

AGENDA

Notice is hereby given of a meeting of the Board of Commissioners of Burkburnett to be held on **Monday, September 19, 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 August 8 and August 9, 2016 Special Called Budget Meetings, August 15, 2016 Regular Scheduled Meeting, and August 18, 2016 Special Called Budget Meeting

Item 5. Ordinance Number 902. An ordinance granting ONCOR Electric Delivery Company LLC. an electric power franchise to use the present and future streets, alleys, highways, public utility easements, public ways and public property of the City of Burkburnett, Texas, and providing for compensation, Second Reading.

Item 6. Presentation by Don Miller on Sheridan Medical Lodge update.

Item 7. Ordinance Number 908. An ordinance amending Chapter 33 Municipal Court of Record by amending Section 33.11 Appeals to add the requirement of a bond and the fees required.

Item 8. Ordinance Number 903. An ordinance adopting the Operating Budget for the Fiscal Year October 1, 2016 through September 30, 2017.

Item 9. Ordinance Number 904. An ordinance adopting the Capital Improvement Budget for the Fiscal Year October 1, 2016 through September 30, 2017.

Item 10. Ordinance Number 905. An ordinance setting the 2016 Tax Rate.

Item 11. Ordinance Number 906. An ordinance to adjust the City of Burkburnett water rates.

Item 12. Ordinance Number 907. An ordinance to adjust the City of Burkburnett garbage rates.

Item 13. