (start up), Manufacturer will supply, at no charge, new or rebuilt replacement parts in exchange for parts that the Manufacturer determines are defective subject to the limitations of this warranty. Manufacturer warrants any such replacement parts against defects in materials or workmanship for the remaining portion of the original warranty period.

This warranty "does not cover" installation of the system or damages incurred during shipping.

This warranty "does not cover" consumer instruction, physical set up or adjustment of any electronic equipment, communication / signal reception problems, loss of use of the equipment, or unused programming charges due to equipment malfunction.

This warranty "does not cover" cosmetic damage, damage due to lightning, electrical surges, fire, flood, or other acts of God, accident, misuse, abuse, vandalism, repair or alteration by other than factory service, negligence, or improper or neglected maintenance.

This warranty "does not cover" equipment sold AS IS, REFURBISHED, or WITH ALL FAULTS, auction sales, equipment removal or reinstallation, nor equipment purchased, serviced, or operated by other dealers.

BULK WATER DISPENSING



DISPENSING TERMINALS



Our Dispensing Terminals retrofit to new or existing infrastructure providing all the same features as our Turn-key solutions.

Flowpoint also provides all the components such as piping, metering and valves to retrofit to your infrastructure.

TURN-KEY STATIONS

Our Turn-Key Stations

- Provide Accountability
- Provide Security
- Generate Revenue
- Reduce Administration

Each Turn-Key Station is self contained, insulated and a maintenance friendly dispensing station.

They can be heated, cooled or both and come complete with a supply valve, reduced pressure backflow prevention device, stainless steel piping, meter, drain valve, access terminal and field terminal box.

All stations dispense potable water, reclaimed water or raw water.

WATER SENTRY™



The Water Sentry™ is a large bulk water dispensing solution, with overhead load outs up to 4" diameter.

Eliminates ice build up where ambient temperatures drop below freezing.

Redundancy back flow prevention (Air Gap and Reduced Pressure).

WATER GENERAL™



The Water General™ is a cost effective solution great for curbside loading locations.

Ideal for all weather climates. Available in 2", 3" and 4" sizes as well as solar powered.

CUSTOM STATION



The Custom Station is a powerful bulk water dispensing solution designed to simultaneously dispense bulk water to as many as four trucks with load outs up to 6" diameter to meet your specific needs.

Custom stations can be built to suit your specific requirements.

Contact our expert sales department staff to assist you with a system to meet your specific needs.

Website: www.flowpointsystems.com Toll Free: (877) 655-5585 Email: sales@flowpointsystems.com

COST REDUCTION / ACCOUNTABILITY / ENVIRONMENTAL COMPLIANCE / REVENUE GENERATION / SECURITY

System Administration Software

WATER+™

The cornerstone of our Bulk Water Dispensing Stations is the Windows based **WATER+™** System Administration Software. It is the tool you need to control, monitor and analyze your bulk water dispensing and allows you to centrally manage multiple stations.

WHAT CAN OUR STATIONS DO FOR YOU?

Provide Security by Controlling:

