

AGENDA

Notice is hereby given of a meeting of the Board of Commissioners of Burkburnett to be held on **Monday, June 20, 2016 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 May 16, 2016 Special Called Meeting and May 16, 2016 Regular Called Meeting

Item 5. Presentation by County Judge Woody Gossom, Jr. regarding the possible establishment of Vote Centers in Wichita County for future elections.

Item 6. Mayor to close regular meeting and open "Public Hearing" for the following:

Receive public comment with regard to the First Amended Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number One, City of Burkburnett (the Zone) for the provision of increased public infrastructure costs and extending the life of the Zone by an additional ten (10) years. Persons may obtain a copy of the First Amended Project Plan and Reinvestment Zone Financing Plan from the City Clerk located at Burkburnett City Hall.

Item 7. Ordinance Number 900. An Ordinance approving the First Amendment to The Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number One, City of Burkburnett, Texas; authorizing the City Clerk to distribute such plans; and extending the duration of the Zone to December 31, 2035, First Reading.

Item 8. Resolution Number 610. A resolution with Wichita County for an amended Participation Agreement for the Tax Increment Reinvestment Zone.

Item 9. Discuss and take any action necessary on site plan for Burkburnett Independent School District High School Campus.

Item 10. Ordinance Number 899. An ordinance amending the City of Burkburnett Code of Ordinances by amending Chapter 72 Stopping, Standing, And Parking by adding Section 72.09 Presumption That Owner of Vehicle Illegally Parked Same.

Item 11. Mayor to close regular meeting and open “Public Hearing” for the following Planning & Zoning Commission Cases:

- A. Review and make recommendation regarding the following text in Zoning Ordinance Number 589, Section 8.2.A-“There is created, in accordance with Chapter 211 of the Texas Local Government code, and established by Ordinance #589 of the City of Burkburnett, the “Planning and Zoning Commission” , hereafter sometimes referred as the “Commission”, which shall consist of five (5) regular members and two (2) alternate members, who are resident citizens, taxpayers and qualified voters of the City of Burkburnett. The alternate members shall act and serve as members of the Commission when a regular member(s) is absent or is otherwise unable to serve. Choice of the alternate member to serve at a particular meeting of the Planning and Zoning Commission shall be on an alternating basis such that both alternates have equal opportunities to serve; and
- B. Review and make recommendation regarding the following text in Zoning Ordinance Number 589, Section 8.3-A.1. Quorum – A quorum shall consist of four (4) members of the Commission, and any issue to be voted upon shall be resolved by four (4) of those members present.

Item 12. Mayor to close Public Hearing and reopen the regular meeting and take action on Planning & Zoning Commission Cases:

- A. Review and make recommendation regarding the following text in Zoning Ordinance Number 589, Section 8.2.A-“ There is created, in accordance with Chapter 211 of the Texas Local Government code, and established by Ordinance #589 of the City of Burkburnett, the “Planning and Zoning Commission” , hereafter sometimes referred as the “Commission”, which shall consist of five (5) regular members and two (2) alternate members, who are resident citizens, taxpayers and qualified voters of the City of Burkburnett. The alternate members shall act and serve as members of the Commission when a regular member(s) is absent or is otherwise unable to serve. Choice of the alternate member to serve at a particular meeting of the Planning and Zoning Commission shall be on an alternating basis such that both alternates have equal opportunities to serve; and
- B. Review and make recommendation regarding the following text in Zoning Ordinance Number 589, Section 8.3-A.1. Quorum – A quorum shall consist of four (4) members of the Commission, and any issue to be voted upon shall be resolved by four (4) of those members present.

Item 13. Ordinance Number 898. An ordinance amending Zoning Ordinance Number 589, Section 8.2a. Created; Membership; Officers; Rules & Bylaws; and Section 8.3.A-1 Parliamentary Procedure; Quorum; Voting.

Item 14. Resolution Number 609. A Burkburnett Development Corporation economic incentive agreement with HomeWell Senior Care Inc., First Reading.

Item 15. Discuss and take any action necessary on appointment to Parks and Recreation Board.

Item 16. Discuss and take any action necessary on appointment to Planning and Zoning Commission.

Item 17. Discuss and take any action necessary on appointment to Tax Increment Reinvestment Zone.

Item 18. Review of monthly reports.

A. Public Works-Sheridan Medical Lodge Construction Update

Item 19. 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 20. City Manager’s report.

- 4th of July Celebration – July 2nd
- City Hall Closed – Monday, July 4th
- Budget Meeting Dates – July 11th and July 12th – 1pm

Item 21. 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 salutary 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 salutary recognition for purposes of this subdivision;**

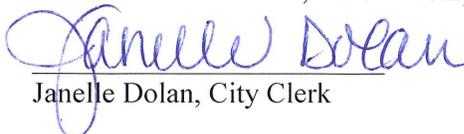
***A reminder about an upcoming event organized or sponsored by the governing body;**

***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 22. 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 11:30 a.m. on June 14, 2016 in compliance with the Open Meeting Act Chapter 551.


Janelle Dolan, City Clerk

Posted 6/14/16 @ 11:30am

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 May 16, 2016 at 6:45 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
Mike Tugman	Commissioner

Others present: Mike Whaley, City Manager; Trish Holley, Director of Administration; Gordon Smith, Director of Public Works; Janelle Dolan, City Clerk; Gary Robinett, Economic Development Director; Ed Stahr, Police Chief; and Rick Sims, Bundy, Young, Sims & Potter, Inc.

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

Item 2. The Commissioners canvassed the election returns for the Municipal Election held on May 7, 2016 and Resolution Number 606 was presented in its entirety.

**RESOLUTION NUMBER 606
RESOLUTION CANVASSING ELECTION RETURNS**

On this the 16th day of May 2016, the City Commissioners of the City of Burkburnett, Texas convened in a special session open to the public at the regular meeting place thereof with the following members present, to wit:

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

Mike Tugman

Commissioner

Mike Whaley

City Manager

Janelle Dolan

City Clerk

There came to be considered the returns of an election held on the 7th day of May, 2016 for the purpose of electing the herein after named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 664 valid and legal votes (375 Early and 289 Election Day); that each of the candidates in said election received the following votes:

	Early	Election Day	Total
Jeremy Duff	209	196	405
Mike Tugman	218	195	413
Marguerite Love	199	194	393
Frank Ducos	223	176	399
Theophile "Ted" Kwas	152	76	228

Therefore, be it resolved by the Board of Commissioners of the City of Burkburnett, Texas that said election was duly called, that said notice of election was given in accordance with law, and the election was held in accordance with law, and that Frank Ducos, Jeremy Duff, Marguerite Love, and Mike Tugman were duly elected Commissioners of said City at said election.

Said above named parties are hereby declared duly elected to said respective offices, subject to the taking of their oaths as provided by the laws of the State of Texas.

It is further found and determined that in accordance with the order of this governing body, the City Clerk posted written notice of the date, place and subject of this meeting on the glass front door facing the outside located in the City Hall, a place convenient and readily accessible to the General Public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of meeting.

Passed and approved this 16th day of May 2016.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk

Motion was made by Commissioner Brewster, seconded by Commissioner Love to approve Resolution Number 606 as presented. Motion carried unanimously.

Item 3. The Oath of Office was administered to Frank Ducos, Jeremy Duff, Marguerite Love, and Mike Tugman by City Clerk/Public Notary Janelle Dolan.

Item 4. Resolution Number 607, Resolution of Gratitude, was presented by Mayor Carl Law, to Commissioner Hardy for serving four years on the Board of Commissioners. Mayor Law presented Commissioner Hardy with a blanket depicting the City of Burkburnett's Flag.

Motion was made by Commissioner Brewster, seconded by Commissioner Ducos to approve Resolution Number 607 as presented. Motion carried unanimously.

Item 5. Janelle Dolan, City Clerk, opened the floor for Election of Mayor for the ensuing year in compliance with Article 4, Section 7 of the City Charter.

Commissioner Tugman nominated Commissioner Carl Law, seconded by Commissioner Brewster.

Motion carried unanimously to elect Carl Law as Mayor for the next ensuing year.

Item 7. Janelle Dolan, City Clerk, opened the floor for Election of Mayor Pro-Tem for the ensuing year in compliance with Article 4, Section 7 of the City Charter.

Commissioner Love nominated Commissioner Lindenborn, seconded by Commissioner Tugman.

Motion carried unanimously to elect Bill Lindenborn as Mayor Pro-Tem for the next ensuing year.

Item 8. No City Manager Comments.

Item 9. No Commissioner Comments.

Item 10. Motion was made by Commissioner Ducos, seconded by Commissioner Tugman to adjourn. Motion carried unanimously.

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, May 16, 2016 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
Jeremy Duff	Commissioner
Marguerite Love	Commissioner
Mike Tugman	Commissioner

Others present: Mike Whaley, City Manager; Gordon Smith, Director of Public Works; Janelle Dolan, City Clerk; Gary Robinett, Economic Development Director; Ed Stahr, Police Chief; and Rick Sims, Bundy, Young, Sims & Potter, Inc.

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

Item 2. Invocation was given by Paul Fisher, Associate Pastor of Students, First Baptist Church.

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

Item 4. Consent Agenda.

A. Approval of Minutes from April 18, 2016

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

Item 5. Mayor Law closed the regular meeting at 7:03 p.m. and opened the “Public Hearing” for the following Planning & Zoning Commission Case:

A. Case #2016-28, re-zone application for 1219 thru 1318 Danberry, block rezoned as a carport overlay district.

Gordon Smith, Director of Public Works, addressed the Mayor and Commissioners and stated the application was presented by David Woods owner of the property located at 1310 Danberry. This request is to allow for a carport overlay district on Danberry Street

from 1219 thru 1318 Danberry as shown on the attached map. Public Notices, as required by the Zoning Ordinance, were sent to the proposed district and all properties 200 feet adjacent to the proposed district. Also, the required number of signatures (75%) for the petition was satisfied and ownership was verified by City Staff. Sixteen (16) out of the twenty (20) total property owners on the block have signed the petition requesting the carport overlay district. On May 2, 2016 the Planning and Zoning Board met and staff presented the information for review. Mr. Woods was in attendance. The Board discussed the case and considered the overall evaluation of the request. The vote was 3-0 in favor of approving the request. Three (3) members were in attendance meeting the requirement for a quorum.

Item 6. Mayor Law closed the “Public Hearing” at 7:07 p.m. and reopened the regular meeting to take action on the Planning & Zoning Commission Case:

A. Case #2016-28, re-zone application for 1219 thru 1318 Danberry, block rezoned as a carport overlay district.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Brewster to approve Case #2016-28, re-zone application for 1219 thru 1318 Danberry, block rezoned as a carport overlay district. Motion carried unanimously.

Item 7. Ordinance Number 897 was presented in its entirety. An ordinance approving a negotiated settlement between the Atmos cities steering committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2016 Rate Review Mechanism (RRM) filings and approving a settlement agreement.

Mike Whaley, City Manager, addressed the Mayor and Commissioners and stated the City is a member of the Atmos Cities Steering Committee (“ACSC”). The RRM Tariff was originally adopted by ACSC member cities in 2007 as an alternative to the Gas Reliability Infrastructure Program (“GRIP”), the statutory provision that allows Atmos to bypass the City’s rate regulatory authority to increase its rates annually to recover capital investments. The 2016 RRM is the fourth RRM filing under the renewed RRM Tariff. On March 1, 2016, Atmos made a filing requesting \$35.4 million additional revenues on a system-wide basis. ACSC and Atmos have reached an agreement, reflected in the Ordinance, to reduce Atmos’ request by \$5.5 million. The tariffs attached to the Ordinance approve rates that will increase Atmos’ revenues by \$29.9 million for the Mid-Tex Rate Division, effective for bills rendered on or after June 1, 2016. Mr. Whaley stated the monthly bill impact for the typical residential customer will be an increase of \$1.26, or about 2.43% and the typical commercial customer will see an increase of \$3.81, or 1.43%.

Motion was made by Commissioner Brewster, seconded by Commissioner Love to approve Ordinance Number 897 as presented. Motion carried unanimously.

Item 8. Mike Whaley, City Manager, addressed the Mayor and Commissioners and stated the site plan was prepared by Devin Smith with Corlett, Probst, & Boyd, PLLC in conjunction with Bundy, Young, Sims, & Potter Inc. The site plan was developed for the Burkburnett Independent School District (BISD) Evans Elementary Campus additions and improvements. The City Staff has reviewed the site plan as well as preliminary construction details such as, storm drainage, easements, set back, utilities, parking, and landscaping. The developer has met the requirements as set forth by the zoning ordinance. The Planning and Zoning Board has unanimously approved the site plan request.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Brewster to approve the site plan for BISD Evans Elementary Campus additions and improvements. Motion carried unanimously.

Item 9. Resolution Number 608 was presented in its entirety. A Resolution to approve a Fixed Price Right of Way Local Project Funding Agreement with the Texas Department of Transportation for the State Right-of-Way as part of the Highway 240, Gresham Road Project.

Mr. Whaley addressed the Mayor and Commissioners and stated both agenda item 9 & 10 pertain to the Gresham Rd Reconstruction Project. The reason we are having to pass both the resolution and the interlocal agreement is because of the additional funds the City of Burkburnett and Wichita County requested from TXDOT in order to assist in the purchasing of ROW (right of way) for the Gresham Rd Reconstruction project. Both are required by TXDOT to execute the revised contract for Gresham Rd Reconstruction. Within the revised contract TXDOT has agreed to fund an additional \$500,000 for the purpose of ROW acquisition. The funding will be reimbursable once the ROW is purchased. The resolution provides that Wichita County will execute the contract with TXDOT on behalf of Wichita County and the City. The interlocal agreement provides how the \$500,000 provided by TXDOT will be dispersed between Wichita County and the City. In the interlocal agreement, the funds are dispersed by a 70/30 formula. Meaning, Wichita County will receive 70% or \$350,000 of reimbursable value for ROW acquisition and the City will receive 30% or \$150,000 of reimbursable value. When looking at the overall ROW costs for the project, Wichita County will be responsible for approximately 70% while the City will be responsible for the remaining 30% of acquisition.

The following addressed the Mayor and Commissioners:

Edward Clack, 1190 W. Third Street

Motion was made by Commissioner Brewster, seconded by Commissioner Duff to table this item until further information received.

Ayes: Commissioners Brewster and Duff

Nays: Mayor Law, Commissioners Lindenborn, Ducos, Love, and Tugman

Motion failed.

More discussion held.

Motion was made by Commissioner Ducos, seconded by Commissioner Lindenborn to approve Resolution Number 608 as presented.

Ayes: Mayor Law; Commissioners Lindenborn, Ducos, and Tugman

Nays: Commissioners Brewster and Love

Abstained: Commissioner Duff

Motion passed.

Item 10. Motion was made by Commissioner Tugman, seconded by Commissioner Ducos to approve the interlocal agreement between the City of Burkburnett and Wichita County for performance of governmental functions and services, including streets, road and drainage, and other governmental functions.

Ayes: Mayor Law, Commissioners Lindenborn, Ducos, Love and Tugman

Nays: Commissioner Brewster

Abstained: Commissioner Duff

Motion passed.

Item 11. Mr. Smith addressed the Mayor and Commissioners and stated the City of Burkburnett's Planning and Zoning Board consists of five (5) appointed members that serve a 2 year term. One (1) member is nearing the end of their term: Carla Walters. Staff contacted Mrs. Walters and she has agreed to serve the additional term.

Motion was made by Commissioner Tugman, seconded by Commissioner Lindenborn to approve the appointment of Carla Walters to the Planning and Zoning Board. Motion carried unanimously.

Item 12. Review of monthly reports.

A. Public Works – July 4th Celebration-Mr. Smith reviewed the July 4th activities.

Item 13. No public comments.

Item 14. City Manager comments.

- City Manager- TML Leadership Academy May 18th – 20th
- Boomtown Bay Family Aquatic Opening – May 28th
- City Hall Closed – Monday, May 30th

Item 15. No Commissioner comments.

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

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk



City Commission Agenda Memo

From: Mike Whaley
City Manager

Date: June 20th, 2016

Item: Presentation by County Judge Woody Gossom/Voting Centers

Background

Wichita County Judge Woody Gossom has requested an audience with the BOC on this agenda to discuss Vote Centers. This is not an action item for the BOC. I have included the packet information sent over from Wichita County pertaining to vote centers for your review. Judge Gossom has already spoken to the matter at his Commissioners Court, as well as in the communities of Electra and Iowa Park.

Fiscal Impact

N/A

Options

N/A

Staff Recommendation

N/A

Attachments

Packet received from Wichita County

TEXAS SECRETARY OF STATE

CARLOS H. CASCOS

Election Outlook: [Early voting](#) for the May 24, 2016 Primary Runoff Election runs Monday, May 16 – Friday, May 20 | Last day to apply for [ballot by mail](#) (received, not postmarked) is Friday, May 13, 2016 | [What's on the Ballot](#) | [Voter information](#) | Don't have a photo ID for voting? [Election Identification Certificates](#) are available from [DPS offices](#).

Report to the 84th Legislature Under Section 43.007(j), Texas Election Code Relating to the Countywide Polling Place Program

Brief Overview

This report is submitted in accordance with Section 43.007(j) of the Texas Election Code, ("the Code") which requires the Secretary of State to file a report with the Texas Legislature no later than the first day of each odd-numbered year regarding specific complaints or concerns filed with the office of the Secretary of State related to counties participating in the countywide election day polling places program ("Program") for the 2013/2014 election year cycle. Under the Program, counties were eligible to apply to use countywide voting locations (also known as "super precincts" or "vote centers") for elections held on the November 2013 and 2014 uniform election dates, the March 2014 primary election and May 2014 runoff primary election and elections held countywide on the May uniform election date, instead of providing polling places at each regular county election precinct. Participation in the Program is limited to those counties that exclusively use direct recording electronic ("DRE") voting systems and provide a computerized and linked voter registration list at each countywide polling place.

Background

House Bill 758 was enacted by the 79th Texas Legislature and required the Secretary of State to establish a pilot program in one or more counties as a test of the countywide voting location concept. Lubbock County was the only county to participate, successfully running a countywide polling place pilot for the November 2006 General Election for State and County Officers. In the next regular legislative session, the 80th Texas Legislature enacted House Bill 3105, authorizing another pilot program for the 2008 election year. The pilot was limited to elections held countywide on the May uniform election date and the November 4, 2008 General Election for State and County Officers, excluding the March and April 2008 Primary Elections. House Bill 3105 contained a number of changes from the previous legislation. Specifically, it added language requiring the county to adopt a methodology for determining its polling place locations and limited participating counties to reducing the total number of polling places to no more than fifty percent of the number of precinct polling places that would normally be used in the county. Only Lubbock and Erath Counties participated in the House Bill 3105 program.

House Bill 719 was enacted by the 81st Texas Legislature, and it made the pilot program permanent. It added language requiring a county to retain 65 percent of the number of precinct polling places that would normally have been used in its elections in the county's first election using countywide polling places. Additionally, House Bill 719 limited the Secretary of State to choosing three counties with a population of 100,000 or more and two counties with a population of less than 100,000 for each election

under the pilot program. (House Bill 2194, enacted in the 82nd Legislature, increased the number of counties in the Program to six counties with populations of 100,000 or more and four counties with populations of less than 100,000.) Finally, House Bill 719 required the Secretary of State to continue the countywide election day polling places program for the 2009/2010 election cycle. Under the Program, counties were eligible to apply to use countywide voting locations (also known as "super precincts" or "vote centers") for elections held on the November 2009 and 2010 uniform election dates and for elections held countywide on the May uniform election date, instead of providing polling places at each regular county election precinct. Participation in the Program was limited to those counties that exclusively used direct recording electronic ("DRE") voting systems and provided a computerized and linked voter registration list at each countywide polling place.

Four counties were selected for the November 3, 2009 uniform election date: Collin, Erath, Galveston, and Lubbock Counties. Four counties were selected for the November 2, 2010 General Election for State and County Officers: Collin, Erath, Lubbock and Madison Counties. Each county was required to file a report with the Secretary of State regarding the implementation in their county, and all the county reports will be available on the Secretary of State website.

Senate Bill 578 was enacted by the 83rd Texas Legislature, and expanded the program for use in each primary election and runoff primary election if the county chair or county executive for each political party participating in a joint primary election under Section 172.126 of the Texas Election Code agreed to the use of countywide polling places; or the county chair or county executive committee of each political party required to nominate candidates by primary election agreed to the use of the same countywide polling places.

"Successful" Countywide Precinct Program

House Bill 2194, enacted by the 82nd Texas Legislature, created a new process for counties that have used the countywide election precinct method of voting. Prior law required counties to apply to use countywide election precincts election-by-election. The change adds Section 43.007(k) (2) to the Code to allow counties to move forward in using countywide election precincts without approval from the Secretary of State.

To date, nineteen Texas counties applied for and met the Secretary of State's requirements for the "successful" countywide precinct polling place designation. They include Callahan County, Collin County, Coryell County, Eastland County, Erath County, Floyd County, Gaines County, Galveston County, Grayson County, Jefferson County, Lampasas County, Lubbock County, Madison County, Midland County, Randall County, Swisher County, Travis County, Victoria County, and Williamson County.