- Hours of operation
- Who is using your facility
- What is being dispensed

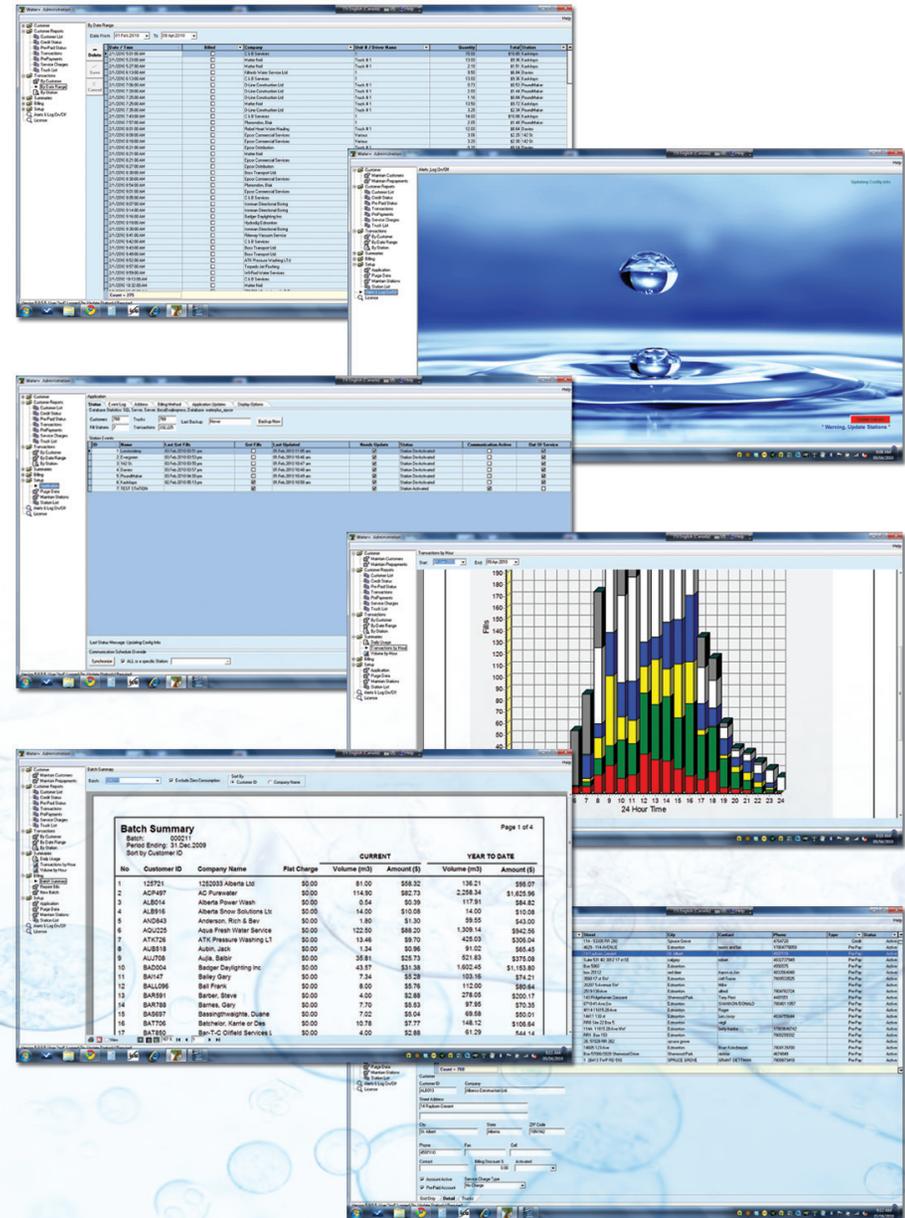
Generate Revenue

- \$\$\$ for amount of water dispensed
- Charge for quantity dispensed (potable, raw or reclaimed water)

Reduce Administration Cost

- Account Management
- Station Management
- System Management
- Communication Connectivity Options