Implementation of Current Program

Eight counties were selected for the November 5, 2013 uniform election date: Callahan County, Coryell County, Grayson County, Jefferson County, Lampasas County, Randall County, Victoria County and Williamson County. Five counties were selected for the March 4, 2014 primary election date: Callahan County, Jefferson County, Randall County, Swisher County and Wharton County. Four counties were selected for the May 27, 2014 runoff primary election: Callahan County, Randall County, Swisher County and Wharton County. Seven counties were selected for the November 4, 2014 general election: McLennan County, Montague County, Navarro County, Rusk County, Taylor County, Tom Green County

and Wharton County. Each of these counties was required to file a report with the Office of the Secretary of State regarding the implementation of their countywide polling locations.

Countywide Precinct Polling Place Program Participants

Callahan County

According to the 2010 Census, Callahan County's population is 13,544.

November 5, 2013

Callahan County's initial election under the program was the November 5, 2013 Constitutional Amendment Election. Prior to participating in the program, Callahan County had 7 county election polling places. In the Constitutional Amendment Election held on November 8, 2011, the county used 5 county election polling places after consolidating precincts under Section 42.008 of the Code. For the November 5, 2013 Constitutional Amendment Election, the county used 6 countywide election day polling places.

Turnout Trends

Callahan County used 6 vote centers on election day for the November 5, 2013 Constitutional Amendment Election. An analysis of turnout trends for constitutional elections in 2011 and 2013 points to an increase in voter turnout over those years. Reports indicate a 5.19% turnout of registered voters for 2011, compared to 8.11% in 2013 for the Constitutional Amendment Election.

Public Feedback

After the election, the county solicited feedback from county election officials and voters on the institution of the program in the county. The election report contains emails and letters from the officials and voters praising the institution of the program. Voter emails indicated overall support for the countywide vote centers citing that it increased voter convenience while decreasing voter confusion regarding where to vote. No major issues were reported on the county's use of the program for the November 5, 2013 Constitutional Amendment Election.

March 4, 2014

Callahan County's second election under the program was the March 4, 2014 Primary Election. Callahan County used 6 election day vote centers for the March 4, 2014 Primary Election. The county created a Facebook page and used additional newspaper resources to further educate the voters on the use of the program for the Primary Election.

Turnout Trends

An analysis of Callahan County turnout trends for primary elections in 2012 and 2014 points to a disparity in voter turnouts for those years. This may or may not be related to the issues on the ballot with 2012 being a Presidential Primary Election. Reports indicate a 24.72% turnout of voters for 2012, compared to a 19.46% turnout for voters in 2014 for the Primary Election.

Public Feedback

After the election, the county again solicited feedback from county officials and voters. The election report contains emails and letters from the officials and voters reiterating the fact that the program provided voters more convenience in being able to vote at any polling location. The feedback also indicated that frustration and confusion had continued to decrease because voters no longer had to travel to a specific polling location.

Callahan County applied for “successful” status and was designated as a “successful” county under the program on September 4, 2014.

Coryell County

According to the 2010 Census, Coryell County’s population is 75,388.

November 5, 2013

Coryell County’s initial election under the program was the November 5, 2013 Constitutional Amendment Election. Prior to participating in the program, Coryell County had 16 polling places. In the Constitutional Amendment Election held on November 8, 2011, the county used 5 county election polling places after consolidating precincts under Section 42.008 of the Code. For the November 5, 2013 Constitutional Amendment Election, the county used 10 countywide election day polling places.

Turnout Trends

Coryell County used 10 vote centers on election day for the November 5, 2013 Constitutional Amendment Election. An analysis of Coryell County turnout trends for constitutional amendment elections in 2011 and 2013 shows a very slight increase in turnout. Reports indicate a 4.1% turnout of registered voters for 2011, compared to a 4.7% turnout in 2013 for the Constitutional Amendment Election.

Public Feedback

Coryell County requested feedback from voters via a survey as voters left the polling place on election day. The response to the use of the program was almost exclusively positive with voters commending the county on the ease and convenience of voting at any countywide location. However, some voters did comment that they preferred the use of paper ballots to electronic voting systems.

Coryell County applied for “successful” status and was designated as a “successful” county under the program on January 21, 2014.

Grayson County

According to the 2010 Census, Grayson County’s population is 120,877.

November 5, 2013

Grayson County's initial election under the program was the November 5, 2013 Constitutional Amendment Election. Prior to participating in the program, Grayson County had 17 polling places. In the Constitutional Amendment Election held on November 8, 2011, the county used 17 county election polling places. For the November 5, 2013 Constitutional Amendment Election, the county used 22 countywide election day polling places.

Turnout Trends

Grayson County used 22 vote centers on election day for the November 5, 2013 Constitutional Amendment Election. An analysis of Grayson County turnout trends for constitutional amendment elections in 2011 and 2013 shows an increase in voter totals over those years. Reports indicate a 5.18% turnout of registered voters for 2011, compared to a 7.37% turnout in 2013 for the Constitutional Amendment Election.

Public Feedback

Following the election, Grayson County solicited feedback from county officials, election judges and clerks and voters. The feedback on the county's use of the program was very positive. The election report contains emails and letters with officials, judges and clerks and voters stating that they felt the change to the countywide program was positive because it gave voters the freedom to choose a polling place on election day that was the most convenient location.

Grayson County applied for "successful" status and was designated as a "successful" county under the program on January 14, 2014.

Jefferson County

According to the 2010 Census, Jefferson County's population is 252,273.

November 5, 2013

Jefferson County's initial election under the program was the November 5, 2013 Constitutional Amendment Election. Prior to participating in the program, Jefferson County had 57 polling places. In the Constitutional Amendment Election held on November 8, 2011, the county used 57 county election polling places. For the November 5, 2013 Constitutional Amendment Election, the county elected to keep those 57 polling places as countywide election day polling places.

Turnout Trends

Jefferson County used 57 vote centers on election day for the November 5, 2013 Constitutional Amendment Election. An analysis of Jefferson County turnout trends for constitutional amendment elections in 2011 and 2013 shows a very slight decrease in voter totals over those years. Reports indicate a 2.71% turnout of registered voters for 2011, compared to a 2.12% turnout in 2013 for the Constitutional Amendment Election.

Public Feedback

Following the election, Jefferson County solicited feedback from voters and minority groups regarding the impact of the countywide polling place program. The feedback that the county received was very positive. The election report contains emails and letters with voters and minority groups stating that they believed the countywide program was very convenient for voters and would ultimately save the county time and money in future elections. The feedback also iterated that this would allow many more voters to cast a ballot that would actually be counted as opposed to a provisional ballot that may be rejected because the voter voted in the wrong precinct.

March 4, 2014

Jefferson County's second election under the program was the March 4, 2014 Primary Election. Jefferson County used 53 election day vote centers for the primary election.

Turnout Trends

Jefferson County used 53 vote centers on election day for the March 4, 2014 Primary Election. An analysis of Jefferson County's turnout trends for primary elections in 2012 and 2014 shows a decrease in voter totals over those years. Reports indicate a 20.03% turnout of registered voters for 2012, compared to a 15.96% turnout in 2014 for the Primary Election. Again, the difference in turnout may or may not be explained by the issues on the ballot with 2012 being a Presidential Primary Election.

Public Feedback

Following the election, Jefferson County again solicited feedback from voters as well as minority groups, the county chairs for each political party in the county and county officials on the impact of the program for the primary election. The election report contains e-mails and letters from these individuals. The feedback demonstrates more support for the county's use of the program and cites voter convenience, a decrease in voter frustration and a decrease in the number of provisional ballots cast as reasons to support the program.

Jefferson County applied for "successful" status and was designated as a "successful" county under the program on April 1, 2014.

Lampasas County

According to the 2010 Census, Lampasas County's population is 19,677.

November 5, 2013

Lampasas County's initial election under the program was the November 6, 2012 General Election. The county continued use of the program for the November 5, 2013 Constitutional Amendment Election. Prior to participating in the program, Lampasas County had 10 voting precincts. This was reduced to 9 precincts in 2012 following redistricting. The county used 10 precinct polling places in the Constitutional Amendment Election held on November 8, 2011. For the November 5, 2013 Constitutional Amendment Election, the county used 6 polling places.

Turnout Trends

Lampasas County used 6 vote centers on election day for the November 5, 2013 Constitutional Amendment Election. An analysis of Lampasas County turnout trends for constitutional amendment elections in 2011 and 2013 shows a significant increase in voter turnout totals over those years. Reports indicate a 8.11% turnout for registered voters in 2011, compared to a 13.39% turnout for registered voters in 2013.

Public Feedback

Following Lampasas County's initial election under the program in November of 2012, the county participated in a public hearing of the county commissioner's court regarding continued use of the program. The overall feedback provided at the hearing was in support of the county's continued use of the program.

Lampasas County applied for "successful" status and was designated as a "successful" county under the program on January 21, 2014.

Randall County

According to the 2010 Census, Randall County's population is 120,725.

November 5, 2013

Randall County's initial election under the program was the November 5, 2013 Constitutional Amendment Election. Prior to participating in the program, Randall County had 22 voting precincts. The county used 14 polling places in the Constitutional Amendment Election held on November 8, 2011. For the November 5, 2013 Constitutional Amendment Election, the county elected to continue to use 14 polling places. However, 10 of the 14 polling places selected were used in November of 2011 while the remaining 4 were polling places from the general election in November of 2012.

Turnout Trends

Randall County used 14 vote centers on election day for the November 5, 2013 Constitutional Amendment Election. An analysis of Randall County turnout trends for constitutional amendment elections in 2011 and 2013 shows a significant increase in voter totals over those years. Reports indicate a 5.49% turnout for registered voters in 2011, compared to a 14.76% turnout for registered voters in 2013. The county attributes much of this increase to the fact that the City of Amarillo added a \$31.5 million bond election and 21 charter amendments to the ballot for the election.

Public Feedback

Following the election, Randall County solicited feedback from election day judges on the impact of countywide polling places on the Constitutional Amendment Election. The election report contains e-mails and letters from these individuals. Overall, the feedback from the judges was positive. Many of the judges cited that not having to turn voters away for being in the wrong polling places as a positive for the program. The feedback also iterated that voters were pleased with the convenience of being able to vote at any polling location.

March 4, 2014

Randall County's second election under the program was the March 4, 2014 Primary Election. Randall County again used the 14 polling places for the Primary Election that had previously been used in the November 5, 2013 Constitutional Amendment Election.

Turnout Trends

Randall County used 14 vote centers on election day for the March 4, 2014 Primary Election. An analysis of Randall County turnout trends for primary elections in 2012 and 2014 shows a slight increase in voter totals over those years. Reports indicate a 16.78% turnout for registered voters in 2012, compared to a 18.19% turnout for registered voters in 2014.

Public Feedback

Randall County again solicited feedback from election day judges as well as individuals affiliated with both parties that held primary elections in the county on March 4, 2014. The election report contains e-mails and letters from these individuals. Once again, the feedback was supportive of the use of the countywide polling place program in Randall County. Much of the feedback indicated that the program was the best course of action for voter convenience in that voters did not have to be turned away for being at the wrong polling location.

Randall County applied for "successful" status and was designated as a "successful" county under the program on August 6, 2014.

Victoria County

According to the 2010 Census, Victoria County's population is 86,793.

November 5, 2013

Victoria County's initial election under the program was the November 5, 2013 Constitutional Amendment Election. Prior to participating in the program, Victoria County had 35 voting precincts. For the November 5, 2013 Constitutional Amendment Election, the county utilized all 35 voting precincts as countywide polling places and established an additional countywide polling place at the main early voting location for a total of 36 vote centers on election day.

Turnout Trends

Victoria County used 36 vote centers on election day for the November 5, 2013 Constitutional Amendment Election. An analysis of Victoria County turnout trends for constitutional amendment elections in 2011 and 2013 shows a significant increase in voter turnout over those years. Reports indicate a 4.55% turnout for registered voters in 2011, compared with a 7.80% turnout for registered voters in 2013.

Public Feedback

Following the election, Victoria County solicited feedback from county officials and the county chair of each political party in the county on the impact of the countywide polling place program for this election. All parties who provided feedback expressed support for the county's continued use of the program and county officials believed the program provided convenience for voters who could vote in any location rather than having to travel to a specific precinct.

Victoria County applied for "successful" status and was designated as a "successful" county under the program on January 17, 2014.

Williamson County

According to the 2010 Census, Williamson County's population is 422,679.

November 5, 2013

Williamson County's initial election under the program was the May 11, 2013 uniform election date. Prior to participating in the program, Williamson County had 88 voting precincts. The November 5, 2013 Constitutional Amendment Election was the county's second election under the program. The county used 60 locations as vote centers on election day for the Constitutional Amendment Election.

Turnout Trends

Williamson County used 60 vote centers on election day for the November 5, 2013 Constitutional Amendment Election. An analysis of Williamson County turnout trends for constitutional amendment elections in 2011 and 2013 shows an increase in voter turnout over those years. Reports indicate a 4.0% turnout for registered voters in 2011, compared to a 6.6% turnout for registered voters in 2013.

Public Feedback

Following the election, Williamson County solicited feedback from interest groups, county officials and voters on the impact of the program in the Constitutional Amendment Election. The county received positive feedback from all groups. Many individuals highlighted the fact that the program served voter convenience by allowing voters to vote at any polling place.

Williamson County applied for "successful" status and was designated as a "successful" county under the program on March 14, 2014.

Swisher County

According to the 2010 Census, Swisher County's population is 7,854.

March 4, 2014

Swisher County's initial election under the program was the November 6, 2012 General Election. Prior to participating in the program, Swisher County had 8 voting precincts. The March 4, 2014 primary election was the county's second election under the program. The county used 4 locations as vote centers on election day for the Primary Election.

Turnout Trends

Swisher County used 4 vote centers on election day for the March 4, 2014 primary election. An analysis of Swisher County's turnout trends for primary elections in 2012 and 2014 shows a very slight increase in voter turnout over those years. Reports indicate a .14% turnout for registered voters in 2012, compared to a .16% turnout for registered voters in 2014.

Public Feedback

Following the election, Swisher County solicited feedback from voters regarding the county's use of the countywide polling place program. Feedback towards the program was positive with voters informing the county that countywide polling made it possible for some voters to vote who would not otherwise have had the opportunity to do so. Voters also informed the county that vote centers made it more convenient to cast a ballot and the public wanted the county to continue with the program in the future.

Swisher County applied for "successful" status and was designated as a "successful" county under the program on August 20, 2014.

Wharton County

According to the 2010 Census, Wharton County's population is 41,280.

March 4, 2014

Wharton County's initial election under the program was the March 4, 2014 Primary Election. Prior to participating in the program, Wharton County had 12 voting precincts. For the March 4, 2014 Primary Election, the county used 8 vote centers.

Turnout Trends

Wharton County used 8 vote centers on election day for the March 4, 2014 Primary Election. Wharton County did not submit any voter turnout data on the previous primary election in 2012. However, the county did submit voter turnout data for the primary election in 2010. An analysis of turnout trends for the primary elections in 2010 and 2014 shows a significant decrease in voter turnout over those years. Reports indicate a 14.74% turnout for registered voters in 2010, compared to a 8.46% turnout for registered voters in 2014. This may or may not be related to issues on the ballot.

Public Feedback

Following the election, Wharton County solicited feedback from voters and the county chairs of both political parties in the primary election. The election report contains letters from these individuals. Response to the county's use of the program was positive with both county chairs stating that the use of the program made it more convenient for voters to vote anywhere rather than returning to a specific precinct. The feedback also mentioned that costs for the county would be reduced with the closure of some polling places.

November 4, 2014

Wharton County's second election under the program was the November 4, 2014 General Election. The county again used 8 polling places as vote centers during the election. In addition, the county visited local organizations and published information in the newspaper to spread the word about participation in the program.

Turnout Trends

Wharton County used 8 vote centers on election day for the November 4, 2014 General Election. Again, the county did not submit any voter turnout data on the previous general election from 2012, but the county did submit voter turnout data from the general election in 2010. An analysis of the turnout trends from the general elections in 2010 and 2014 shows a very slight increase in voter turnout over those years. Reports indicate a 16.01% turnout for registered voters in 2010, compared to a 16.32% turnout for registered voters in 2014.

Public Feedback

Following the election, Wharton County solicited feedback from election workers on the continued use of the program in the county. The election workers indicated that they were very pleased with the program and the fact that voters could be serviced at any location on election day without being turned away. The feedback from the election workers also supported the county's further participation in the program.

McLennan County

According to the 2010 Census, McLennan County's population is 234,906.

November 4, 2014

McLennan County's initial election under the program was the November 4, 2014 General Election. Prior to participating in the program, McLennan County had 59 voting precincts. For the November 4, 2014 General Election, the county used 40 vote centers.

Turnout Trends

McLennan County used 40 vote centers on election day for the November 4, 2014 General Election. An analysis of turnout trends for the 2010, 2012 and 2014 General Elections in McLennan County shows an overall significant increase in voter turnout over those years. Reports indicate a 46.56% turnout for registered voters in 2010, compared to a 43.34% turnout for registered voters in 2012 and a 54.29% turnout for registered voters in 2014.

Public Feedback

McLennan County solicited feedback from voters on the county's use of the countywide polling place program via a survey that was provided to voters at the polling locations. The surveys asked voters to indicate whether or not using one of the vote centers was more convenient than travelling to the voter's home precinct. The survey also asked voters to indicate what influenced them to vote at a particular vote center. The responses received were largely positive. Many voters indicated they chose a particular vote center because it was closer to the voter's place of employment rather than the voter's home

precinct. There was also a large amount of support for the county's continued use of the program in future elections.

Montague County

According to the 2010 Census, Montague County's population is 19,719.

November 4, 2014

Montague County's initial election under the program was the November 4, 2014 General Election. Prior to participating in the program, Montague County had 15 voting precincts. For the November 4, 2014 General Election, the county used 10 vote centers.

Turnout Trends

Montague County used 10 vote centers on election day for the November 4, 2014 General Election. An analysis of turnout trends for the 2010, 2012 and 2014 General Elections in Montague County shows a significant decrease in voter turnout over those years. Reports indicate a 27.63% turnout for registered voters in 2010 compared to a 23.14% turnout for registered voters in 2012 and a 16.36% turnout for registered voters in 2014. This may or may not be related to issues on the ballot for those years.

Public Feedback

Following the election, Montague County solicited feedback from voters, county party chairs and contracting entities regarding the county's use of the countywide polling place program. The feedback received from those individuals was positive and showed support for the county's continued use of the program in future elections. The feedback pointed to voter convenience and the potential reduction of costs in each election for the county with having fewer voting locations.

Navarro County

According to the 2010 Census, Navarro County's population is 47,735.

November 4, 2014

Navarro County's initial election under the program was the November 4, 2014 General Election. Prior to participating in the program, Navarro County had 35 voting precincts. For the November 4, 2014 General Election, the county used 21 vote centers.

Turnout Trends

Navarro County used 21 vote centers on election day for the November 4, 2014 General Election. An analysis of turnout trends for the 2010, 2012 and 2014 General Elections in Navarro County shows an overall decrease in turnout over those years. Reports indicate a 23.48% turnout for registered voters in 2010 compared to a 27.48% turnout for registered voters in 2012 and a 19.30% turnout for registered voters in 2014. This may or may not be attributable to issues on the ballot for those particular election years.

Public Feedback

Following the election, Navarro County solicited feedback from election judges and clerks and also provided voters with surveys in the polling place regarding the county's use of the countywide polling place program. The feedback expressed support for the county's decision to move to the use of vote centers. The feedback also indicated that the use of the program provided more voter convenience because voters were not being turned away for being in the wrong precinct.

Taylor County

According to the 2010 Census, Taylor County's population is 131,506.

November 4, 2014

Taylor County's initial election under the program was the November 4, 2014 General Election. Prior to participating in the program, Taylor County had 34 voting precincts. For the November 4, 2014 General Election, the county used 23 vote centers.

Turnout Trends

Taylor County used 23 vote centers on election day for the November 4, 2014 General Election. An analysis of turnout trends for the 2010 and 2014 General Elections in Taylor County shows a decrease in voter turnout totals over those years. Reports indicate a 16.07% turnout in 2010, compared to a 14.03% turnout in 2014. This may or may not be attributable to issues on the ballot in those years.

Public Feedback

Following the election, Taylor County solicited feedback from election judges and clerks as well as county and party officials, contracting political subdivisions and special interest groups. These individuals provided feedback on the county's use of the countywide polling place program in the election. The feedback supported the county's continued use of the program and cited that the program provided increase flexibility and voter convenience as it allowed voters to cast a ballot in a precinct other than the voter's home precinct.

Tom Green County

According to the 2010 Census, Tom Green County's population is 110,224.

November 4, 2014

Tom Green County's initial election under the program was the November 4, 2014 General Election. Prior to participating in the program, Tom Green County had 34 voting precincts but conducted elections using 26 polling places. For the November 4, 2014 General Election, the county used 18 vote centers.

Turnout Trends

Tom Green County used 18 vote center son election day for the November 4, 2014 General Election. An

analysis of turnout trends for the 2010, 2012 and 2014 General Elections in Tom Green County shows an overall decrease in voter turnout totals over those years. Reports indicate a 21.23% turnout for registered voters in 2010, compared to a 21.88% turnout for registered voters in 2012 and a 15.50% turnout for registered voters in 2014. The decrease in voter turnout may or may not be a result of issues on the ballot in those years.

Public Feedback

Following the election, Tom Green County solicited feedback from county chairs, contracting political subdivisions and special interest groups on the impact of the countywide polling place program in the election. The county also solicited feedback from voters via a survey that was provided at the polling locations. Most of the responses received by the county were positive towards the implementation of vote centers and those individuals believed that vote centers made voting more convenient for the voters and turned less voters away. Many of the voters who provided feedback expressed discontent with the amount of time that they had to wait at various polling locations. Some voters also expressed a concern with not being able to vote with a paper ballot.

Rusk County

According to the 2010 Census, Rusk County's population is 53,330.

November 4, 2014

Rusk County's initial election under the program was the November 4, 2014 General Election. Prior to participating in the program, Rusk County had 22 voting precincts. For the November 4, 2014 General Election, the county used 17 vote centers.

Turnout Trends

Rusk County used 17 vote centers on election day for the November 4, 2014 General Election. Rusk County did not submit turnout data for the county's previous gubernatorial election in 2010, but submitted turnout data for the general election in 2012. An analysis of turnout trends for the 2012 and 2014 General Elections in Rusk County shows a decrease in voter turnout totals over those years. Reports indicate a 22.57% turnout in 2012, compared to a 20.32% turnout in 2014. The decrease may or may not be attributable to issues on the ballot in those years.

Public Feedback

Following the election, Rusk County solicited feedback on the county's use of the program from election judges and clerks. The county also distributed surveys to voters at the polling locations. Overall, the feedback to the county's use of the countywide polling place program was positive. The individuals who responded indicated that the program was more convenient for voters because a voter could vote outside of his or her home precinct. Some frustration over signage and parking at some voting locations was expressed, but there was no negative response to the use of vote centers generally.

Recommendations to the 84th Texas Legislature

After eleven cycles of the countywide polling place program, there is still a relatively small sample size from which to make observations and recommendations. For the November 2014 general election, 26 counties participated in the program including the 19 counties that had previously been designated “successful”. This accounts for just over 10% of the counties in the state.

First Recommendation

Many of the participating counties expressed concern with the selection of election day judges and clerks at the countywide polling places. The elimination of voting precinct specific polling places under the program and the moving of polling places to other locations or combining previous precincts often does not allow a county to make a specific designation of judges and clerks from a party list because the area now being serviced under the program does not have a tracked voting history like the previous precinct. Accordingly, the 84th Legislature may wish to explore ways for counties to appoint election day judges and clerks for the countywide polling places when voting history of an area cannot be tracked.

Second Recommendation

The Secretary of State also suggests the Legislature examine whether to require the first election at which countywide polling places are used be an election other than the November general election for state and county officers. This change would allow county election officials, local political subdivisions within the county, and the voters of the county to become familiar with the concept and in effect run a smaller scale election with countywide election day polling places before deciding whether the county should apply to use the countywide polling places in a November General Election.

Third Recommendation

Section 43.007(a)(5) of the Texas Election Code currently reads that the countywide polling place program can be used in an “election of a political subdivision that is held jointly” with the general election for state and county officers, an election on the uniform election date in May, a constitutional amendment election, or a joint primary or runoff primary election. The section does not distinguish if “held jointly” means a joint election agreement under Chapter 271 of the Code or if it also applies to an entity contracting for election services with the county under Chapter 31, Subchapter D. Accordingly, the 84th Legislature may wish to explicitly clarify “held jointly” in this section.

Overall Observations

For the moment, countywide polling places effects on voter turnout are difficult to gauge. However, anecdotal evidence from the participating counties, including feedback from voters and election officials, along with the turnout percentages, suggest countywide election polling places offer a way to ensure that voters who plan to vote in the election have an increased opportunity to do so much as with early voting.

Overall, there were very little technical issues reported concerning the use of countywide polling places as there had been in the past. This could be a result of counties becoming more familiar with the program. Many concerns from voters stemmed from issues that were unrelated to the use of the

program itself, such as lack of adequate signage or parking space or extended wait times. These are issues that should be addressed by participating counties as they move forward with the program.

Statutory Considerations

- Provide procedure for appointment of election day judges and clerks for counties participating in the countywide polling place program, much like Section 32.002 does for other countywide elections.
- Examine whether the elections eligible for first participation should be elections in addition to the November general election for state and county officers.
- Explicitly clarify the meaning of “held jointly” under Section 43.007(a)(5) to indicate whether this means a joint election agreement, a contract for election services or both.

REALTY SECTION
(940) 766-8195



VOTER REGISTRATION
(940) 766-8174

PROBATE RECORDS
(940) 766-8172

CRIMINAL RECORDS
(940) 766-8173

LORI BOHANNON
COUNTY CLERK
Wichita County Courthouse
900 7th St Room 250
P O Box 1679
Wichita Falls TX 76307-1670
Lori.Bohannon@co.wichita.tx.us

January 5, 2015

Commissioner Court:

I would like permission to move forward to participate in the County wide Election Precinct Program.

Goals of the program:

- Provide Early Voting and Election Day choice of where the voter gets to vote by not being restricted to only their voting precinct. Election Day would be just like Early Voting.
- Consolidated voting locations which would remain the same during the participation of the program.
- Lower the cost of executing each election by having less staff/locations open on elections with little turn out.
- Bigger elections could have the ability to have more staff and machines instead of more staff and locations.

Requirement for program:

- DRE voting systems
- Public Hearing (Commissioners Court)
- Methodology to determine placement of polling locations (committee)
- Communication plan (Wi-Fi ability & notice to voters)
- Application due by August 20, 2015

Sincerely,


Lori Bohannon
County Clerk

TEXAS SECRETARY OF STATE

NANDITA BERRY

Don't have a photo ID for voting? [Election Identification Certificates](#) are available from [DPS offices](#).

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Application Deadlines for Countywide Election Precincts Polling Places in Countywide Elections Held on May 9, 2015 and November 3, 2015 Uniform Election Dates

To: County Clerks/Elections Administrators in Counties
Using Only DRE Voting Equipment

From: Keith Ingram, Director of Elections

Date: December 19, 2014

RE: Application Deadlines for Countywide Election Precincts Polling Places in Countywide Elections Held on May 9, 2015 and November 3, 2015 Uniform Election Dates

This memorandum is to remind you of the deadlines for submitting county applications to participate in the countywide election precinct polling place program ("the program") for the May 9, 2015 and November 3, 2015 Uniform Election dates.

Below are the detailed schedules for implementing countywide election precincts for the May 9, 2015 and November 3, 2015 uniform election dates.

Schedule for implementing countywide election precincts for May 9, 2015 election:

- **Monday, February 23, 2015** — Deadline for counties to submit their proposed plan (detailing the county's ability to comply with items 1-3 above) to Secretary of State. Note that counties that have participated in previous countywide election precincts programs are not required to hold a public hearing under Section 43.007(b), though we urge that they do so. Counties that have not previously participated in a countywide program will have to include a recording of the public hearing as part of the proposed plan which will necessitate more lead time for the process which may require them to initiate the process earlier than previously participating counties.
- **Friday, March 13, 2015** — Deadline for Secretary of State to approve proposed local plans for the program and provide detailed guidance on the information that will be requested from the Secretary of State and that will be included in the final legislative report. The counties will be required to submit this information to the Secretary of State no later than 30 days after the election.

- **Monday, June 8, 2015** — Deadline for county clerk/elections administrator to submit election report to Secretary of State.

Schedule for implementing countywide election precincts for November 3, 2015 election:

- **Thursday, August 20, 2015** — Deadline for counties to submit their proposed plan (detailing the county's ability to comply with items 1-3 above) to Secretary of State. Note that counties that have participated in previous countywide programs are not required to hold a public hearing under Section 43.007(b), though we urge that they do so. Counties that have not previously participated in a countywide program will have to include a public hearing as part of the proposed plan which will necessitate more lead time for the process which may require them to initiate the process earlier than previously participating counties.
- **Thursday, September 10, 2015** — Deadline for Secretary of State to approve proposed local plans for the countywide program and provide detailed guidance on the information that will be requested from the Secretary of State and that will be included in the final legislative report. The counties will be required to submit this information to the Secretary of State no later than 30 days after the election.
- **Thursday, December 3, 2015** — Deadline for county clerk/elections administrator to submit election report to Secretary of State.

If you are interested in participating in the program or need more information, please contact Andre Montgomery or call our office toll-free at 1-800-252-2216.

TEXAS SECRETARY OF STATE

NANDITA BERRY

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Opportunity to Use Countywide Election Precincts Polling Places in Countywide Elections Held on March 4, 2014 Primary Election Date and on May 10, 2014 and November 4, 2014 Uniform Election Dates

To: County Clerks/Elections Administrators in Counties
Using Only DRE Voting Equipment

From: Keith Ingram, Director of Elections

Date: December 19, 2014

RE: Opportunity to Use Countywide Election Precincts
Polling Places in Countywide Elections Held on March
4, 2014 Primary Election Date and on May 10, 2014
and November 4, 2014 Uniform Election Dates

This memorandum is to remind you of the availability of the countywide election precinct polling place program ("the program") for the May 9, 2015 and November 3, 2015 Uniform Election dates.

Background

Under Section 43.007(i) of the Texas Election Code, the Secretary of State may select six counties with a population of 100,000 or more and four counties with a population of less than 100,000. Tom Green, Taylor, McLennan, Rusk, Navarro, Montague and Wharton Counties conducted elections using countywide precincts on the most recent November 2014 uniform election date. Additionally, the following "successful" designated counties conducted elections using countywide precincts on the November 2014 uniform election date: Callahan, Collin, Coryell, Eastland, Erath, Floyd, Gaines, Galveston, Grayson, Jefferson, Lampasas, Lubbock, Madison, Midland, Randall, Swisher, Travis, Victoria and Williamson Counties.

Eligible counties may apply to use countywide polling places in the following elections: the primary election and run-off election, the general election for state and county officers, elections taking place on the uniform election date in May, a constitutional amendment election, and joint elections when holding any of the aforementioned elections with a local political subdivision (i.e., city, school district, etc.). Note that counties that have previously participated in the program, but have not been formally granted a "successful" designation in writing by the Secretary of State, must reapply to use the program for each election.

Deadlines for submitting applications to participate in the program:

Briefly, the deadlines to submit your plans and requests (see further details about plans below) to participate in the countywide program for the May 9, 2015 Uniform Election, and the November 3, 2015 Uniform Election are as follows:

- For the May 9, 2015 Uniform Election the deadline is Monday, February 23, 2015
- For the November 3, 2015 Uniform Election the deadline is Thursday, August 20, 2015

Minimum Requirements

To be selected to participate in the program, each county must meet the following minimum requirements: (1) exclusive use of direct recording electronic (DRE) voting systems at all polling places; (2) implementation of a computerized voter registration list that allows instantaneous verification that a voter has not already voted at another polling place; and (3) if the county has not participated in one of the previous countywide election precinct programs, it must hold a public hearing to inform and solicit opinions from voters, minority organizations, and other interested parties (e.g., political parties, political subdivisions within the county, and organizations representing voters with disabilities). A transcript or electronic recording of the hearing must be submitted to the Secretary of State. Although not required by statute, we encourage counties that have previously participated to conduct a new public hearing.

In addition, counties selected to participate in the program must adopt a methodology to determine the placement of the countywide polling places. For an election held in the first year in which the county holds an election under the program, the total number of countywide polling places may not be less than 65% of the number of precinct polling places that would otherwise have been used in the last equivalent election. For subsequent elections, this number drops to 50%.

Communication Plan Required

A selected county must also develop a plan for providing notice and informing voters of the program and of the changes made to the locations of election day polling places that will occur. At a minimum, an election day notice indicating the location of the nearest countywide polling place must be posted at each precinct polling place that was used in the last general election for state and county officers but will not be used in the election under this program. The county must solicit written input from organizations that represent minority voters and voters with disabilities. Input from local political entities is encouraged.

Submitting Applications

Election administrators in counties meeting the minimum requirements may submit an application in the form of a letter (with attachments) to request approval to participate in the countywide polling program. Applications must be received no later than 5:00 p.m. on the deadline date indicated for each election. Those dates are available in the memo. Applications should include the following items and provide information to support the following subject area as they relate to the county's plan of action for implementing the countywide polling place program:

1. A letter addressed to the Secretary of State requesting approval for the county to participate in the program. The letter must indicate the name and date of the election participation is being requested for. The items below may be addressed in the letter

or addressed in separate attachments to the cover letter, but they must all be addressed.

- a. Address the county's exclusive use of direct recording electronic (DRE) voting systems in all polling places. Identify the vendor, quantity of voting machines and polling places to be used and how long the county has conducted elections with exclusive use of DRE voting machines.
- b. Explain the county's implementation of a computerized voter registration list that allows for instantaneous verification that a voter has not already voted at another polling place. Identify steps taken to guarantee connectivity at each polling place and the county's plan for dealing with a loss of connectivity during an election.
- c. Identify date and location of the public hearing, briefly describe the information provided at the public hearing and explain the feedback the presentation received. Attach audio or video disk copy of the public hearing as attachment. Paper transcripts are acceptable if audio or video copy is unavailable.
- d. Explain the methodology used to select polling locations. Include a map of county identifying locations of new and previously used voting locations, a list of vote centers and their addresses, and a list of vote center advisory committee members which includes the member's name, organization, position and email address. For an election held in the first year in which the county holds an election under the program, the total number of countywide polling places may not be less than 65% of the number of precinct polling places that would otherwise have been used in the last equivalent election. For subsequent elections, this number drops to 50%. The Secretary of State encourages counties to form vote center advisory committees consisting of members from local political subdivisions, organizations that represent minority voters and voters with disabilities and precinct officials to obtain feedback on voting location changes.
- e. Explain the methodology for selection Election Judges and Alternate Election Judges.
- f. Explain how voters will be notified of the change to vote centers and of the new locations. A selected county must develop a communication plan for providing notice and informing voters of the program and of the changes made to the locations of election day polling places that will occur. At a minimum, an election day notice indicating the location of the nearest countywide polling place must be posted at each precinct polling place that was used in the last general election for state and county officers but will not be used in the election under this program. The county must solicit written input from organizations that represent minority voters and voters with disabilities. Input from local political entities is encouraged.
- g. Demonstrate that the details of local joint elections have been resolved. Local political subdivisions may hold a joint election with a participating county. Political subdivisions in participating counties would need to have a presence at **each** of the countywide polling places at which its voters would be eligible to appear, either through a joint election with the county or establishing its own polling place at each of the locations. Counties that wish to participate in the program will need to demonstrate that the details of local joint elections have been resolved or at least that the governing bodies have agreed that they will resolve such issues. This can be achieved with letters of support from other community organizations and local political subdivisions that would use countywide polling places if they were conducting a joint election.
- h. Counties that wish to participate in the countywide program will need to demonstrate that the county commissioner's court and the county chairs have

resolved how polling place officials will be appointed. Explain how polling place officials will be selected.

2. A letter signed by the County Judge indicating support of the county's plan and requesting approval for the county to implement countywide polling places throughout the county.
3. Finally, Section 43.007(j) requires the Office of the Secretary of State to file a report with the Legislature concerning the countywide program, including a recommendation on the future use of countywide precinct polling places not later than January 1st of each odd-numbered year. All counties that participate in the program will be expected to contribute their specific findings after each election held with countywide precincts, which will be included in the report. The report pertaining to the November 2011 and 2012 elections has been filed with the Legislature and can be found online.

Below are the detailed schedules for implementing countywide election precincts for the May 9, 2015 and November 3, 2015 uniform election dates.

Schedule for implementing countywide election precincts for May 9, 2015 election:

- **Monday, February 23, 2015** — Deadline for counties to submit their proposed plan (detailing the county's ability to comply with items 1-3 above) to Secretary of State. Note that counties that have participated in previous countywide election precincts programs are not required to hold a public hearing under Section 43.007(b), though we urge that they do so. Counties that have not previously participated in a countywide program will have to include a recording of the public hearing as part of the proposed plan which will necessitate more lead time for the process which may require them to initiate the process earlier than previously participating counties.
- **Friday, March 13, 2015** — Deadline for Secretary of State to approve proposed local plans for the program and provide detailed guidance on the information that will be requested from the Secretary of State and that will be included in the final legislative report. The counties will be required to submit this information to the Secretary of State no later than 30 days after the election.
- **Monday, June 8, 2015** — Deadline for county clerk/elections administrator to submit election report to Secretary of State.

Schedule for implementing countywide election precincts for November 3, 2015 election:

- **Thursday, August 20, 2015** — Deadline for counties to submit their proposed plan (detailing the county's ability to comply with items 1-3 above) to Secretary of State. Note that counties that have participated in previous countywide programs are not required to hold a public hearing under Section 43.007(b), though we urge that they do so. Counties that have not previously participated in a countywide program will have to include a public hearing as part of the proposed plan which will necessitate more lead time for the process which may require them to initiate the process earlier than previously participating counties.
- **Thursday, September 10, 2015** — Deadline for Secretary of State to approve proposed local plans for the countywide program and provide detailed guidance on the information that will be requested from the Secretary of State and that will be included in the final legislative report. The counties will be required to submit this information to the Secretary of State no later than 30 days after the election.
- **Thursday, December 3, 2015** — Deadline for county clerk/elections administrator to submit election report to Secretary of State.

If you are interested in participating in the program or need more information, please contact Andre Montgomery or call our office toll-free at 1-800-252-2216.

Don't have a photo ID for voting? [Election Identification Certificates](#) are available from [DPS offices](#).

[Election Outlook: What's on the Ballot](#) | [Voter Information](#)

Note - Navigational menus along with other non-content related elements have been removed for your convenience. Thank you for visiting us online.

Countywide Polling Place Program FAQs

To: County Clerks/Election Administrators

From: Keith Ingram, Director of Elections

Date: October 13, 2014

RE: Countywide Polling Place Program FAQs

This memorandum is to answer general questions on the countywide election precinct polling place program ("the program").

Background: Under Section 43.007(i) of the Texas Election Code, the Secretary of State may select six counties with a population of 100,000 or more and four counties with a population of less than 100,000 for participation in the program for an election. The Secretary of State may determine that a county's participation in the program was "successful" following one election under the program. Once designated as "successful," that county may continue to use the program for subsequent elections. Note that counties that have previously participated in the program, but have not been formally granted a "successful" designation in writing by the Secretary of State, must reapply to use the program for each election.

Eligible counties may apply to use countywide polling places in the following elections: the primary election and run-off election, the general election for state and county officers, elections taking place on the uniform election date in May, a constitutional amendment election, and joint elections when holding any of the aforementioned elections with a local political subdivision (e.g., city, school district, etc.).

Program FAQs

Q: What is required to participate in the program?

A: At a minimum, each county selected to participate in the program must have the following:

- Exclusive use of direct recording electronic (DRE) voting systems at all polling places;
- Implementation of a computerized voter registration list that allows instantaneous verification that a voter has not already voted at another polling place; and
- If the county has not participated in one of the previous countywide election precinct programs, it must hold a public hearing to inform and solicit opinions from voters,

minority organizations, and other interested parties (e.g., political parties, political subdivisions within the county, and organizations representing voters with disabilities).

Q: If my county meets the minimum requirements, what is the next step of the process?

A: For tracking purposes, we request that counties file an intent to participate in the program with the Secretary of State's Office (PDF). However, filing an intent does not reserve a spot in the program and a full application must be received by the Secretary of State's office by 5:00pm on the deadline listed above.

****Note:** The Notice of Intent to Participate in Program for Countywide Election Day Polling Precincts is not in the forms manual online (Form AW13-9). It should be included. The latest update to the form was November of 2013, so it's relatively recent.**

Q: What should be included in an application for participation in the program?

A: An application should include the following:

- A letter, addressed to the Secretary of State, detailing specifics for the implementation of the plan (required items listed below) and requesting approval for the county to participate in the program. The letter must indicate the name and date of the election participation is being requested for; and
- A letter signed by the County Judge indicating support of the county's plan and requesting approval for the county to implement countywide polling places throughout the county.

Q: What must the letter to the Secretary of State in the application address?

A: The letter to the Secretary of State in the application must cover the following:

- The county's exclusive use of DRE voting systems. Identify the vendor, quantity of voting machines and polling places to be used and how long the county has conducted elections with exclusive use of DRE voting machines;
- The county's use of a computerized voter registration list that allows instantaneous verification that a voter has not already voted at another polling place. Identify steps taken to guarantee connectivity at each polling place and the county's plan for dealing with a loss of connectivity during an election;
- Information on the public hearing held, including date and time of the hearing, information that was provided in the hearing and feedback that was received. A video or audio copy of the hearing must be provided. If a video or audio copy of the hearing is not available, a paper transcript is acceptable;
- An explanation of the methodology that will be used to select the countywide polling locations. Include a map of the previous and new polling locations and information on the advisory committee used to select locations including names, organizations, positions and e-mail addresses;
- An explanation on the methodology used to select Election Judges and Alternate Election Judges;
- A communication plan which explains how voters will be notified of the change to countywide polling places and new polling locations;

- A statement that all joint election issues have been resolved. Because political subdivisions holding joint elections with the county must have a presence at all countywide polling locations, a county must demonstrate that issues related to joint elections have been or will be resolved; and
- Demonstration that the commissioner's court and the county chairs have resolved how polling place officials will be appointed.