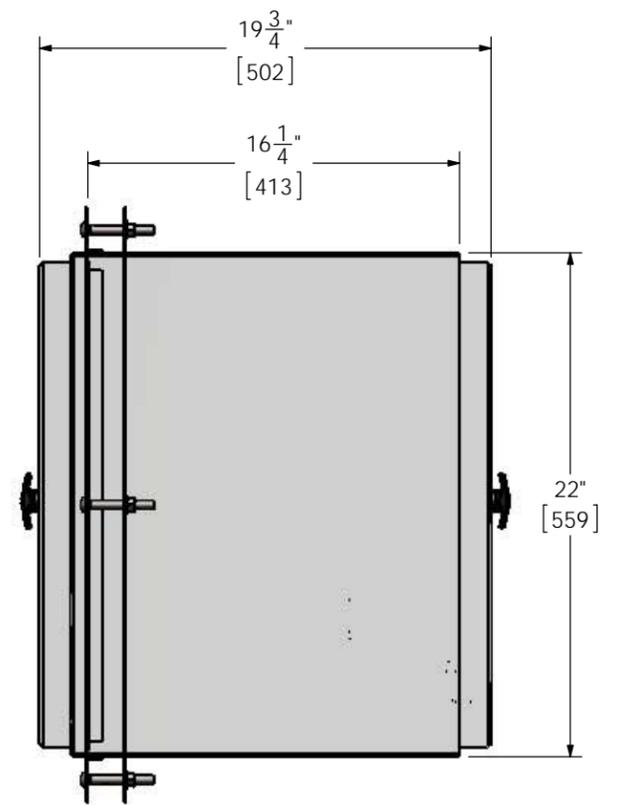
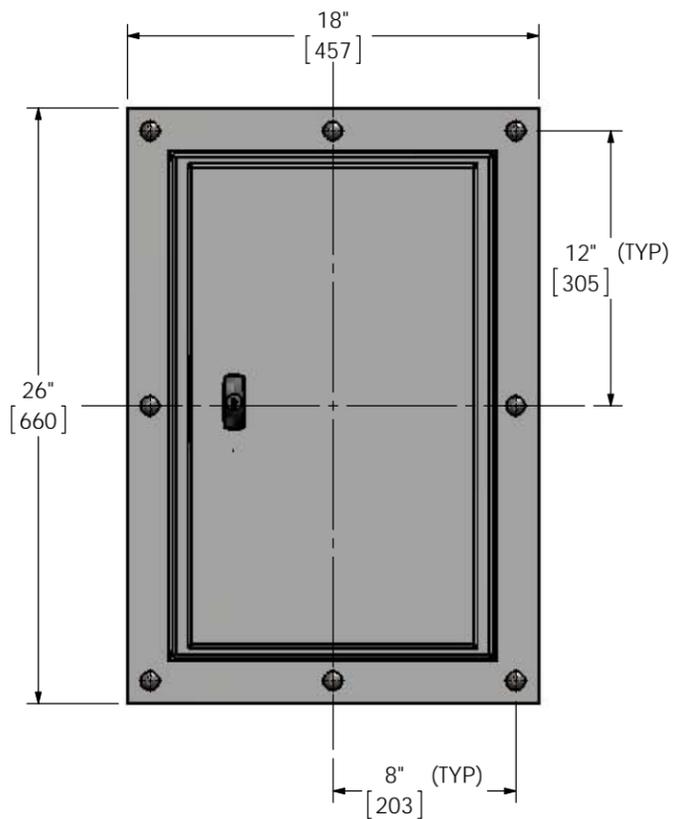
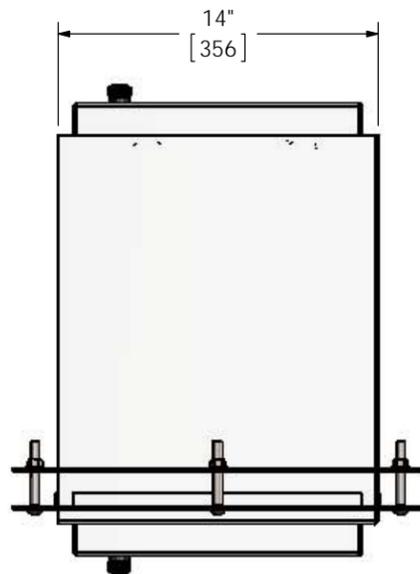
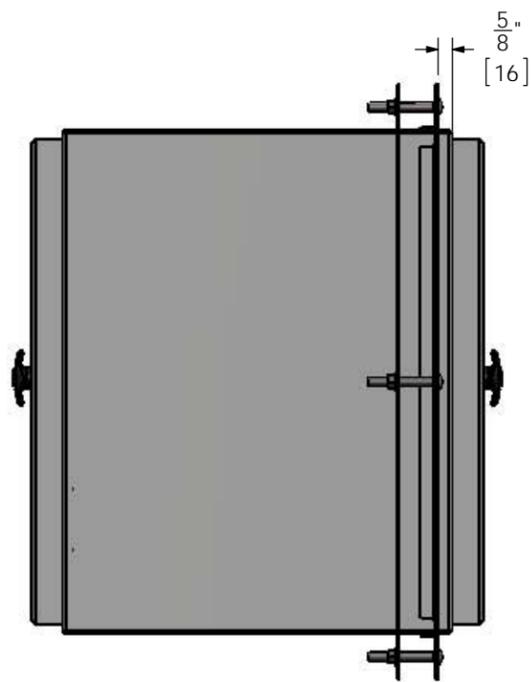
For more information,
go to www.flowpointsystems.com
or Contact us at 877.655.5585 /
e: sales@flowpointsystems.com