Q: Is there a notice requirement for the public hearing on use of the program?

A: The hearing is held by the commissioner's court, which means that Chapter 551 of the Government Code applies. Specifically, the commissioner's court must give written notice of the date, hour, place and subject of the meeting. Notice must be provided in a place readily accessible to the general public at all times and must be provided at least 72 hours before the scheduled time of the meeting.

Q: How many countywide polling places should my county have?

A: For an election held in the first year in which the county participates in the program, the total number of countywide polling places may not be less than 65% of the number of precinct polling places that would otherwise be located in the county for that election. After this, the number drops to no less than 50% of the number of precinct polling places that would otherwise be located in the county for that election.

Q: Who determines where the countywide polling places will be located?

A: In an election under the program, a county must adopt a methodology for determining where each polling place will be located. Some factors to consider in this process include: availability of public transportation to a polling location, population size near the polling location, and availability of a suitable building for a polling place. In addition, the establishment of polling places under the program should not result in the dilution of voting strength or representation of any group covered by the federal Voting Rights Act. For this reason, the Secretary of State strongly encourages counties to form vote center advisory committees to obtain feedback on voting locations.

Q: Who would serve on a vote center advisory committee?

A: The vote center advisory committee would consist of members from local political subdivisions, organizations that represent minority voters and voters with disabilities and precinct officials

Q: How should my county notify voters of the change in polling locations?

A: At a minimum, an election day notice indicating the location of the nearest countywide polling place must be posted at each precinct polling place that was used in the last general election for state and county officers but will not be used in the election under the program. In addition, the notice of election should identify the Election Day polling places in the county.

Q: How are judges and clerks appointed for countywide polling locations?

A: While the Election Code does not specifically direct how judges and clerks should be selected under the program, our office recommends the tracking of

voting history in the program precincts and assigning judges on a proportional basis that accurately represents the voters of each particular area. For elections like November 4, 2014 where the Section 32.002 list procedure applies to county election judges and clerks, assignment under this methodology should be done according to the list procedure in Section 32.002 of the Code. For other elections, assignment can be made according to the authority ordering the election. A second option would be to assign judges and clerks to a polling place in a method similar to early voting under Section 85.009 of the Code.

Q: If the election for my county is cancelled, does notice need to be posted at all countywide polling locations?

A: Yes. Under the Election Code, if an election is not held, notice should be posted on Election Day at each polling location that would have been used for that election. Under the program, this would mean that notice would be posted at each countywide polling location on Election Day in the event the election is cancelled.

Q: How does my county apply for “successful” status?

A: Following one election under the program, a county may apply for “successful” status with the Secretary of State and continue to use countywide election precinct polling places in subsequent elections. To apply for “successful” status, the Secretary of State must not have received any complaints that have been supplemented with evidence with respect to the county using countywide precincts in an election. The county commissioner’s court must then hold a public hearing on the use of countywide precincts. Notice of the meeting must be provided to all county party chairs, local political subdivisions and affected public interest groups. A recording or transcript of the hearing must be provided to the Secretary of State. The county judge will submit a letter requesting “successful” designation to the Secretary of State along with the recording or transcript of the public hearing. The Secretary of State will review the transcript or recording; reports of the county’s elections using the program to confirm the county met the requirements of the Code; and voter turnout data for elections using the program to compare with turnout in previous elections without use of the program to determine whether use of the program caused a substantial reduction in voter turnout.

If you are interested in participating in the program or need more information, please contact [Andre Montgomery](#) or call our office toll-free at 1-800-252-2216.

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ELECTION CODE

Polling place for joint primary election, see Sec. 172.126.

How population is determined, see note under Sec. 42.005.

Rules on residence see Sec. 1.015.

Use of county polling places in local option liquor election under Chapter 501, see Secs. 501.102 and 501.103.

Sec. 43.003. Designation of location: primary election. The county chair of a political party holding a primary election shall designate the location of the polling place for each election precinct in the primary unless the precinct is one that is consolidated. In that case, the county executive committee shall designate the location.

Primary election precincts, see Sec. 42.002; consolidating precincts, see Secs. 42.009 and 172.126.

Polling place for joint primary election, see Sec. 172.126.

Sec. 43.004. Designation of location: elections of other political subdivisions. (a) The governing body of each political subdivision authorized to hold elections, other than a county, shall designate the location of the polling place for each of its election precincts.

(b) If a political subdivision holds an election on the November uniform election date and is required to use the regular county election precincts, the political subdivision shall designate as the polling places for the election the regular county polling places in the county election precincts that contain territory from the political subdivision.

(c) If a political subdivision holds an election jointly with an election described by Section 43.007(a)(1), (2), (3), or (4) and is required to use countywide polling places under Section 43.007, the governing body of the political subdivision may designate as the polling places for any required runoff election only the polling places located in the territory or in and near the territory of the political subdivision where eligible voters reside.

Definition of "political subdivision," see Sec. 1.005(13).

Precincts of political subdivision, see Sec. 42.061 et seq.

November uniform election date, see Sec. 41.001.

County election precinct, see Secs. 1.005(2) and 42.001.

County polling place, see Sec. 43.002.

Required use of county election precincts, see Sec. 42.002.

Political subdivision precincts for November uniform election date, see Sec. 42.0621.

Polling places in local option liquor election under Chapter 501, see Secs. 501.102 and 501.103.

Sec. 43.005. Designation of location: certain special elections. The authority establishing election precincts under Section 42.062 shall designate the location of the polling place for each precinct.

Polling places in local option liquor election under Chapter 501, see Secs. 501.102 and 501.103.

Sec. 43.006. Conflicts with other law. A law outside this subchapter supersedes this subchapter to the extent of any conflict.

Definition of "law," see Sec. 1.005(10).

Sec. 43.007. Countywide polling place program. (a) The secretary of state shall implement a program to allow each commissioners court participating in the program to eliminate county election precinct polling places and establish countywide polling places for:

- (1) each general election for state and county officers;
- (2) each election held on the uniform election date in May;
- (3) each election on a proposed constitutional amendment;
- (4) each primary election and runoff primary election if:
 - (A) the county chair or county executive committee of each political party participating in a joint primary election under Section 172.126 agrees to the use of countywide polling places; or
 - (B) the county chair or county executive committee of each political party required to nominate candidates by primary election agrees to use the same countywide polling places; and
- (5) each election of a political subdivision located in the county that is held jointly with an election described by Subdivision (1), (2), (3), or (4).

(b) The commissioners court of a county that desires to participate in the program authorized by this section shall hold a public hearing on the county's participation in the program. The commissioners court shall

ELECTION CODE

submit a transcript or electronic recording of the public comments made at the hearing to the secretary of state. A county that has previously participated in a similar program and held a public hearing on the county's participation in that program is not required to hold a hearing under this subsection.

- (c) In conducting the program, the secretary of state shall provide for an audit of the direct recording electronic voting units before and after the election, and during the election to the extent such an audit is practicable.
- (d) The secretary of state shall select to participate in the program each county that:
 - (1) has held a public hearing under Subsection (b);
 - (2) has submitted documentation listing the steps taken to solicit input on participating in the program by organizations or persons who represent the interests of voters;
 - (3) has implemented a computerized voter registration list that allows an election officer at the polling place to verify that a voter has not previously voted in the election;
 - (4) uses direct recording electronic voting machines; and
 - (5) is determined by the secretary of state to have the appropriate technological capabilities.
- (e) Each countywide polling place must allow a voter to vote in the same elections in which the voter would be entitled to vote in the county election precinct in which the voter resides.
- (f) In selecting countywide polling places, a county must adopt a methodology for determining where each polling place will be located. The total number of countywide polling places may not be less than:
 - (1) except as provided by Subdivision (2), 50 percent of the number of precinct polling places that would otherwise be located in the county for that election; or
 - (2) for an election held in the first year in which the county participates in the program, 65 percent of the number of precinct polling places that would otherwise be located in the county for that election.
- (g) A county participating in the program must establish a plan to provide notice informing voters of the changes made to the locations of polling places under the program. The plan must require that notice of the location of the nearest countywide polling place be posted on election day at each polling place used in the previous general election for state and county officers that is not used as a countywide polling place.
- (h) In adopting a methodology under Subsection (f) or creating the plan under Subsection (g), the county shall solicit input from organizations or persons located within the county who represent minority voters.
- (i) The secretary of state may only select to participate in the program six counties with a population of 100,000 or more and four counties with a population of less than 100,000.
- (j) Not later than January 1 of each odd-numbered year, the secretary of state shall file a report with the legislature. The report must include any complaints or concerns regarding a specific election that have been filed with the office of the secretary of state before the preparation of the report and any available information about voter turnout and waiting times at the polling places. The report may include the secretary of state's recommendations on the future use of countywide polling places and suggestions for statutory amendment regarding the use of countywide polling places.
- (k) Each county that previously participated in a program under this section is authorized to continue participation in the program for future elections described by Subsection (a) if:
 - (1) the commissioners court of the county approves participation in the program; and
 - (2) the secretary of state determines the county's participation in the program was successful.
- (l) Subsections (b), (c), and (d) do not apply to a county participating in the program under Subsection (k).

County election precinct, see Secs. 1.005(2) and 42.001.

General election for state and county officers, see Secs. 1.005(7) and 41.002. Uniform election date, see Secs. 1.005(21) and 41.001.

Definition of "political subdivision," see Sec. 1.005(13).

Joint election, see Chapter 271.

For required joint elections and election dates for independent school district trustee elections, see Sec. 11.0581, Education Code.

Direct recording electronic voting machine, see Secs. 121.003(12) and Chapter 129.

Rules on residence, see Sec. 1.015.

How population is determined, see note under Sec. 42.005.

League of Women Voters of Texas Education Fund

Voting Procedures to Increase Voting Participation

Election Day Centralized Voting

Facts and Issues

Researched and written by Charlotte Foulkes

Election Day Centralized Voting is referred to by a variety of terms, including Vote Center, super precincts, and mega-precincts. These are polling places at which any registered voter in the political subdivision holding the election may vote, regardless of the precinct in which the voter lives.

In some states, Vote Centers are open multiple days or weeks prior to Election Day.ⁱ Thirty-two states, including Texas, use Vote Centers for early voting. "Convenience voting," which allows this to happen on election day, is being tested in several states, including Texas, where the Texas Legislature has authorized pilot projects since the 2005 legislative session. Experience in North Carolina has revealed some of the limitations of mega-precincts.

There are many pros and cons for Election Day Centralized Voting, and both sides of the issue have valid points. For many it may be convenient to vote away from their precinct and close to where they have business, while other voters may want or need a place close to their homes. Vote Centers require real-time voter rolls with electronic voting, which immediately updates a person's voting record as having voted, thus eliminating the possibility anyone can vote more than once. Vote Centers require less equipment than is needed if each precinct houses a polling place. Other pros and cons may be found below and in the discussion of limitations of large voting precincts.

Benefits of Election Day Centralized Voting:

- Has the potential to increase voter turnout by eliminating the requirement to vote at a specific location. Some voters may not have time to get to their precinct on election day.
- Eliminates the need for a provisional ballot if a voter is at the wrong precinct. While provisional ballots are counted for various reasons, they are not counted if a voter is at the wrong precinct.
- Provides voters with consistent locations so they know where they may always vote.
- Provides voters with multiple voting locations for convenience on election day.
- Cuts down the number of poll workers needed. It is becoming more and more difficult to find qualified election clerks and judges.
- Reduces the number of physical locations required. Finding polling places and making sure they comply with the Americans with Disability Act is becoming more difficult. Many schools are refusing to be polling places.
- Reduces logistical problems, so less time is spent delivering and servicing equipment.

- Reduces cost by reducing the number of poll workers, physical locations, and amount of equipment needed for an election.

Negative Consequences of Election Day Centralized Votingⁱⁱ

- May disenfranchise poor, disabled, or elderly voters, and any person with transportation issues, as the consolidated polling places may be farther away.
- Creates more need for touch-screen Direct Record Electronic (DRE) voting machines as a voter must vote electronically in real time in the centralized voting precinct model.
- Creates dependency on electronic poll books that use an Internet connection, thus increasing exposure to computer hackers.
- Creates a homeland security risk by bringing together larger number of voters at a Vote Center than would be at a precinct polling place.
- May result in long lines at the polls.

Setting up Vote Centers or mega-precincts requires consideration of the *number* of voters they will serve and the impacts this could have. A mega-precinct generally is defined as a voting location that serves more than 2,000 voters. In North Carolina, one legislator recommended Vote Centers serve more than 10,000 voters per center.

In addition to the accessibility issues associated with traveling farther to the polls, Vote Centers also bring more cars to the location. Highly urbanized areas may experience problems with traffic congestion that coincides with the peak voting hours before and after traditional work hours.

When they reach the polls, voters in large precincts may face the prospect of long lines, particularly during peak voting hours. In past elections, the North Carolina State Board of Elections office received many calls from individuals reporting congested polling places and excessive waiting to cast a ballot. In some cases, these potential voters indicated they did not have the chance to vote due to the inconvenience arising from these factors.

Being sure that voters receive the correct ballot is also an issue that must be addressed in mega-precincts. Mega-precincts, especially those that encompass large geographic areas, are more likely to be split among various districts for the same offices. For example, two or more state senate or state house seats may represent different portions of the same mega-precinct. As a result, election officials in this “split precinct” must properly administer multiple ballots and ensure that individuals cast ballots only for the races in which they are qualified to vote. Historically, the use of multiple ballot styles in a split precinct has created confusion on the part of some election officials and voters.

Texas Test of the Countywide Voting Location Conceptⁱⁱⁱ

Texas has been testing the concept of Election Day Centralized Voting, countywide. Action taken by the 81st Legislature in 2009 authorizes a third pilot project. In 2005, the 79th Legislature enacted House Bill 758, requiring the Texas Secretary of State to create a pilot program in one or more counties to test the countywide voting concept. Lubbock County ran a successful

countywide voting location pilot for the November 2006 General Election. In 2007, the 80th Legislature authorized another pilot program for 2008 for the May uniform election and the November Presidential election. Several changes were made from 2006, including the requirement that the total number of polling places not be reduced to less than 50% of the number of existing polling places. Erath and Lubbock Counties participated and reported successful elections. Erath County reduced 20 regular county voting locations to 11. Lubbock County reduced 69 voting locations to 50. (Recognizing the exceptional turnout possible in the November 4, 2008 election, Lubbock opted not to reduce the number of locations by fifty percent.)

Because of the limited participation, the secretary of state recommended that the 81st Legislature extend the pilot program. It was thought that an “off year” election might allow more counties to participate with the voting center concept. With information from a wider group of counties, the secretary of state could make a more informed recommendation to the 82nd Legislature for permanent legislation.

The 81st Texas Legislature authorized five counties to conduct pilot projects: three counties with a population of 100,000 or more and two counties with a population of less than 100,000. The law (HB 719) takes effect September 1, 2009.^{iv} The secretary of state must implement a program allowing the commissioners court of each county selected for the pilot program to eliminate county election precincts and establish countywide polling places for each general election for state and county officers, each countywide election held on the uniform election date in May, each election on a proposed constitutional amendment, and each election of a political subdivision located in the county that is held jointly with the elections above.

The secretary of state will select the five counties. The commissioners court of a county that applies for the pilot program must hold a public hearing to obtain input and submit it with the application. Among the requirements, the county must have a computerized voter registration list that allows an election officer to verify the voter has not previously voted in the election. The county must use direct recording electronic (DRE) voting machines. The secretary of state must provide for an audit of these machines. The total number of countywide polling places may not be less than 50% of the number of precinct polling places that would otherwise be needed for that election. If the county is participating in the program for the first year, the reduction of polling places may not be less than 65%.

Options for Addressing Election Day Centralized Voting Issues

Some feel that it will be necessary to provide the best of both traditional and Vote Center methodologies, combined with new concepts, to allow all voters unlimited access to their right to vote. Proposals include:

- Work with multiple community groups in the selection of Vote Center sites to assure easy access for all racial/ethnic and socioeconomic groups of voters.
- Unlimited access to vote by mail, with no restrictions for those voters with transportation or mobility issues or who simply want the convenience. This would assure that no one is excluded from voting.

- Changes to electronic voting machines that would make them acceptable to voters concerned about the lack of a paper record.

Election Day Centralized Voting may work in some counties and not in others. The differences between urban and rural settings may make a large difference in the success of this concept. The Texas Legislature, by allowing pilot programs, has allowed each county to decide if they would like to test this voting procedure and decide upon its validity for their voters. From these pilots will come useful information to help Texas determine whether and how to use Vote Centers on election day.

NOTES

Special thanks to Tonya Presley and Barbara Prabhu of the League of Women Voters of Arlington for their editing assistance. Also edited by Diane Sheridan, LWV-Bay Area.

ⁱ Vote Centers or Super Precincts, Poll Tax for the 21st Century, By Joyce McCloy, Founder of the North Carolina Coalition for Verified Voting. See www.ncvoter.net

ⁱⁱ Vote Centers or Super Precincts, Poll Tax for the 21st Century, By Joyce McCloy, Founder of the North Carolina Coalition for Verified Voting. See www.ncvoter.net

ⁱⁱⁱ Report to the 81st Legislature on House Bill 3105, Relating to Countywide Polling Place Pilot Program, www.sos.state.tx.us/elections/laws/pilot1.shtml

^{iv} 81st Legislature, House Bill 719, Relating to Polling Places for Certain Elections

NEWS RELEASE

Wichita County Commissioners Court, County Clerk, Lori Bohannon and the Committee has met and discussed establishing the county elections normally held in May and November would be performed under the Vote Center concept. On election day, Vote Centers are like early voting in that you may vote at any voting precinct throughout the county. The registration system is electronically linked in order to keep anyone from voting more than once. This system is separate from the actual voting system. City / school elections will remain separate from the Vote Center system unless they decide to become part of the county election system.

Wichita County Commissioners Court will have two public meetings to receive comment from citizens: Tuesday or Wednesday, May at 6:00pm, room 270 and again on Monday, May , 2016, room 270 at 10:00am. In addition members of the Commissioners Court and County Clerk, Lori Bohannon will attend City Commission meetings to receive citizen comments:

Tuesday, May 10 at 5:30pm, Electra City Commission meeting
Monday, May 23 at 7:00pm, Iowa Park City Commission meeting
Monday, June 20 at 7:00pm, Burkburnett City Commission meeting

For more information, contact County Judge Woody Gossom at 766-8101, or County Clerk Lori Bohannon at 766-8195.

POC: Judge Woody Gossom, Jr. 940-766-8101



City Commission Agenda Memo

From: Mike Whaley
City Manager

Date: June 20th, 2016

Item: Extending Life of TIRZ /First Amendment Project Plan and Reinvestment Zone
Financing Plan/Ordinance 900/Resolution 610 (Wichita County Participation Plan)

Background

Our current TIF/TIRZ is established until 2025. I have been working with a consultant to extend the life of the TIF/TIRZ for an additional ten (10) years to 2035. This would give the City additional time and ability to leverage funds (notes, bonds, obligations) in the TIF/TIRZ fund for current and future projects generated within the TIF/TIRZ. As a requirement, we are presenting an amended project and financing plan for review that will be submitted with the request to extend the zone until 2035. Currently, Wichita County participates in the TIF/TIRZ at a 100 percent. They have agreed to continue to participate at a 100 percent for the period of extension. They have already passed a Resolution agreeing to do so. This is called the Participation Plan. This item will be on the agenda as well as a Resolution for your consideration and approval. Their current participation is approximately \$55,000.00. The City's current participation is approximately \$69,000.00. Our balance today is \$190,706.00. Both the City and County installments occur in July. Our balance should be approximately \$314,000.00. These are the types of projects that can be addressed with the TIF/TIRZ funds.