Solutions for the Water and Wastewater Industry

FLOWPOINT

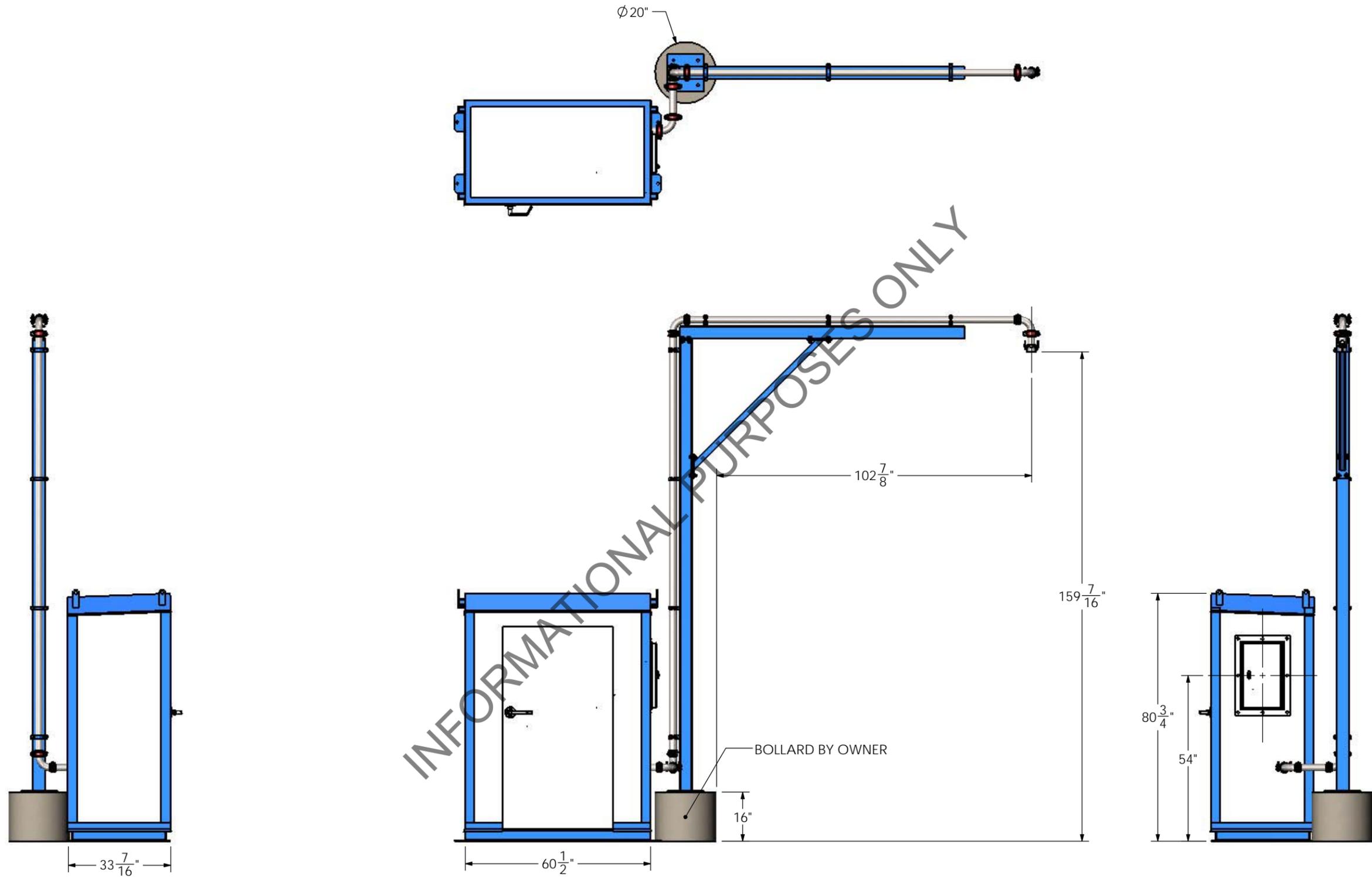




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-	-	-	-	-	-		DESCRIPTION: INSTALLATION LAYOUT - ACCESS TERMINAL		
-	-	-	-	-	-		DRAWN BY: SL		
-	-	-	-	-	-		DATE: 02/10/2013	SCALE: 1:8	