- a. Roads, streets and bridges
- b. Transit facilities
- c. Pedestrian improvements
- d. Water, wastewater, drainage and detention facilities
- e. Parks, plazas and open spaces
- f. Recreation facilities
- g. Places of public assembly
- h. Affordable housing
- I. Schools and educational facilities
- j. Rehabilitation of historic structures
- k. Environmental mitigation and abatement
- l. Removing slum and blight

Fiscal Impact

Annual City installments, currently \$69,000.00 (calculated from value of properties within the TIF/TIRZ)
Annual deposit from Wichita County, currently \$55,000.00 (will increase as values increase)

Options

Approve
Deny

Staff Recommendation

Approval of Ordinance as presented

Attachments

1st Amendment Project Plan and Reinvestment Zone Financing Plan
Ordinance 900
Resolution 610 Wichita County Participation Plan

**REINVESTMENT ZONE NUMBER ONE
CITY OF BURKBURNETT, TEXAS**

TAX INCREMENT FINANCING – REINVESTMENT ZONE #1

**FIRST AMENDED
PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN**

JUNE 8, 2016

REINVESTMENT ZONE NUMBER ONE, CITY OF BURKBURNETT, TEXAS

Part B – First Amended Project Plan and Reinvestment Zone Financing Plan

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 A. Summary of Redevelopment Efforts..... 2

 B. Redevelopment Plan Concepts and Goals..... 2

 C. Authorized Projects and Project Costs 3

 D. Project Plan 3

 E. Reinvestment Zone Financing Plan..... 4

Exhibit 1 – Part B Plan Projected Property Tax Revenues (Tax Increment Funds Available)

Exhibit 2 – Boundary Description of Zone

Map 1 – Boundary Map

Map 2 – Existing Land Use/Property Classification

**REINVESTMENT ZONE NUMBER ONE, CITY OF BURKBURNETT, TEXAS
First Amended Project Plan and Reinvestment Zone Financing Plan**

Introduction

The Reinvestment Zone Number One, City of Burkburnett, Texas (Zone), was created by the Board of Commissioners on February 20th, 2006 by Ordinance No.708. The City adopted the Project Plan and Reinvestment Zone Financing Plan for the Zone on February 20th, 2006 (“Part A Plan”).

Section 1

The Part A Plan:

The Part A Plan covers an estimated 1,050 acres along the I-44 corridor thru Burkburnett. The Zone provides an opportunity for increasing the tax base to generate funds for needed infrastructure and to further generate new development. The I-44 corridor thru Burkburnett is seen as an area with high development potential, but also is underserved by utilities. The area is in transition from vacant land to active commercial.

Section Two:

The Part B Plan

The Zone and the City propose the first amendment to the Project Plan and Reinvestment Zone Financing Plan for the Zone (“Part B Plan”). This first amendment proposes to extend the life of the zone by 10 years as development has not occurred at the anticipated rate but remains imminent, and to continue to provide the economic support needed to encourage development in this critical part of Burkburnett.

- A. **Summary of Redevelopment Efforts** – To date, the Zone has financed a sanitary sewer extension and lift station construction in the area, as well as electric and water main extensions for the skilled nursing facility that is currently under construction. Additional development that has occurred in the Zone since its inception includes an apartment complex.

B. Redevelopment Plan Concepts and Goals

The purpose of the Zone is to construct the necessary public infrastructure that will lead to new development in the area, offer a corresponding increase in the tax base, and create economic opportunity.

Reinvestment into the area through the Zone is intended to achieve the following goals:

Goal 1 - Enhance public infrastructure, facilities and services throughout the Zone.

Water, wastewater and storm water management services are critical to spur new investment in the Zone. The zone currently consists primarily of undeveloped land and is underserved by utilities.

Goal 2 - Promote economic opportunity and private investment in the Zone.

The opportunity to reach the full economic potential of the area is based partly on the ability to create economic infrastructure, minimize risk for investors and customers, build upon local assets and recognize or enhance market demand. The Zone will facilitate economic growth through capital improvements that make sites more attractive and projects feasible, land acquisition and assembly, and use of incentivized development agreements (including 380 economic development agreements).

Goal 3: Improve and enhance corridors, mobility and connectivity throughout the Zone.

Roadway corridors that provide the capacity necessary to safely move traffic, provide connectivity and access, and improve visual quality of the community are critical to development potential within the Zone.

C. Authorized Projects and Project Costs

The amended and restated project costs are detailed in Table 1, below. The dollar amounts for each category are approximate and may be amended from time to time by the Board of Directors of the Zone with approval of the Board of Commissioners.

Table 1: Reinvestment Zone No. 1 Project Costs

	Part A	Part B	Total Plan Costs
	2006 Plan Estimated Costs	2016 Estimated Costs	
Sanity Sewer (Phase 1)	\$166,600		\$166,600
Sanity Sewer (Phase 2)	\$107,800	\$350,000	\$457,800
Water Lines	\$140,400	\$470,000	\$610,400
Glendale Street Extension	\$274,200		\$274,200
Electric		\$50,000	\$50,000
Engineering & Contingencies	\$100,000		\$100,000
Total Project Costs	\$789,000	\$870,000	\$1,659,000

D. Project Plan

Existing and Proposed Uses of Land (Texas Tax Code § 311.011(b)(1)): Map 2 depicts existing land uses in the Zone, which consist primarily of undeveloped land with some commercial development. Proposed land uses shall include multi-family residential,

commercial retail, office, public and institutional, transportation, and undeveloped land uses.

Proposed Changes of Zoning Ordinances, Master Plan of Municipality, Building Codes, and Other Municipal Ordinances (Texas Tax Code § 311.011(b)(2)): All construction will be performed in conformance with the City's existing rules and regulations. There are no proposed changes to any City ordinance, master plan, or building code.

Estimated Non-Project Costs (Texas Tax Code § 311.011(b)(3)): The project costs referenced in Table 1 are inclusive of project costs to be incurred by the Zone only. The costs that would otherwise be project costs but are derived from other parties, such as the Texas Department of Transportation or private sources, are non-project costs. Non project costs are currently estimated at \$132,000. Funding identified in Table 1 for corridor improvement projects will be leveraged to acquire additional non-project funding.

Method of Relocating Persons to be Displaced, if any, as a Result of Implementing the Plan (Texas Tax Code § 311.011(b)(4)): It is not anticipated that any residents will be displaced or relocated as a result of the Part B Plan.

E. Reinvestment Zone Financing Plan

Estimated Project Costs (Texas Tax Code § 311.011(c)(1)): Table 1 details proposed public improvements to be funded utilizing resources from the Zone. As set forth in the Part B Plan, the dollar amounts are approximate and may be amended from time to time by the Board of Directors of the Zone with approval of the Board of Commissioners. The financing costs are a function of project financing needs and will vary with market conditions from the estimates shown on Table 1. The project categories describe generally the kind of improvements contemplated by this Part B Plan.

Proposed Kind, Number, and Location of all Proposed Public Works or Public Improvements to be Financed in the Zone (Texas Tax Code § 311.011(c)(2)): These details are described throughout the Part B Plan, including but not limited to water, sewer, electric and roadway improvements.

Economic Feasibility (Texas Tax Code § 311.011(c)(3)): Feasibility of the Zone was determined in the original project plan and based on analysis of tax rates, review of existing and projected development within the Zone and identification of project costs. Exhibit 1 constitutes updated incremental revenue estimates for the Part B Plan. The incremental revenue estimates are projected to be sufficient to cover the costs of the proposed improvements in the Zone for the remainder of the Zone. The Zone and the City find and determine that the Part A and Part B Plans are economically feasible.

Estimated Amount of Bond Indebtedness; Estimated Time When Related Costs or Monetary Obligations Incurred (Texas Tax Code § 311.011(c)(4), § 311.011(c)(5)): Issuance of notes and bonds by the Zone will occur as tax increment revenues allow. The value and timing of the issuance of notes or bonds will correlate to debt capacity as derived from the attached revenue and project schedules, as well as actual market conditions for the issue and sale of such notes and bonds.

Methods and Sources of Financing Project Costs and Percentage of Increment from Taxing Units Anticipated to Contribute Tax Increment to the Zone (Texas Tax Code § 311.011(c)(6)): Methods and sources of financing include pay-as-you-go project financing, the issuance of notes and bonds, as well as collaboration with developers and other entities for grant funding and partnerships. Tax increment associated with this Part B Plan will consist of contributions from the City and County. This figure is calculated using a City contribution of \$0.693262/\$100 and a County contribution of \$0.553000/\$100 of assessed valuation.

Current Total Appraised Value of Taxable Real Property (Texas Tax Code § 311.011(c)(7)): As of 2014, the appraised value of taxable real property in the Zone is \$16,716,096.

Estimated Captured Appraised Value of Zone During Each Year of Existence (Texas Tax Code § 311.011(c)(8)): The estimated captured appraised value of the Zone during each remaining year of its existence is contained in Exhibit 1.

Zone Duration (Texas Tax Code § 311.011(c)(9)): The Zone was created by the City on February 20th 2006. The Zone will terminate on December 31, 2035.

EXHIBIT 1

TAX INCREMENT REINVESTMENT ZONE, CITY OF BURKBURNETT

Projected Assessed Valuations

TAX INCREMENT REINVESTMENT ZONE, CITY OF BURKBURNETT

Projected Zone Revenues (City and County Participation at 100% until 2035)

Tax Roll Jan 1	City Taxable Base Value (1)	City Taxable Value (2)	New Development Taxable Value (3)	Total City Taxable Value	City Captured Appraised Valuation
2016	\$ 6,947,011	\$16,716,096		\$16,716,096	\$ 9,769,085
2017	\$ 6,947,011	\$16,883,257	\$0	\$16,883,257	\$ 9,936,246
2018	\$ 6,947,011	\$17,052,090	\$707,000	\$17,759,090	\$ 10,812,079
2019	\$ 6,947,011	\$17,222,610	\$5,928,000	\$23,150,610	\$ 16,203,599
2020	\$ 6,947,011	\$17,394,837	\$6,733,000	\$24,127,837	\$ 17,180,826
2021	\$ 6,947,011	\$17,568,785	\$7,552,000	\$25,120,785	\$ 18,173,774
2022	\$ 6,947,011	\$17,744,473	\$8,385,000	\$26,129,473	\$ 19,182,462
2023	\$ 6,947,011	\$17,921,917	\$9,232,000	\$27,153,917	\$ 20,206,906
2024	\$ 6,947,011	\$18,101,137	\$10,093,000	\$28,194,137	\$ 21,247,126
2025	\$ 6,947,011	\$18,282,148	\$10,968,000	\$29,250,148	\$ 22,303,137
2026	\$ 6,947,011	\$18,464,969	\$11,857,000	\$30,321,969	\$ 23,374,958
2027	\$ 6,947,011	\$18,649,619	\$12,760,000	\$31,409,619	\$ 24,462,608
2028	\$ 6,947,011	\$18,836,115	\$12,900,000	\$31,736,115	\$ 24,789,104
2029	\$ 6,947,011	\$19,024,477	\$13,040,000	\$32,064,477	\$ 25,117,466
2030	\$ 6,947,011	\$19,214,721	\$13,180,000	\$32,394,721	\$ 25,447,710
2031	\$ 6,947,011	\$19,406,869	\$13,320,000	\$32,726,869	\$ 25,779,858
2032	\$ 6,947,011	\$19,600,937	\$13,460,000	\$33,060,937	\$ 26,113,926
2033	\$ 6,947,011	\$19,796,947	\$13,600,000	\$33,396,947	\$ 26,449,936
2034	\$ 6,947,011	\$19,994,916	\$13,740,000	\$33,734,916	\$ 26,787,905
2035	\$ 6,947,011	\$20,194,865	\$13,880,000	\$34,074,865	\$ 27,127,854

Tax Year	Coll. Year	Anticipated City Tax Rate (4)	City Tax Increment Revenues (5)	City Rate of Participation (percentage)	City Rate of Participation (amount)	Anticipated County Tax Rate (4)	County Tax Increment Revenues (5)	County Rate of Participation (percentage)	County Rate of Participation (amount)	Total TIRZ Revenues Available for Projects	Cumulative TIRZ Revenues Available for Projects	
1	2016	2017	0.693262	\$ 66,371	100%	\$ 66,371	0.55300	\$ 52,943	100%	\$ 52,943	\$ 119,313	\$ 119,313
2	2017	2018	0.693262	\$ 67,507	100%	\$ 67,507	0.55300	\$ 53,848	100%	\$ 53,848	\$ 121,355	\$ 240,668
3	2018	2019	0.693262	\$ 73,457	100%	\$ 73,457	0.55300	\$ 58,595	100%	\$ 58,595	\$ 132,052	\$ 372,720
4	2019	2020	0.693262	\$ 110,087	100%	\$ 110,087	0.55300	\$ 87,814	100%	\$ 87,814	\$ 197,901	\$ 570,621
5	2020	2021	0.693262	\$ 116,726	100%	\$ 116,726	0.55300	\$ 93,110	100%	\$ 93,110	\$ 209,836	\$ 780,457
6	2021	2022	0.693262	\$ 123,472	100%	\$ 123,472	0.55300	\$ 98,491	100%	\$ 98,491	\$ 221,963	\$ 1,002,420
7	2022	2023	0.693262	\$ 130,325	100%	\$ 130,325	0.55300	\$ 103,957	100%	\$ 103,957	\$ 234,282	\$ 1,236,702
8	2023	2024	0.693262	\$ 137,285	100%	\$ 137,285	0.55300	\$ 109,509	100%	\$ 109,509	\$ 246,794	\$ 1,483,496
9	2024	2025	0.693262	\$ 144,352	100%	\$ 144,352	0.55300	\$ 115,147	100%	\$ 115,147	\$ 259,499	\$ 1,742,995
10	2025	2026	0.693262	\$ 151,527	100%	\$ 151,527	0.55300	\$ 120,870	100%	\$ 120,870	\$ 272,396	\$ 2,015,392
11	2026	2027	0.693262	\$ 158,809	100%	\$ 158,809	0.55300	\$ 126,678	100%	\$ 126,678	\$ 285,487	\$ 2,300,879
12	2027	2028	0.693262	\$ 166,198	100%	\$ 166,198	0.55300	\$ 132,573	100%	\$ 132,573	\$ 298,771	\$ 2,599,650
13	2028	2029	0.693262	\$ 168,416	100%	\$ 168,416	0.55300	\$ 134,342	100%	\$ 134,342	\$ 302,758	\$ 2,902,408
14	2029	2030	0.693262	\$ 170,647	100%	\$ 170,647	0.55300	\$ 136,122	100%	\$ 136,122	\$ 306,769	\$ 3,209,177
15	2030	2031	0.693262	\$ 172,891	100%	\$ 172,891	0.55300	\$ 137,911	100%	\$ 137,911	\$ 310,802	\$ 3,519,979
16	2031	2032	0.693262	\$ 175,148	100%	\$ 175,148	0.55300	\$ 139,711	100%	\$ 139,711	\$ 314,859	\$ 3,834,838
17	2032	2033	0.693262	\$ 177,417	100%	\$ 177,417	0.55300	\$ 141,522	100%	\$ 141,522	\$ 318,939	\$ 4,153,777
18	2033	2034	0.693262	\$ 179,700	100%	\$ 179,700	0.55300	\$ 143,343	100%	\$ 143,343	\$ 323,043	\$ 4,476,820
19	2034	2035	0.693262	\$ 181,996	100%	\$ 181,996	0.55300	\$ 145,174	100%	\$ 145,174	\$ 327,171	\$ 4,803,990
20	2035	2036	0.693262	\$ 184,306	100%	\$ 184,306	0.55300	\$ 147,017	100%	\$ 147,017	\$ 331,322	\$ 5,135,313
				\$ 2,856,636		\$ 2,856,636		\$ 2,278,677		\$ 2,278,677	\$ 5,135,313	

(1) Base Value as of 2006

(2) Includes 1.0% annual appreciation

(3) Includes \$7 million for nursing facility, adjusted to reflect the 10 year sliding scale tax abatement agreement with the TIRZ and \$4.5 million for the car dealership in 2019

(4) City/County Tax Rate for 2015

(5) 98% Collection

**Boundary Description
Burkburnett TIF Zone
City of Burkburnett, Wichita County**

1
2
3
4
5 Zone is +/- 1,047 acres in size and centered on the intersection of Sheppard Road (State Hwy 240) and
6 Interstate Hwy 44 (Red River Expressway) and generally extending from City of Burkburnett Corporate
7 (Corp.) Limits near Wildhorse Creek on the north to Daniels Rd. on the south with point of beginning
8 being north right-of-way (ROW) of Sycamore Dr. and east ROW of Patricia Dr.;

9 Then east along north ROW of Sycamore Dr. and south boundary of 2.45 ac. parcel (LOTS 1 THRU 8 BLK 1
10 FREEWAY VALLEY AND BUSINESS PERSONAL PROPERTY) to a point north of northeast corner of 3.29 ac.
11 parcel (3.29 ACRES ABST 322 WINTERS);

12 Then south across ROW of Sycamore Dr. and along east boundary of said 3.29 ac. parcel, and 0.5651 ac.
13 parcel (0.57 ACRES ABST. 322 C WINTERS SURVEY) to southeast corner of said 0.57 ac. parcel and north
14 ROW of State Hwy 240;

15 Then southeast along north ROW of State Hwy 240 to east ROW of Bishop Rd;

16 Then south along east ROW of Bishop Rd to a point east of northeast corner of 0.2231 ac. parcel (LOT 1
17 BLK 1 HIGHLAND);

18 Then west across ROW of Bishop Rd and along north boundary of said 0.2231 ac. parcel to northwest
19 corner of said parcel and east boundary of 0.3083 ac. parcel (LOT 2 BLK 1 HIGHLAND & .14 AC AB-322
20 WINTERS);

21 Then north along east boundary of 0.3083 ac. parcel (LOT 2 BLK 1 HIGHLAND & .14 AC AB-322 WINTERS)
22 to northeast corner of said 0.3083 ac. parcel;

23 Then west along north boundary of said 0.3083 ac. parcel, and 0.272 ac. parcel (LOT 3 BLK 1 HIGHLAND
24 & .08 AC AB-322 WINTERS), 0.272 ac. parcel (LOT 4 BLK 1 HIGHLAND & .10 AC AB-322 WINTERS) to
25 northwest corner of said 0.272 ac. parcel;

26 Then south along west boundary of 0.272 ac. parcel to northeast corner of 0.186 ac. parcel (LOT 5 BLK 1
27 HIGHLAND);

28 Then west along north boundary of said 0.186 ac. parcel, and LOTS 6-18 BLK 1 of HIGHLAND Subdivision
29 to northwest corner of 0.2132 ac. parcel (LOT 18 BLK 1 HIGHLAND) and east ROW of northbound service
30 road of Interstate Hwy 44 N;

31 Then south along east ROW of northbound service road of Interstate Hwy 44 N to southwest corner of
32 0.33 ac. parcel (LOT 15 BLK 6 ASHTON 4) and north ROW of Victoria Dr.;

33 Then southeast across ROW of Victoria Dr. to northwest corner of 0.2439 ac. parcel (LOT 1 BLK 8
34 ASHTON 4);

35 Then south along west boundary of said 0.2439 ac. parcel to northwest corner of 3.2680 ac. parcel (LOT
36 2 BLK 1 BURKE NH ADDN OUT OF ABST 322);

37 Then east along north boundary of said 3.2680 ac. parcel to northeast corner of said parcel;

38 Then south along east boundary of said 3.2680 ac. parcel, and 5.6260 ac. parcel (LOT 1 BLK 1 BURKE NH
39 ADDN OUT OF ABST 322) to south ROW of Merian Dr. and north boundary of 0.182 ac. parcel (LOT 10
40 BLK 9 ASHTON 6);

41 Then west along north boundary of said 0.182 ac. parcel to east boundary of 30.193 ac. parcel (30.193
42 AC ABST 322 C WINTERS and northwest corner of said parcel;

43 Then south along west boundary of said 0.182 ac. parcel to southwest corner of said parcel;

44 Then east along south boundary of said 0.182 ac. parcel to southeast corner of said parcel and east
45 boundary of said 30.193 ac. parcel;

46 Then south along east boundary of said 30.193 ac. parcel to north boundary of +/- 11.1621 ac. parcel
47 (20.55 AC ABST. 322 WINTERS);

48 Then east along north boundary of said +/- 11.1621 ac. parcel, and +/- 9.394 ac. parcel (20.55 AC ABST.
49 322 WINTERS) to west ROW of Bishop Rd.;

50 Then south along west ROW of Bishop Rd. to centerline ROW of Daniels Rd.;

51 Then west along centerline ROW of Daniels Rd./Cropper Rd. to east easement of Union Pacific Railway;

52 Then generally north along east easement of Union Pacific Railway to a point east of southeast corner of
53 281.2 ac. parcel (281.20 ACRES ABST. 322 WINTERS);

54 Then west across rail easement of Union Pacific Railway and onward along boundary line of said 281.2
55 ac. parcel to northwest corner of said 281.2 ac. parcel and southwest corner of 1.97 ac. parcel (1.974
56 ACS ABST 322 C WINTERS);

57 Then east along north boundary of said 281.2 ac. parcel, and south boundary of said 1.97 ac. parcel and
58 5.44 ac. parcel (5.444 ACS ABST 322 C WINTERS) to southeast corner of said 5.444 ac. parcel;

59 Then north by west along east boundary of said 5.444 ac. parcel, 18.64 ac. parcel (18.643 ACS ABST 322
60 C WINTERS), and 12.99 ac. parcel (LOT 7 BLK 1 ROLLING HILLS SUBD A-322) to northeast corner of said
61 12.99 ac. parcel and south boundary of 10.851 ac. parcel (10.851 ACRES ABST. 322 WINTERS);

62 Then west along south boundary of said 10.851 ac. parcel to southwest corner of said parcel;

63 Then north along west boundary of said 10.851 ac. parcel to northwest corner of said parcel;

64 Then east by south along north boundary of said 10.851 ac. parcel to northeast corner of said parcel and
65 west ROW of S. Berry St.;