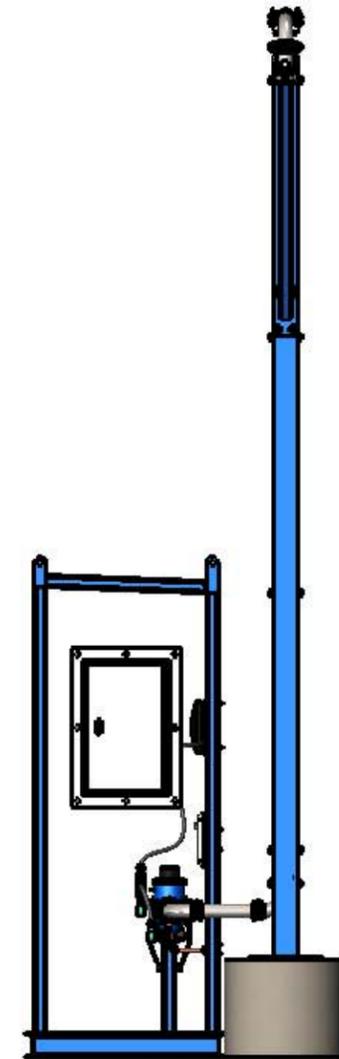
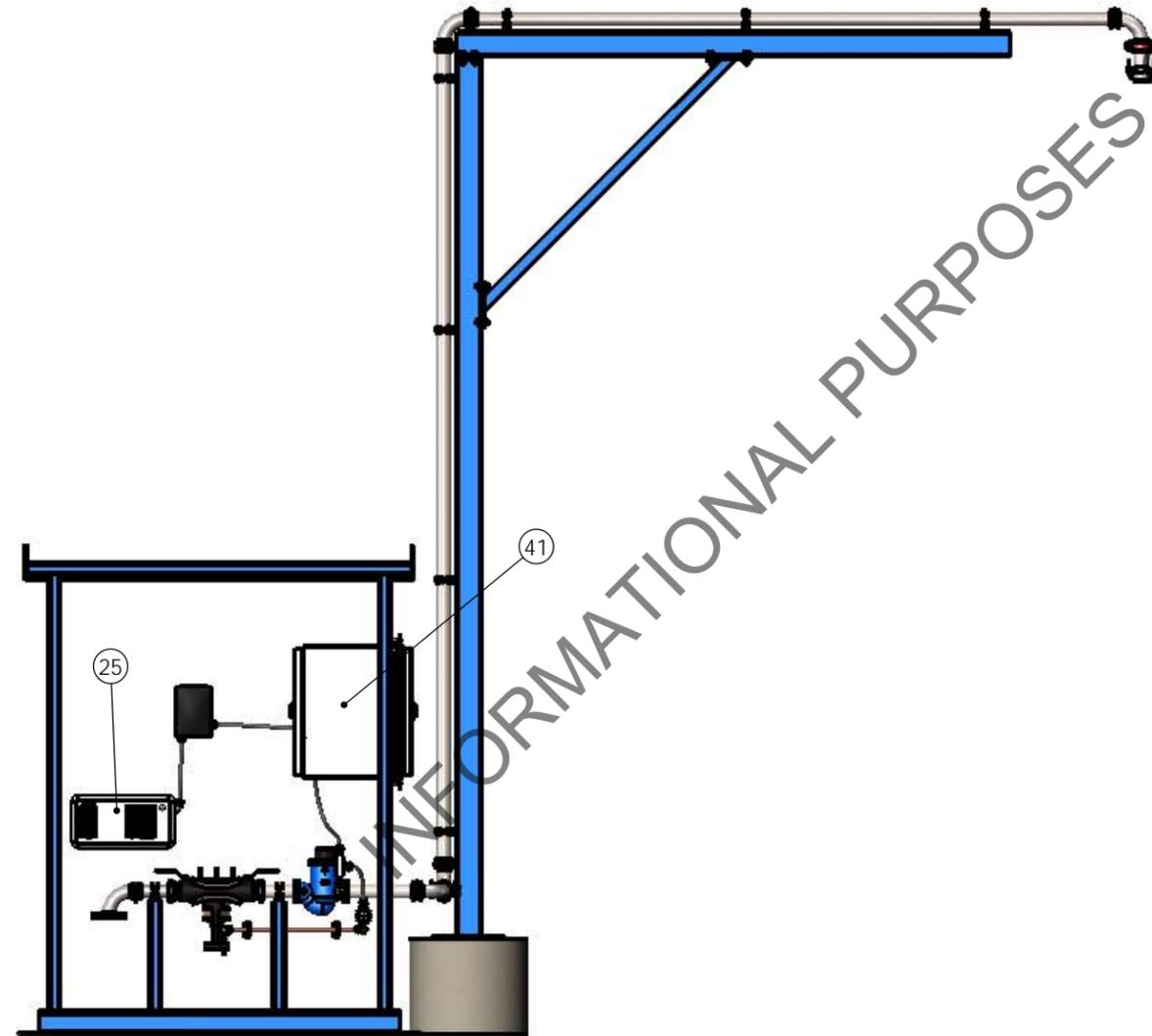
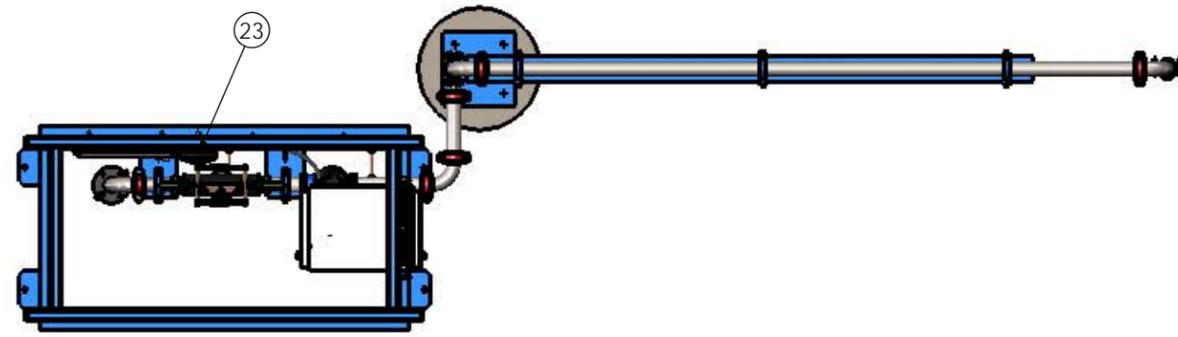