66 Then south along east boundary of said 10.851 ac. parcel and west ROW of S. Berry St. to northwest
67 corner of 1.85 ac. parcel (1.85 ACRES ABST. 322 WINTERS);

68 Then east across ROW of S. Berry St. and along north boundary of said 1.85 ac. parcel to west boundary
69 of 0.2583 ac. parcel (0.258 ACRES ABST. 322 WINTERS);

70 Then south along west boundary of said 0.2583 ac. parcel to southwest corner of said parcel;

71 Then east along south boundary of said 0.2583 ac. parcel to southeast corner of said parcel;

72 Then north along east boundary of said 0.2583 ac. parcel, and 0.2583 ac. parcel (0.258 ACRES ABST. 322
73 WINTERS), intersecting 7.816 ac. parcel (7.816 ACRES ABST. 322 WINTERS) to south boundary of 1.7909
74 ac. parcel (1.709 and 0.720 ACRES ABST. 322 C WINTERS);

75 Then east along south boundary of said 1.7909 ac. parcel to southeast corner of said parcel;

76 Then north along east boundary of said 1.7909 ac. parcel, and 0.4063 ac. parcel (75 X 236' ABST. 322 C
77 WINTERS), and 1.414 ac. parcel (1.414 ACRES ABST. 322 C WINTERS) to northeast corner of said 1.414
78 ac. parcel and south ROW of Dana Dr.;

79 Then west along north boundary of said 1.414 ac. parcel and south ROW of Dana Dr. to a point due
80 south of southwest corner of 0.77 ac. parcel (0.768 ACS ABST 322 WINTERS);

81 Then north across ROW of Dana Dr. and along west boundary of said 0.77 ac. parcel to northwest corner
82 of said parcel and southwest corner of 1.6701 ac. parcel (LOT 2 LARRY HARRELL ADD ABST. 322 C
83 WINTERS);

84 Then east along south boundary of said 1.6701 ac. parcel to southeast corner of said parcel;

85 Then north along east boundary of said 1.6701 ac. parcel, and west boundary of 0.1722 ac. parcel
86 (50X150' 0.17 ACRES 322 WINTERS) to northwest corner of said 0.1722 ac. parcel and south ROW of
87 Sycamore Dr.;

88 Then east along south ROW of Sycamore Dr. to a point due south of southwest corner of 0.5618 ac.
89 parcel (0.562 AC RRVL BLK 8);

90 Then north across ROW of Sycamore Dr., and along west boundary of said 0.5618 ac. parcel to
91 northwest corner of said 0.5618 ac. parcel and south ROW of Sheppard Road/State Loop 267/State Hwy
92 240 South service road;

93 Then north across ROW of Sheppard Road/State Loop 267/State Hwy 240 South service Road, and S.
94 Oklahoma Cut Off/State Hwy 240 North service road to west boundary of 0.5311 ac. parcel (0.6 AC RRVL
95 BLK 8);

96 Then north northwest along west boundary of said 0.5311 ac. parcel, and 0.985 ac. parcel (0.985 AC
97 RRVL BLK 8), and 4.4068 ac. parcel (4.41 AC RRVL BLK 8) to northwest corner of said 4.4068 ac. parcel;

98 Then east along north boundary of said 4.4068 ac. parcel to southwest corner of 0.76 ac. parcel (0.86
99 ACS BLK 8 RRVL);

100 Then north northwest along west boundary of said 4.4068 ac. parcel, and 2.06 ac. parcel (2.06 AC RRVL
101 BLK 8), and 0.286 ac. parcel (LOT 1 BLK 7 BOWLES) to northwest corner of said 0.286 ac. parcel and
102 south ROW of Grace St.;

103 Then east along south ROW of Grace St. to a point due south of southwest corner of 0.573 ac. parcel
104 (LOTS 1 & 2 BLK 2 BOWLES);

105 Then north across ROW of Grace St. and along east ROW of Mockingbird Ln. and west boundary of said
106 0.573 ac. parcel, and LOTS 3 THRU 21 BLK 2 BOWLES to northwest corner of 1.0354 ac. parcel (LOTS 18-
107 19-20-21 BLK 2 BOWLES) and south ROW of Brenda Ln.;

108 Then east along south ROW of Brenda Ln. to a point south of southwest corner of 0.8641 ac. parcel (LOT
109 3-A BLK 1 BOWLES);

110 Then north across ROW of Brenda Ln., and along east boundary of said 0.8641 ac. parcel to northeast
111 corner of said 0.8641 ac. parcel and southeast corner of 3.407 ac. parcel (LOT 4 STREICH);

112 Then west along south boundary of said 3.407 ac. parcel to southwest corner and east ROW of State
113 Hwy 240 North;

114 Then north and northeast along east ROW of State Hwy 240 North to northeast corner of 2.2 ac. parcel
115 (2.197 AC BLK 101 RRVL AND BUSINESS PERSONAL PROPERTY);

116 Then generally east northeast and east by north along south ROW of State Hwy 240 North/E. 3rd St./S.
117 Oklahoma Cut off to a point south by east of southwest corner of 2 ac. parcel (2 AC RRVL BLK 102);

118 Then north by west across ROW of State Loop 267/E. 3rd St./S. Oklahoma Cut off and along west
119 boundary of said 2 ac. parcel to northwest corner of said parcel and City of Burkburnett Corp. Limits;

120 Then east by north, and northeast along north boundary of said 2 ac. parcel and City of Burkburnett
121 Corp. Limits to City of Burkburnett Corp. Limits at Wildhorse Creek;

122 Then southeast along City of Burkburnett Corp. Limits across ROW of Interstate Hwy 44/US Hwy 277 and
123 onward southwest along City of Burkburnett Corp. Limits to east boundary of 198.89 ac. parcel (198.89
124 ACS BLK 101 RRVL);

125 Then south along City of Burkburnett Corp. Limits and east boundary of said 198.89 ac. parcel, and 41.76
126 ac. parcel (41.76 AC RRVL BLK 106), intersecting 197.581 ac. parcel (197.581 AC BLKS 6 & 7 RED RIVER
127 VALLEY LANDS S/D) to northwest corner of 171.89 ac. parcel (171.89 AC BLK 7 RED RIVER VALLEY
128 LANDS);

129 Then south along City of Burkburnett Corp. Limits and west boundary of said 171.89 ac. parcel, and east
130 boundary of 11.363 ac. parcel (11.363 ACS BLK 8 RED RIVER VALLEY LANDS) to southeast corner of said
131 11.363 ac. parcel;

132 Then west along south boundary of said 11.363 ac. parcel, and north boundary of 4.9966 ac. parcel (5AC
133 RRVL BLK 8) to northwest corner of said 4.9966 ac. parcel;

134 Then south along west boundary of said 4.9966 ac. parcel to northeast corner of 0.73 ac. parcel (0.73 AC
135 RRVL BLK 8);

136 Then west along north boundary of said 0.73 ac. parcel to northwest corner of said parcel;

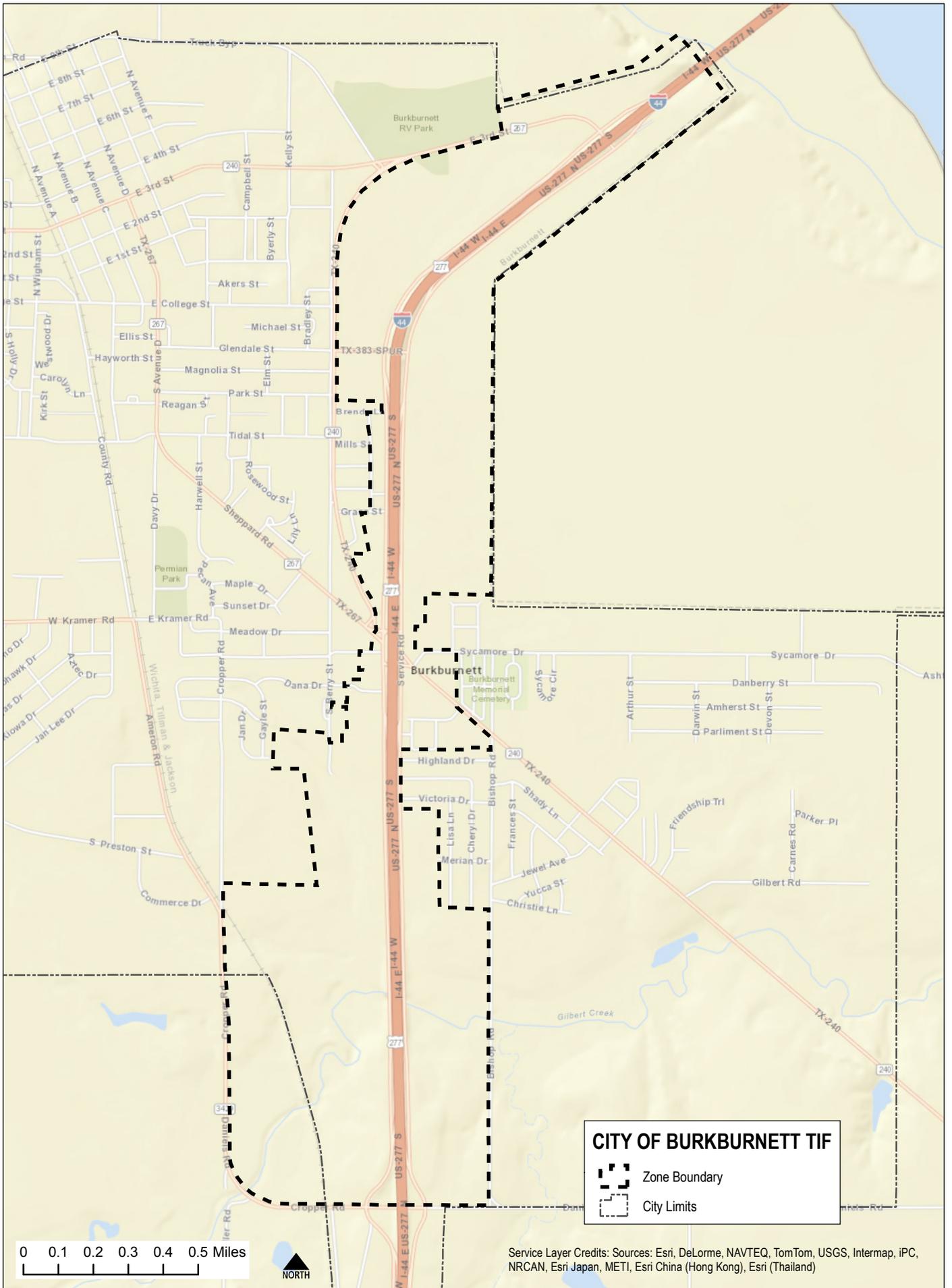
137 Then south along west boundary of said 0.73 ac. parcel to southwest corner of said parcel and north
138 boundary of 0.37 ac. parcel (0.37 AC (100X160') RRVL BLK 8);

139 Then west along north boundary of said 0.37 ac. parcel to northwest corner of said parcel;

140 Then south along west boundary of said 0.37 ac. parcel to southwest corner of said parcel;

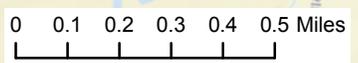
141 Then east along south boundary of said 0.37 ac. parcel to northwest corner of 0.1722 ac. parcel (0.17 AC
142 RRVL BLK 8);

- 143 Then south along west boundary of said 0.1722 ac. parcel to southwest corner of said parcel;
- 144 Then east along south boundary of said 0.1722 ac. parcel, and 4.9966 ac. parcel (5AC RRVL BLK 8), and
- 145 north ROW of Sycamore Dr. to east ROW of Patricia Dr. and point of beginning of +/- 1,047 ac. tract;

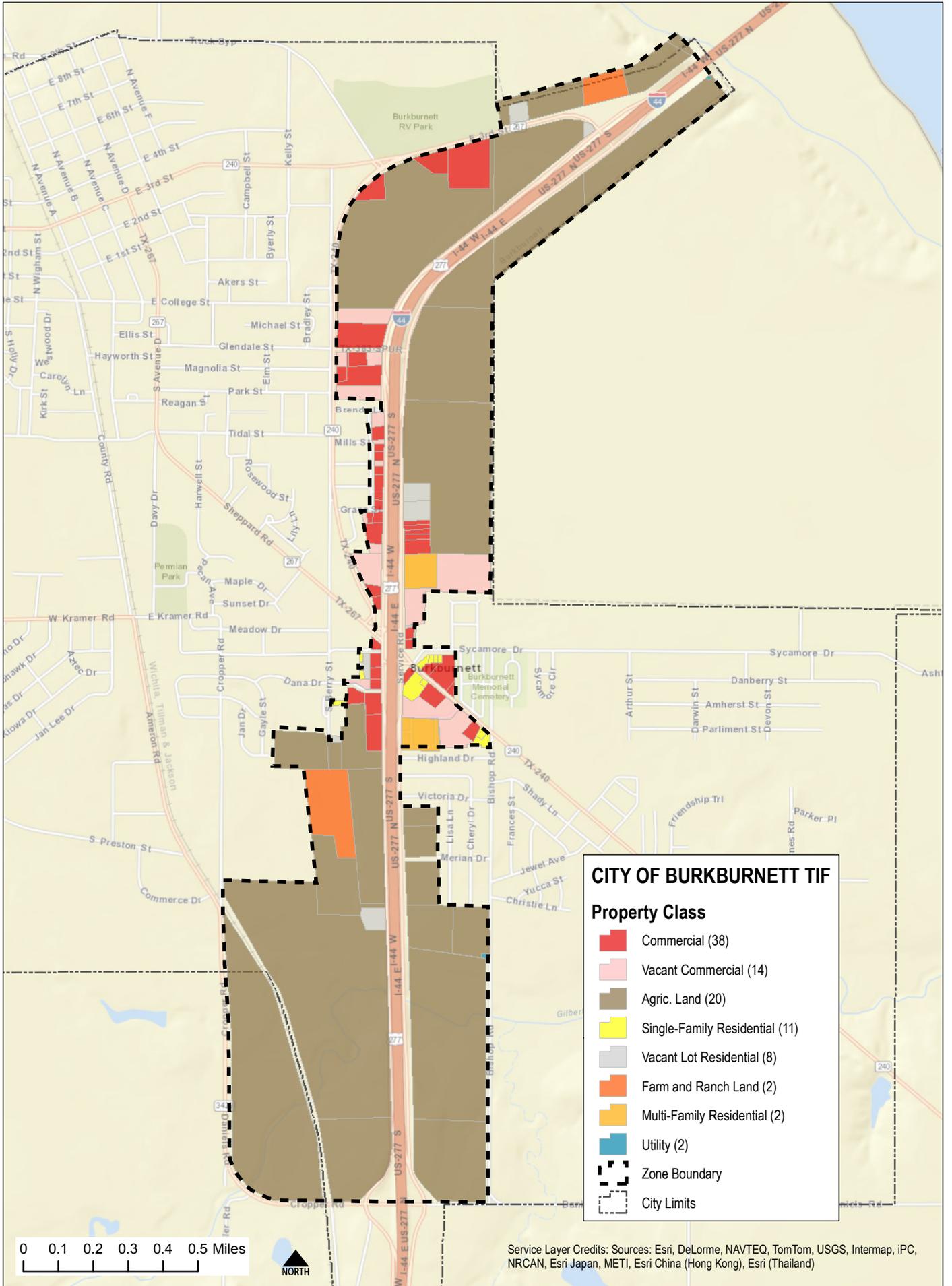


CITY OF BURKBURNETT TIF

- Zone Boundary
- City Limits



Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, TomTom, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand)



RESOLUTION NUMBER 610

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WICHITA §

THIS AGREEMENT is made and executed in duplicate by and between the City of Burkburnett, Texas, 501 Sheppard Road, Burkburnett, Texas ("City"), and the County of Wichita, Texas ("County"), 900 Seventh Street, Wichita Falls, Texas, 76301.

WITNESSETH:

1. RECITALS

WHEREAS, The City and County wish to promote economic development and the improvement of public infrastructure through the development or redevelopment of a certain contiguous geographic area; and

WHEREAS, a public hearing was conducted at City Hall, 501 Sheppard Road, Burkburnett, Texas on the 20th day of February, 2006 before the City of Burkburnett Board of Commissioners, such date being at least seven (7) days after the date of publication of the notice of such public hearing in a newspaper of general circulation in the City of Burkburnett; and

WHEREAS, the City created the Tax Increment Financing District, Reinvestment Zone by Ordinance Number 708 following the requirements as codified in Chapter 311 of the Texas Tax Code and known as the Tax Increment Financing Act ("the ACT"); and

WHEREAS, on _____, the City approved Ordinance Number __, approving an amendment to the project plan and reinvestment zone financing plan to add additional project costs to accommodate additional development in the Zone and extend the life of the zone; and

WHEREAS, the operation of the Zone began on February 20, 2006 and shall terminate on December 31, 2035. The Zone may be renewed for an additional five (5) years, or may terminate sooner by subsequent ordinance; and

WHEREAS, the City and County have appointed members of the Board of Directors for the Zone consisting of five (5) members, four (4) of which, including the chairman, shall be appointed by the Board of Commissioners, one (1) by the Wichita County Commission.

NOW, THEREFORE, in consideration of the mutual benefits to be derived from this Agreement and of the representations, warranties, covenants, and conditions contained herein, the parties agree as follows:

2. AGREEMENT

2.1. The County and the City agree that there is created a Tax Increment Reinvestment Zone into which all tax increments shall be deposited.

2.2. The tax increments shall be equal to one hundred percent of the amount of property taxes levied for a year on the captured appraised value of each individual property within the Tax Increment Reinvestment Zone that is the amount by which the current appraised value of all taxable real property located in the zone exceeds its tax increment base. The base shall be as determined and certified in the Financial Plan as the 2005 values.

3. TERM OF AGREEMENT

This agreement is for a period of the operational life of the Tax Increment Reinvestment Zone.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the month, day and year below written. It shall become effective upon the date that both parties have signed the Agreement.

City:

County:

City of Burkburnett, Texas,

County of Wichita, Texas

Signature of Authorized Official

Woodrow W. Bassett

Signature of Authorized Official

Title

Wichita County Judge

Title

Date: _____

Date: 5-9-2016

ATTEST:

ATTEST:

City Secretary

Lou Bohannon

County Clerk



City Commission Agenda Memo

From: Gordon Smith, Director of Public Works

Date: June 20th, 2016

Item: Discuss and take any action necessary on a Site Plan to construct additions to the Burkburnett High School Main building and new Tennis Court Additions at 109 Kramer Rd.

Background

Burkburnett Independent School District 2016 Capital Improvement plan is to add a classroom addition to the east end of the main building and a locker room addition to the north side of the main gym. Also construction plan outlines eight (8) new tennis courts to be constructed north of the gym.

On June 6, 2016 the Planning and Zoning Board met and staff presented the information for review. The Board discussed the case and consider the overall evaluation of the request.

Then a motion was made and seconded for approval of the site plan request. Chairman Tim Cornelius took a vote. The vote was 5-0 in favor of approval the request.

Fiscal Impact

N/A

Options

- Approve site plan as presented
- Approve with changes
- Deny

Staff Recommendation

Staff recommends approval.

Attachments

- 1) Proposed Site plan for the additions on the Burkburnett High School Campus.

SITE DESCRIPTION

PROJECT LIMITS:
I.C. EVENS ELEMENTARY SCHOOL, 12.48 ACRES OUT OF C. WINTERS SURVEY, A-322, BURKBURNETT, TEXAS.

PROJECT DESCRIPTION:
THIS PROJECT CONSISTS OF THE DEMOLITION OF EXISTING CONCRETE DRIVES & PARKING AREAS, THE CONSTRUCTION OF NEW DRIVE LAYOUT, PARKING AREAS, WALKS, AND TWO ADDITIONS TO THE EXISTING SCHOOL STRUCTURE.

MAJOR SOIL DISTURBING ACTIVITIES:
SOIL DISTURBING ACTIVITIES WILL INCLUDE DEMOLITION OF EXISTING STRUCTURES; GRADING, EXCAVATION AND EMBANKMENT; CONSTRUCTION OF THE NEW BUILDING ADDITIONS, PARKING LOTS, AND SERVICE DRIVES; AND INSTALLATION OF EROSION AND SEDIMENTATION CONTROLS.

TOTAL PROJECT AREA:
12.48 ACRES

TOTAL AREA TO BE DISTURBED:
2.54 ACRES (EST.)

WEIGHTED RUNOFF COEFFICIENT:
(AFTER CONSTRUCTION): 0.83

EXISTING CONDITION OF SOIL & VEGETATIVE COVER AND % OF EXISTING VEGETATIVE COVER:
THE PROJECT AREA CONSISTS OF EXISTING SCHOOL STRUCTURES, ACCESS DRIVES, PARKING, WALKS, GRAVEL & CONCRETE PLAYGROUNDS AND GRASSES.

NAME OF RECEIVING WATER:
RUNOFF WATER FROM THIS PROJECT ENTERS A TRIBUTARY TO GILBERT CREEK, WHICH ENTERS THE RED RIVER SOUTHEAST OF THE TOWN OF BURKBURNETT.