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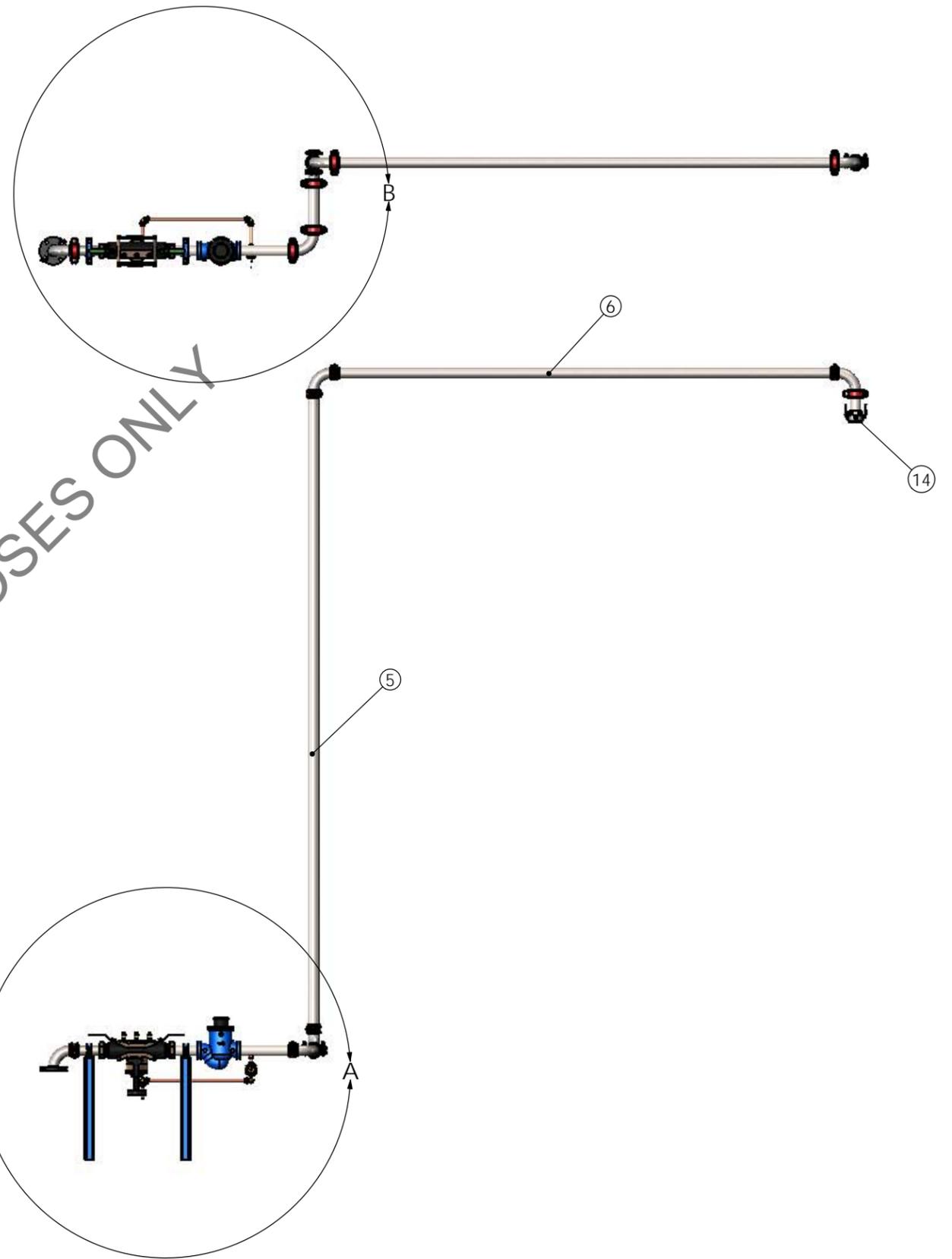
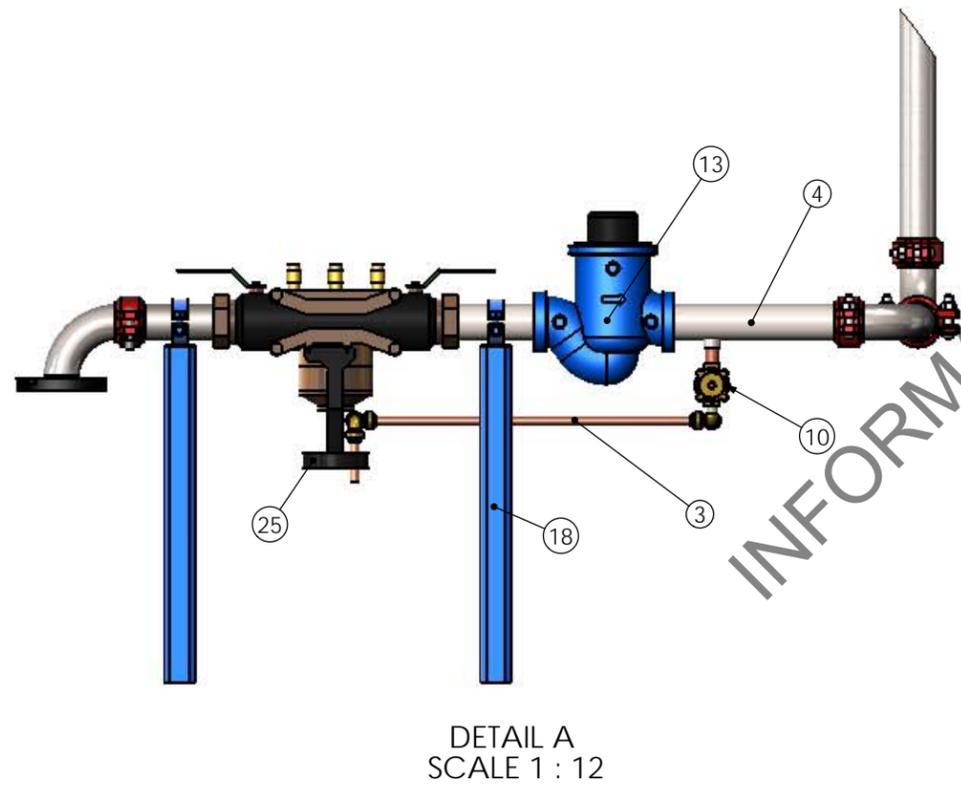
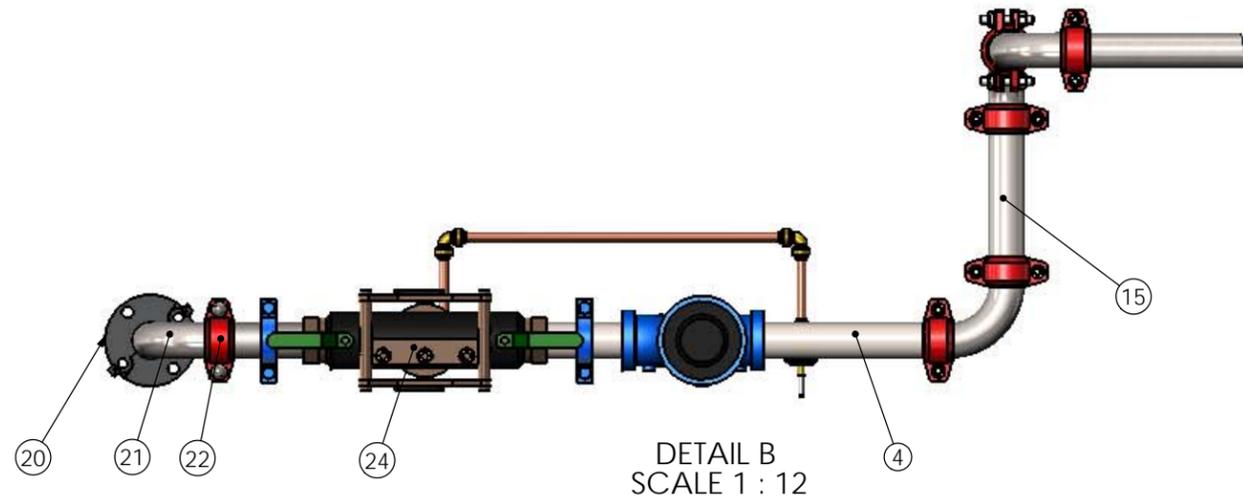
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-	-	-	-	-	-		DESCRIPTION: -			
-	-	-	-	-	-		DRAWN BY: SL			
-	-	-	-	-	-		DATE: 08/11/2013	SCALE: 1:35	SHEET 1 OF 4	A3





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-	-	-	-	-	-		DATE:08/11/2013	SCALE 1:30	SHEET 2 OF 4



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-	-	-	-	-	-		DATE: 08/11/2013	SCALE 1:30	SHEET 3 OF 4	A3





City Commission Agenda Memo

From: Mike Whaley
Date: March 17th, 2014
Item: Item 12. Award engineering services

Background

The CDBG program requires the City to request and score proposals for engineering services for the CBDG. That process has been satisfied and the City of Burkburnett has selected Corlett, Probst, & Boyd, P.L.L.C. for engineering services. The City has worked numerous projects with Corlett including previous CBDG projects that had been awarded to the City. All projects have been successful. We are confident moving forward.

Fiscal Impact

Engineering cost will be paid with grant funds.

Options

Approve staff recommendation

Staff Recommendation

Staff recommends approval of selection

Attachments

N/A