EROSION AND SEDIMENT CONTROLS

SOIL STABILIZATION PRACTICES:

- TEMPORARY SEEDING
- PERMANENT PLANTING, SOODING, OR SEEDING
- MULCHING
- SOIL RETENTION BLANKET
- BUFFER ZONES
- PRESERVATION OF NATURAL RESOURCES

OTHER: DISTURBED AREAS ON WHICH CONSTRUCTION ACTIVITY HAS CEASED (TEMPORARILY OR PERMANENTLY) SHALL BE STABILIZED WITHIN 20 DAYS.

STRUCTURAL PRACTICES:

- SILT FENCES
- HAY BALES
- ROCK BERMS
- DIVERSION, INTERCEPTOR, OR PERIMETER DIKES
- DIVERSION, INTERCEPTOR, OR PERIMETER SWALES
- DIVERSION DIKE AND SWALE COMBINATIONS
- PIPE SLOPE DRAINS
- PAVED FLUMES
- ROCK BEDDING AT CONSTRUCTION EXIT
- TIMBER MATTING AT CONSTRUCTION EXIT
- CHANNEL LINERS
- SEDIMENT TRAPS
- SEDIMENT BASINS
- STORM INLET PROTECTION
- STONE OUTLET STRUCTURES
- CURBS AND GUTTERS
- STORM SEWERS
- VELOCITY CONTROL DEVICES

STORM WATER MANAGEMENT:

- CONSTRUCTION WILL BE CARRIED OUT IN A MANNER WHICH DOES NOT INTERFERE WITH NATURAL DRAINAGE WAYS. DISTURBED AREAS WILL BE RESEED TO REESTABLISH GROUND COVER.

OTHER EROSION AND SEDIMENT CONTROLS:

MAINTENANCE:
ALL EROSION AND SEDIMENT CONTROLS WILL BE MAINTAINED IN GOOD WORKING ORDER. IF A REPAIR IS NECESSARY IT WILL BE DONE AT THE EARLIEST DATE POSSIBLE, BUT NO LATER THAN 7 CALENDAR DAYS AFTER THE SURROUNDING EXPOSED GROUND HAS DRIED SUFFICIENTLY TO PREVENT FURTHER DAMAGE FROM HEAVY EQUIPMENT. THE AREAS ADJACENT TO CREEKS AND DRAINAGE WAYS SHALL HAVE PRIORITY.

INSPECTION:

AN INSPECTION WILL BE PERFORMED BY A QUALIFIED INSPECTOR EVERY 7 CALENDAR DAYS, AS WELL AS AFTER EVERY HALF INCH OR MORE OF RAIN, AS RECORDED BY A RAIN GAUGE TO BE LOCATED AT THE PROJECT SITE. AN INSPECTION AND MAINTENANCE REPORT WILL BE MADE FOR EACH INSPECTION, BASED ON THE INSPECTION RESULTS, THE CONTROLS SHALL BE REVISED PER THE INSPECTION REPORT.

WASTE MATERIALS:

ALL TRASH AND CONSTRUCTION DEBRIS FROM THE SITE WILL BE COLLECTED AND STORED IN AN APPROVED CLOSED CONTAINER UNTIL SUCH TIME THAT IT CAN BE DISPOSED OF IN A MANNER ACCEPTABLE TO THE ENGINEER.

NO CONSTRUCTION WASTE MATERIAL WILL BE BURIED ON SITE.

HAZARDOUS WASTE (INCLUDING SPILL REPORTING):

AT A MINIMUM, ANY PRODUCTS IN THE FOLLOWING CATEGORIES ARE CONSIDERED TO BE HAZARDOUS: ASPHALT PRODUCTS, CHEMICAL ADDITIVES FOR SOIL STABILIZATION, OR CONCRETE CURING COMPOUNDS OR ADDITIVES. IN THE EVENT OF A SPILL WHICH MAY BE HAZARDOUS, THE PROPER AUTHORITIES SHALL BE CONTACTED IMMEDIATELY.

SANITARY WASTE:

ALL SANITARY WASTE WILL BE COLLECTED FROM THE PORTABLE UNITS AS NECESSARY OR AS REQUIRED BY LOCAL REGULATION BY A LICENSED SANITARY WASTE MANAGEMENT CONTRACTOR.

SOIL STABILIZATION PRACTICES:

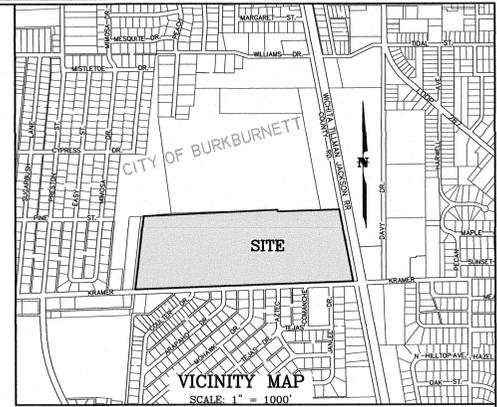
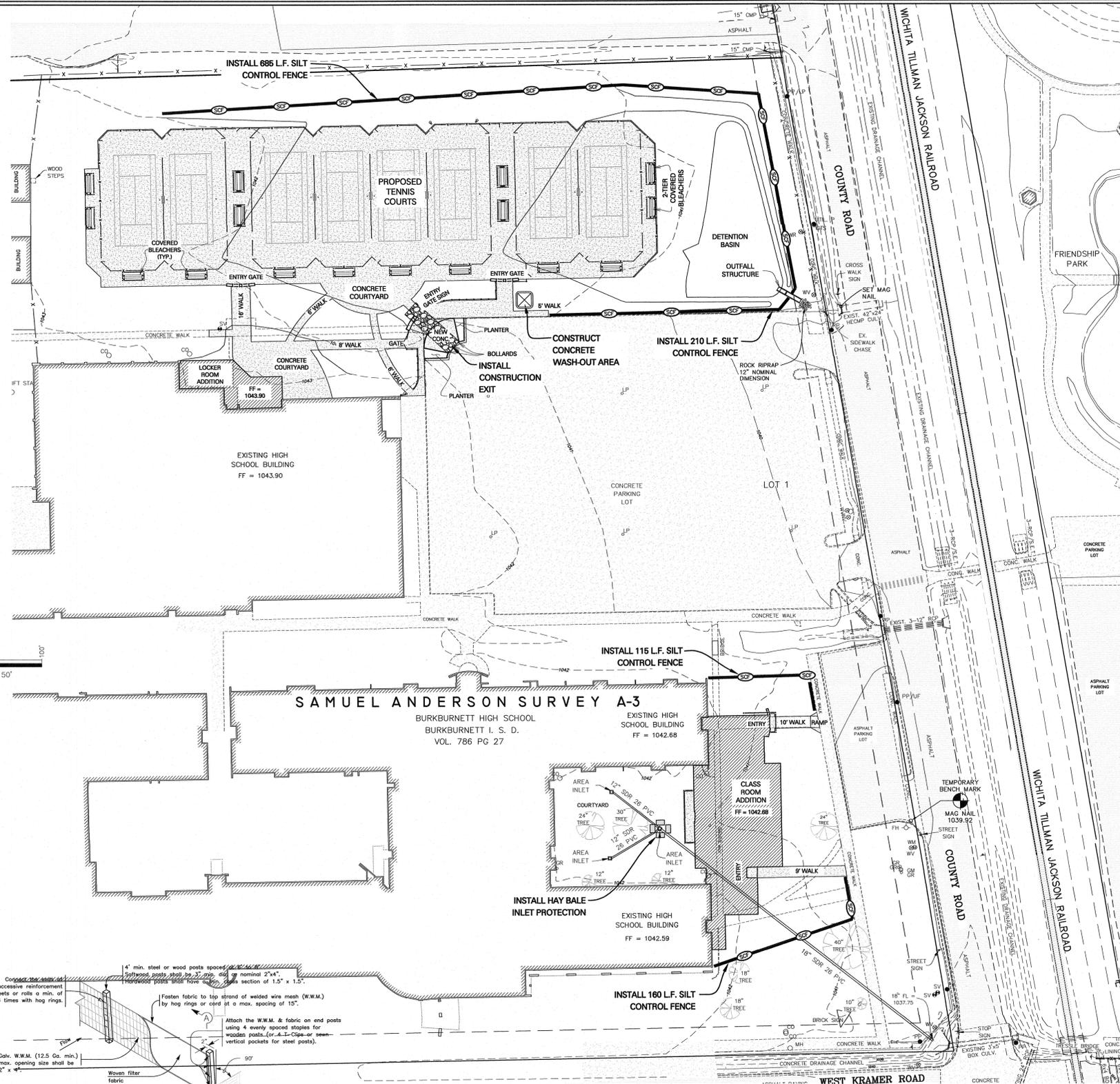
- HAIL ROADS DAMPENED FOR DUST CONTROL
- LOADED HAIL TRUCKS TO BE COVERED WITH TARPULIN
- EXCESS DIRT ON ROAD REMOVED DAILY
- STABILIZED CONSTRUCTION ENTRANCE

OTHER: DISTURBED AREAS SHALL BE DAMPENED FOR DUST CONTROL WHEN DIRECTED BY THE ENGINEER. EXCESS MUD, DIRT OR ROCK TRACKED ON TO EXISTING STREETS BY THE CONTRACTOR'S OPERATIONS SHALL BE REMOVED DAILY TO THE SATISFACTION OF THE ENGINEER.

REMARKS:

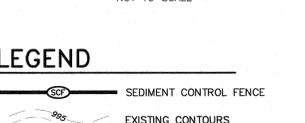
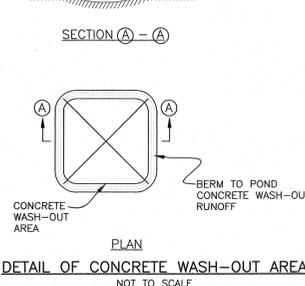
DISPOSAL AREAS, STOCKPILES, AND HAIL ROADS LOCATED WITHIN THE SITE SHALL BE CONSTRUCTED IN A MANNER THAT WILL MINIMIZE AND CONTROL THE AMOUNT OF SEDIMENT THAT MAY ENTER RECEIVING WATER. DISPOSAL AREAS SHALL NOT BE LOCATED IN ANY WETLAND, WATER BODY, OR STREAMBED. CONSTRUCTION STAGING AREAS AND VEHICLE MAINTENANCE AREAS LOCATED ON SITE SHALL BE CONSTRUCTED BY THE CONTRACTOR IN A MANNER TO MINIMIZE THE RUNOFF OF POLLUTANTS.

ALL WATERWAYS SHALL BE CLEARED AS SOON AS PRACTICABLE OF TEMPORARY EMBANKMENT, TEMPORARY BRIDGES, MATTINGS, FALSEWORK, PILING, DEBRIS OR OTHER OBSTRUCTIONS PLACED DURING CONSTRUCTION OPERATIONS THAT ARE NOT A PART OF THE FINISHED WORK.



SEQUENCING OF CONSTRUCTION AND STORM WATER MANAGEMENT ACTIVITIES

- PRIOR TO PERFORMING ANY WORK ON THE SITE, THE GENERAL CONTRACTOR SHALL TAKE THE FOLLOWING MEASURES:
 - (A) FILE A NOTICE OF INTENT TO OPERATE UNDER THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) TYPES GENERAL PERMIT NO. 15000 FOR STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES. A COPY OF THIS NOTICE SHALL BE PROVIDED TO THE ENGINEERING DEPARTMENT OF THE CITY OF WICHITA FALLS.
 - (B) INSTALL THE 1,028' OF TEMPORARY SEDIMENT CONTROL FENCE AND CONSTRUCT THE CONSTRUCTION EXIT SHOWN ON THIS SHEET.
 - (C) INSTALL A RAIN GAUGE ON SITE.
 - (D) POST A CONSTRUCTION NOTICE ON SITE.
- THE GENERAL CONTRACTOR WILL BE RESPONSIBLE FOR MAINTAINING THE ABOVE ITEMS THROUGHOUT CONSTRUCTION.
- AT A MINIMUM, ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSPECTED ON A BIWEEKLY BASIS AND IMMEDIATELY FOLLOWING A RAINFALL EVENT OF 1/8 INCH OR MORE. DOCUMENTATION OF THESE INSPECTIONS AND ANY REQUIRED CORRECTION MEASURES SHALL BE MAINTAINED BY THE CONTRACTOR IN ACCORDANCE WITH THE TCEQ PERMIT.
- ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL REMAIN IN PLACE UNTIL FINAL STABILIZATION OF THE SITE HAS OCCURRED, INCLUDING ALL LANDSCAPING AND REVEGETATION.
- FOLLOWING FINAL STABILIZATION OF THE SITE AS APPROVED BY THE ENGINEER, THE CONSTRUCTION NOTICE, RAIN GAUGE, SILT CONTROL FENCE, AND INLET PROTECTION MEASURES SHALL BE REMOVED BY THE CONTRACTOR. IN ADDITION, THE CONTRACTOR MUST FILE A NOTICE OF TERMINATION WITH THE TCEQ.
- THIS PLAN SHALL BE USED TO ENSURE THAT RUNOFF FROM THE SITE IS CONTAINED WITHIN THE LIMITS OF THE SILT FENCING AND OTHER EROSION AND SEDIMENT CONTROL MEASURES.
- THE CONTRACTOR MAY MAKE APPROPRIATE ADJUSTMENTS TO THIS PLAN AS REQUIRED TO FACILITATE THE CONSTRUCTION OF THE IMPROVEMENTS WHILE MAINTAINING THE CONTINUITY AND EFFECTIVENESS OF THE EROSION AND SEDIMENT CONTROL MEASURES. CHANGES MADE ON SITE SHALL BE NOTED ON AN "AS-BUILT" COPY OF THIS PLAN AND RETAINED ON THE SITE BY THE DESIGNATED SITE REPRESENTATIVE OF THE CONTRACTOR.



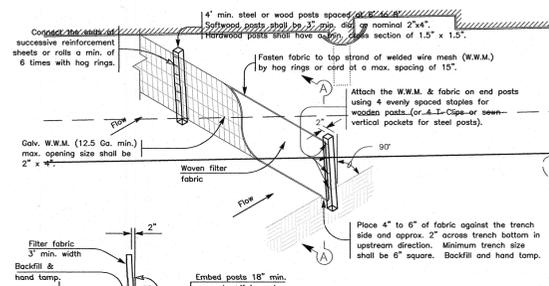
NOTE:
1. A COPY OF TCEQ GENERAL CONSTRUCTION PERMIT TWR 150000 SHALL BE KEPT ON SITE WITH THIS STORM WATER POLLUTION PREVENTION PLAN AT ALL TIMES.



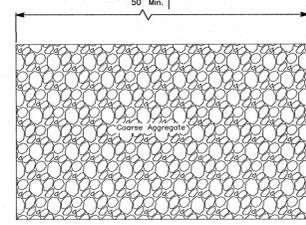
DEVIN G. SMITH
LICENSED PROFESSIONAL ENGINEER NO. 84012

CORLETT, PROBST & BOYD, P.L.L.C.
4605 Old Jacksboro Highway
Wichita Falls, Texas 76302
Telephone (940) 723-1455
Fax (940) 397-0549
TBPE F-279

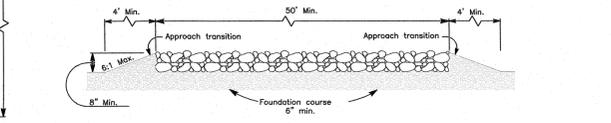
SURVEYORS



SEDIMENT CONTROL FENCE USAGE GUIDELINES
A sediment control fence may be constructed near the downstream perimeter of a disturbed area along a contour to intercept sediment from overland runoff. A 2 year storm frequency may be used to calculate the flow rate to be filtered.
Sediment control fence has been sized to filter a max. flow through rate of 100 GPM/FT².



- CONSTRUCTION EXIT NOTES**
- The length of the construction exit shall be not less than 50'.
 - The coarse aggregate should be open graded with a size of 4" to 8".
 - The approach transitions should be no steeper than 6:1 and constructed as directed by the Engineer.
 - The construction exit foundation course shall be flexible base, bituminous concrete, portland cement concrete or other material as approved by the Engineer.
 - The construction exit shall be graded to allow drainage to a sediment trapping device.
 - The guidelines shown hereon are suggestions only and may be modified by the Engineer.



TEMPORARY SEDIMENT CONTROL FENCE

CONSTRUCTION EXIT

C:\P\1\2016\DEVELOPMENT\CONVENT\10505-SAMP\DWG-CSI00-SURFP.PLC P-5/20/2016 12:57 PM S-5/20/2016 12:48 PM PHAUL

TENNIS COMPLEX & LOCKERROOM ADDITION
Burkburnett Independent School District
109 W. KRAMER ROAD
BURKBURNETT, TEXAS

BUNDY, YOUNG, SIMS & POTTER, INC.
ARCHITECTS/PLANNERS/INTERIOR DESIGN
1005 Ninth Street - Suite 200
Wichita Falls, TX 76301
Tel: (940) 761-2405
Fax: (940) 761-2119
Tom Young, FAIA
Rick Sims, AIA
David Potter, AIA



DRAWN BY PT
CHECKED BY DCS
DATE 5/19/16
JOB NO. 15077
STORM WATER POLLUTION PREVENTION PLAN
CS100



City Commission Agenda Memo

From: Ed Stahr, Chief of Police

Date: June 20, 2016

Item: Ordinance Number 899. An ordinance amending the City of Burkburnett Code of Ordinances by amending Chapter 72 Stopping, Standing, and Parking by adding Section 72.09 Presumption That Owner of Vehicle Illegally Parked Same.

Background

Upon request of the City Attorney's Office, the Burkburnett Police Department is seeking approval to revise Chapter 72 of the City of Burkburnett Code of Ordinances. This revision would allow the prosecuting attorney to hold the owner of the vehicle responsible for the illegal parking of the vehicle without proving who was operating the vehicle at the time of the violation.

Fiscal Impact

N/A

Options

Approve Ordinance Number 899

Disapprove Ordinance Number 899

Staff Recommendation

Approval of Ordinance Number 899

Attachments

Ordinance Number 899

ORDINANCE NUMBER 899

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING THE CITY OF BURKBURNETT CODE OF ORDINANCES BY AMENDING CHAPTER 72 STOPPING, STANDING, AND PARKING BY ADDING SECTION 72.09 PRESUMPTION THAT OWNER OF VEHICLE ILLEGALLY PARKED SAME; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners has determined that there has been an increase in residents within the City of Burkburnett who park vehicles illegally within the City; and

WHEREAS, the Board of Commissioners believes that the adoption of this Ordinance will lead to a more uniform application and enforcement of the rules and regulations governing the parking of motor vehicles within the City of Burkburnett;

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

Part 1. Enacted.

THAT the Code of Ordinances of the City of Burkburnett is hereby amended by amending Chapter 72 STOPPING, STANDING, AND PARKING, by adding '72.09 Presumption that Owner of Vehicle Illegally Parked Same, which shall read as follows:

' 72.09 Presumption that Owner of Vehicle Illegally Parked Same

In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

Part 2. Severability.

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 3. Repeal.

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

Part 4. Open meetings.

That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code and Chapter 211, Texas Local Government Code.

Part 5. Publication.

The City Secretary is hereby authorized and directed to cause publication of this Ordinance in accordance with law.

Part 6. Effective Date.

This Ordinance shall be in full force and effect immediately upon passage and publication.

PASSED and APPROVED this 20th day of June, 2016.

Carl Law, Mayor
City of Burkburnett, Texas

ATTEST:

Janelle Dolan, City Clerk



City Commission Agenda Memo

From: Gordon Smith, Director of Public Works

Date: June 20, 2016

Item: Discuss and Take Any Action Necessary on Ordinance 898 – Amending the Zoning Ordinance Section 8.2A Created Membership; Officers; Rules & Bylaws; Section 8.3.A1 Parliamentary Procedure; Quorum; Voting; Section 9.2B Members; Terms of Office.

Background

As requested, City staff has prepared Ordinance 898 amending the existing Zoning Ordinance **SECTION 8 PLANNING AND ZONING COMMISSION**. This ordinance effectively creates the addition of two alternate members to be added to the Planning and Zoning commission. It also effectively changes the current requirement of a quorum from three members to four members.

City Attorney drafted Ordinance 898 with the requested outlined changes. The public notice publication requirement required by the zoning ordinance was published in the local paper as outlined by the ordinance.

On June 6, 2016 the Planning and Zoning Board met and staff presented the ordinance for review and discussion. The Board discussed the ordinance and consider the overall evaluation of the request and stated the two alternate positions would be an opportunity to train future board members. Also stated that a required quorum of 4 could result in a split vote, if only 4 members were in attendance. With additional discussion, the board stated the likelihood of the split vote happening with two additional alternate members would be slim and unique if it did occur. A required public hearing was conducted at the meeting and no public was in attendance.

With discussion complete, a motion was made and seconded for approval of Ordinance 898. Chairman Tim Cornelius took a vote. The vote was 5-0 in favor of approval of the ordinance.

Staff has posted notices for anyone interested in serving on a City Board or Committee to fill out the necessary application and turn in to City Hall. These were posted on our Facebook page and in the paper. We will begin reviewing applications to fill the two alternate seats on the P&Z.

Options

1. Approve Ordinance 898
2. Recommend changes to the Ordinance
3. Take no Action

Staff Recommendation

Staff recommends approval of Ordinance 898

Attachments

- Ordinance 898

ORDINANCE NUMBER 898

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING ZONING ORDINANCE NUMBER 589 BY AMENDING SECTION 8.2A. CREATED; MEMBERSHIP; OFFICERS; RULES & BYLAWS; AMENDING SECTION 8.3.A-1 PARLIAMENTARY PROCEDURE; QUORUM; VOTING; AMENDING SECTION 9.2B. MEMBERS; TERMS OF OFFICE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Planning and Zoning Commissioner approved the proposed amendments at its meeting on June 6, 2016;

WHEREAS, the Board of Commissioners finds that it is in the best interest of the City of Burkburnett to amend Ordinance #589 to allow alternative members to serve as regular members in the absence of regular members and to change the number of members present to equal a quorum from a majority to four members.

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

SECTION 1. That the text in Section 8.2A. of the Zoning Ordinance Number 589 be amended to read as follows:

“There is created, in accordance with Chapter 211 of the Texas Local Government code, and established by Ordinance #589 of the City of Burkburnett, the “Planning and Zoning Commission”, hereafter sometimes referred as the “Commission”, which shall consist of five (5) regular members and two (2) alternate members, who are resident citizens, taxpayers and qualified voters of the City of Burkburnett. The alternate members shall act and serve as members of the Commission when a regular member(s) is absent or is otherwise unable to serve. Choice of the alternate member to serve at a particular meeting of the Planning and Zoning Commissioner shall be on an alternating basis such that both alternates have equal opportunities to serve.

SECTION 2. That the text in Section 8.3A.1 of the Zoning Ordinance Number 589 be amended to read as follows:

Quorum – A quorum shall consist of four (4) members of the Commission, and any issue to be voted upon shall be resolved by four (4) of those members present.

SECTION 3. That this Ordinance shall take effect immediately after passage.

SECTION 4. In the event any one or more of the provisions 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 5. It is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law and the public notice of the time, place and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this 20th day of June 2016.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk



Burkburnett Development Corporation Agenda Memo

From: Gary Robinett, Executive Director, Burkburnett Development Corporation

Date: June 20, 2016

Item: Resolution Number 609. A Burkburnett Development Corporation economic incentive agreement with Homewell Senior Care., First Reading.

Background

HomeWell Senior Care Inc. is an international Franchisor that started in 1996 in Seattle WA. They have converted their company to a Texas operation and have relocated the corporate headquarters to Burkburnett. They currently oversee 75 Units across the US and another 3 in Canada under HomeWell Franchising of Canada. They currently have 10 FTE employees of HomeWell Senior Care Inc.

Out of their current location at 904 C West Kramer Road, they also operate a wholly owned subsidiary of HomeWell called Home Care Advantage or HCA. HCA provides back office Administrative Support to their franchisees all over the US to include services such as 24 Hr. Answering Service, Billing, Staffing and Scheduling, data entry etc. These services are charged separately and above the normal 5% royalty their franchisees pay. HCA Currently has 5 FTE and will be extending their answering services to the local and surrounding communities once they are able to facilitate further growth and expansion in the new building.

In addition to these existing companies they will be launching their first Corporate Owned Franchise Location out of the new space. As a corporate location they will be providing Home Care Services to the Burkburnett and Surrounding Communities. This new entity will also reside in the new building and will create new jobs. They are currently in the process of obtaining their license for the Texas Department of Aging and Disability services and anticipate beginning hiring for this company in October 2016.

Their growth and expansion is planned for about 3800Sq ft of the former Par-T-Line building leaving approx. 1850 available sq. ft for further development. Rather than leave this space empty they have decided to move forward with renovations to this side and launch WorkWell Office Suites. This space will be dedicated to development of the professional community by providing affordable office options for executives that cannot currently be accommodated by the city due to lack of facilities. WorkWell will offer 8 executive suites that will rent for between \$300 and \$400 a month that will include internet access, access to shared conference space, receptionist, utilities and housekeeping services. They will target professionals needing professional space in the Burkburnett Area.

The BDC proposes entering into an agreement with HomeWell Senior Care, Inc. of Burkburnett wherein the BDC will provide an economic incentive package worth **\$85,700.00** provided for the expansion of business along with retention of existing jobs and creation of new jobs within Burkburnett, Texas, the terms of which are more specifically described below.

The BDC will provide HomeWell Senior Care, Inc. job creation incentives in the amount of **\$57,000** for the **retention of 10 existing jobs** with an annual payroll of \$500,860.48 and the **creation of 48 new jobs** over the next three years with an anticipated payroll over \$1,000,000. All jobs will work locally in Burkburnett, TX. The incentive will be paid in equal installments over the next three years provided Homewell Senior Care, Inc. meets their job creation goals. In order to qualify for such payment, Homewell Senior Care, Inc. will provide the BDC documentation reflecting total number of new personnel employed to include start dates and salary. Documentation reports will be provided annually beginning one year from the effective date of the agreement.

The BDC would also agree to provide HomeWell Senior Care, Inc. **capital investment incentives** in the amount of **\$28,700** which is 10% of Homewell Senior Care, Inc.'s total investment of \$287,000. The BDC will utilize the Neighborhood Re-Investment Grant program to fund up to \$25,000 of the capital investment incentive total. In order to qualify for such payment, upon completion of the purchase and renovation of the property located at 812 Sheppard Road, Burkburnett, TX and given the proper documentation reflecting costs of such, payment of up to \$25,000 will be made immediately. The remainder of the capital investment incentive will be rolled into the job creation incentive.

HomeWell Senior Care, Inc. estimates it will purchase, renovate, and complete improvements to the subject property, relocate and begin operations as soon as possible, no later than 12 months from the date of this agreement, and will retain ten (10) existing jobs and create forty-two (48) jobs over the next three years at such location.

Fiscal Impact

\$85,700 (\$25,000 of which will be NRG funds)

Options

Approve, Approve with changes, or disapprove

Staff Recommendation

Incentive package met BDC board for approval on June 14, 2006

Staff recommends approval then having attorney draft an agreement.

Attachments

Resolution Number 609

RESOLUTION NUMBER 609

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AUTHORIZING AN ECONOMIC INCENTIVE AGREEMENT BETWEEN THE BURKBURNETT DEVELOPMENT CORPORATION AND HOMEWELL SENIOR CARE, INC OF BURKBURNETT PROVIDING FOR ECONOMIC INCENTIVES IN RETURN FOR THE EXPANSION AND RETENTION OF BUSINESS ENTERPRISES WITHIN BURKBURNETT, TEXAS.

WHEREAS, the Burkburnett Development Corporation (the “BDC”) is 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 proposed entering into an agreement with Homewell Senior Care, Inc. of Burkburnett wherein the BDC will provide an economic incentive package worth \$85,700.00 provided for the expansion of business along with retention of existing jobs and creation of new jobs within Burkburnett, Texas, the terms of which are more specifically described below; and

WHEREAS, the BDC has proposed entering into an agreement with Homewell Senior Care, Inc. wherein the BDC will provide Homewell Senior Care, Inc. of Burkburnett job creation incentives in the amount of \$57,000 for the retention of 10 existing jobs with an annual payroll of \$500,860.48 and the creation of 48 new jobs over the next three years with an anticipated payroll over \$1,000,000. All jobs will work locally in Burkburnett, TX. The incentive will be paid in equal installments over the next three years provided Homewell Senior Care, Inc. meets their job creation goals. In order to qualify for such payment, Homewell Senior Care, Inc. will provide the BDC documentation reflecting total number of new personnel employed to include start dates and salary. Documentation reports will be provided annually beginning one year from the effective date of the agreement. The BDC has agreed to provide these economic incentives in return for the retention and expansion of business enterprises within Burkburnett, Texas; and

WHEREAS, the BDC would also agree to provide Homewell Senior Care, Inc. of Burkburnett capital investment incentives, in lieu of tax abatement, in the amount \$28,700 which is 10% of Homewell Senior Care, Inc.’s total investment of \$287,000. Of the amount for capital investment incentives, the BDC will utilize the Neighborhood Re-Investment Grant program to fund up to \$25,000 of the total incentive. In order to qualify for such payment, upon completion of the purchase and renovation of the property located at 812 Sheppard Road, Burkburnett, TX and given the proper documentation reflecting costs of such, payment of up to \$25,000 will be made immediately. The remainder of the capital investment incentive will be rolled into the job creation incentive.

WHEREAS, Homewell Senior Care, Inc. estimates it will purchase, renovate, and complete improvements to the subject property, relocate and begin operations as soon as possible, no later than 12 months from the date of this resolution, and will retain ten (10) existing jobs and create twenty five (25) jobs over the next five years at such location; and

WHEREAS, this resolution has been given two readings before the Board of Commissioners: one on June 20, 2016 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, RESOLVED, that the BDC is hereby authorized to enter into *an agreement* with Homewell Senior Care, Inc. of Burkburnett to provide job creation incentives in the amount of \$57,000 for the retention of 10 existing jobs and the creation of 48 new jobs over the next three years. The incentive will be paid in equal installments over the next three years provided Homewell Senior Care, Inc. meets their job creation goals and provides the BDC documentation reflecting total number of new personnel employed to include start dates and salary. Documentation reports will be provided annually beginning one year from the effective date of the agreement.

The BDC would also agree to provide Homewell Senior Care, Inc. of Burkburnett capital investment incentives in the amount \$28,700 which is 10% of Homewell Senior Care, Inc.'s total investment of \$287,000. Of the amount for capital investment incentives, the BDC will utilize the Neighborhood Re-Investment Grant program to fund up to \$25,000 of the total incentive. Upon completion of the purchase and renovation of the property located at 812 Sheppard Road, Burkburnett, TX and given the proper documentation reflecting costs of such, payment of up to \$25,000 will be made immediately. The remainder of the capital investment incentive will be rolled into the job creation incentive.

BE IT 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 June 20, 2016.

APPROVED on this the ____ day _____, 2016, Second and Final Reading.

Carl Law, Mayor

Janelle Dolan, City Clerk



City Commission Agenda Memo

From: Mike Whaley
City Manager

Date: June 20th, 2016

Item: Park Board appointment

Background

By adopting Ordinance 800, the City created a Board of Directors for the Park and Recreation Board. The Board consist of seven (7) members who are resident citizens. With the election of Commissioner Duff to the Board of Commissioners, it leaves us with a vacancy on the Park Board. Kim Horn has completed an application and has requested to serve on the Board. If appointed, Mrs. Horn will serve the remainder of Commissioner Duff's term which ends on February 17, 2018. The Park Board members serve two (2) year staggered terms.

Fiscal Impact

N/A

Options

- Approve Kim Horn's appointment to serve on the Park Board
- Make another nomination to serve on the Park Board

Staff Recommendation

Staff recommends approval

Attachments

Application

**CITY OF BURKBURNETT
VOLUNTEER APPLICATION
FOR BOARDS, COMMISSIONS OR COMMITTEES**

DATE:

(Applications retained for 12 months)

Full Name: <small>First</small> <i>Kimberly</i> <small>Middle</small> <i>Jean</i> <small>Last</small> <i>Horn</i>				Maiden (if applicable):	
Address: <i>1105 Dove Ln</i>			E-mail Address: <i>[REDACTED]</i>		
Date of Birth: <i>4-11-59</i>		Social Security # (not mandatory):		Home Phone: <i>[REDACTED]</i>	
Spouse's Name: <i>Matt</i>				Work Phone: <i>---</i>	
# of Children: <i>2</i>		Years Residing in Burkburnett <i>35</i>		Other Cities Lived In: <i>Iowa Park</i>	
High School Name: <i>Iowa Park High School</i>				Location: <i>Iowa Park</i>	
College Information:					
Name of College(s)		Location	Degree	Date Degree Received	
1. <i>MSU</i>		<i>Wichita Falls</i>			
2.					
3.					
Occupation: <i>Retired teacher</i>			Employer:		
Employer's Address: (City, State, Zip)					
Professional Associations/Organizations:					
Previous & Current Community Service: (Memberships, Offices held, etc.)					
Hobbies/Interests: <i>Golf, reading, scrapbooking.</i>					
Clubs & Organizations: <i>Burkburnett Retired Teachers Assn</i>					
Selection of Boards (Indicate first, second, third and fourth choices for board memberships by placing a number in space adjacent to the board's name)					
<input type="checkbox"/> Cemetery Board		<input type="checkbox"/> Planning & Zoning		<input type="checkbox"/> Zoning Board of Adjustment	
<input checked="" type="checkbox"/> Parks/Recreation		<input type="checkbox"/> Friends of Library		<input type="checkbox"/> Golf Committee	
<input type="checkbox"/> HOT Committee		<input type="checkbox"/> Appraisal Review		<input type="checkbox"/> Library Board of Directors	
<input type="checkbox"/> Burkburnett Develop. Corp.				<input type="checkbox"/> Ad Hoc Charter Committee	
Are you registered to vote in Wichita County? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
Please explain why you want to serve on the boards listed above and/or your qualifications:					

By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the Board of Commissioners, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

Please return this application to: Trish Holley, City Clerk
City of Burkburnett
501 Sheppard Road
Burkburnett, TX 76354
(940)569-2263
(940)569-4192 fax
tholley@burkburnett.org

Kim Horn

Signature of Applicant



City Commission Agenda Memo

From: Mike Whaley
City Manager

Date: June 20th, 2016

Item: Planning & Zoning appointment

Background

By adopting Ordinance 589, the City created a Board of Directors for the Planning and Zoning Commission. The Board consist of five (5) member who are resident citizens, taxpayers and qualified voters. Aaron King has resigned from the Planning & Zoning Board to serve on the TIF Board. That leaves us with a vacancy that needs to be filled. We received an application from Paul Gerstner who has requested to serve on the Planning & Zoning Board. Mr. Gerstner will serve out the remainder of Mr. King's term which ends on May 1, 2017. The P&Z Board serve three (3) year staggered terms.

Fiscal Impact

N/A

Options

- Approve Mr. Gerstner's appointment to serve on the P&Z Commission
- Make another nomination to serve on the P&Z Commission

Staff Recommendation

Staff recommends approval

Attachments

Application

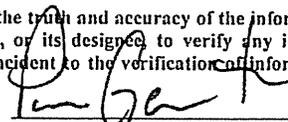
CITY OF BURKBURNETT
VOLUNTEER APPLICATION
FOR BOARDS, COMMISSIONS OR COMMITTEES

DATE: _____ (Applications retained for 12 months)

Full Name: PAUL ^{First} LESLIE ^{Middle} GERSTNER ^{Last} Maiden (if applicable):																			
Address: 1218 AMHERST BURK		E-mail Address: _____																	
Date of Birth: 6/19/56	Social Security # (not mandatory):	Home Phone: _____																	
Spouse's Name: TAMMY		Work Phone: _____																	
# of Children: 2	Years Residing in Burkburnett: 50+	Other Cities Lived In:																	
High School Name: BURKBURNETT HS		Location:																	
College Information:																			
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">Name of College(s)</th> <th style="width: 20%;">Location</th> <th style="width: 15%;">Degree</th> <th style="width: 25%;">Date Degree Received</th> </tr> </thead> <tbody> <tr> <td>1. MIDWESTERN STATE</td> <td></td> <td>NO</td> <td></td> </tr> <tr> <td>2. VERNON COLLEGE</td> <td></td> <td>NO</td> <td></td> </tr> <tr> <td>3.</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Name of College(s)	Location	Degree	Date Degree Received	1. MIDWESTERN STATE		NO		2. VERNON COLLEGE		NO		3.			
Name of College(s)	Location	Degree	Date Degree Received																
1. MIDWESTERN STATE		NO																	
2. VERNON COLLEGE		NO																	
3.																			
Occupation: SELF EMPLOYED		Employer: T & P AUTOMOTIVE RADIATORS LLC																	
Employer's Address: (City, State, Zip) 406 B JAUCH; W.F. TX. 76301																			
Professional Associations/Organizations: WICHITA FALLS CHAMBER OF COMMERCE NATIONAL FEDERATION OF INDEPENDENT BUSINESS																			
Previous & Current Community Service: (Memberships, Offices held, etc.) INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS																			
Hobbies/Interests: GOLF, FAITH, GRANDCHILDREN (NOT IN THIS ORDER)																			
Clubs & Organizations: KNIGHTS OF COLUMBUS																			
Selection of Boards (Indicate first, second, third and fourth choices for board memberships by placing a number in space adjacent to the board's name)																			
<input type="checkbox"/> Cemetery Board	<input checked="" type="checkbox"/> Planning & Zoning	<input checked="" type="checkbox"/> Zoning Board of Adjustment																	
<input checked="" type="checkbox"/> Parks/Recreation	<input type="checkbox"/> Friends of Library	<input checked="" type="checkbox"/> Golf Committee																	
<input checked="" type="checkbox"/> HOT Committee	<input type="checkbox"/> Appraisal Review	<input type="checkbox"/> Library Board of Directors																	
<input checked="" type="checkbox"/> Burkburnett Develop. Corp.	<input type="checkbox"/>	<input type="checkbox"/> Ad Hoc Charter Committee																	
Are you registered to vote in Wichita County? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																			
Please explain why you want to serve on the boards listed above and/or your qualifications: I'M ABLE TO FIND THE TIME TO HELP OUR CITIZENS AND FEEL I NEED TO GIVE BACK TO MY COMMUNITY BECAUSE BE IT HAS BEEN A FANTASTIC PLACE TO LIVE AND RAISE MY FAMILY. MY GRANDKIDS WILL BE THE THIRD GENERATION TO LIVE IN BURKBURNETT. OF THIS I AM VERY PROUD AND GREATFUL.																			

By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the Board of Commissioners, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

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City of Burkburnett
501 Sheppard Road
Burkburnett, TX 76354
(940)569-2263
(940)569-4192 fax
tholley@burkburnett.org


 Signature of Applicant



City Commission Agenda Memo

From: Mike Whaley
City Manager

Date: June 20th, 2016

Item: TIF/TIRZ Board appointment

Background

By adopting Ordinance 708, the City created a Board of Directors for the Tax Increment Financing Zone. The ordinance requires five (5) members, at least four (4) of which shall be appointed by the Board of Commissioners, one (1) by the Wichita County Commission. Mayor Carl Law is stepping down from the TIF Board and would like to appoint Aaron King fulfill the remainder of his term which ends December 31, 2016.

Fiscal Impact

N/A

Options

- Approve Aron King's appointment to serve on the TIF Board
- Make another nomination to serve on the TIF Board

Staff Recommendation

Staff recommends approval

Attachments

Application

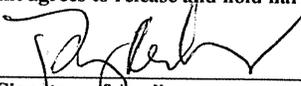
CITY OF BURKBURNETT
VOLUNTEER APPLICATION
FOR BOARDS, COMMISSIONS OR COMMITTEES

DATE: _____ (Applications retained for 12 months)

Full Name: <u>Phillip Aaron Kivir</u> Maiden (if applicable):			
Address: <u>1005 Taylor Ln</u>		E-mail Address: _____	
Date of Birth: <u>8/11/1977</u>	Social Security # (not mandatory): _____		Home Phone: _____
Spouse's Name: <u>Jamie Kivir</u>		Work Phone: _____	
# of Children: <u>2</u>	Years Residing in Burkburnett: <u>9</u>	Other Cities Lived In: <u>Durant</u>	
High School Name: <u>Mineral Wells</u>		Location: <u>OK.</u>	
College Information:			
	Name of College(s)	Location	Degree
1.	<u>Thornton State Univer</u>	<u>Stephenville</u>	<u>BS. Exercise + Sports Science minor Education</u>
2.			
3.			
Occupation: <u>Self Employed</u>		Employer: <u>Chicken Express</u>	
Employer's Address: (City, State, Zip) <u>1056 S. Rvd Riner Expy</u>			
Professional Associations/Organizations: <u>Sr. Citian Board, Chamber of Comm, Town Residents Assoc.</u>			
Previous & Current Community Service: (Memberships, Offices held, etc.) <u>Planer + Zoner</u>			
Hobbies/Interests:			
Clubs & Organizations:			
Selection of Boards (Indicate first, second, third and fourth choices for board memberships by placing a number in space adjacent to the board's name)			
<input type="checkbox"/> Cemetery Board	<input checked="" type="checkbox"/> Planning & Zoning	<input type="checkbox"/> Zoning Board of Adjustment	
<input type="checkbox"/> Parks/Recreation	<input type="checkbox"/> Friends of Library	<input type="checkbox"/> Golf Committee	
<input type="checkbox"/> HOT Committee	<input type="checkbox"/> Appraisal Review	<input type="checkbox"/> Library Board of Directors	
<input type="checkbox"/> Burkburnett Develop. Corp.		<input type="checkbox"/> Ad Hoc Charter Committee	<u>Tiff Bow</u>
Are you registered to vote in Wichita County? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Please explain why you want to serve on the boards listed above and/or your qualifications:			

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City of Burkburnett
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Burkburnett, TX 76354
Ph(940)569-2263 * Fax (940)569-4192 * jdolan@burkburnett.org



Signature of Applicant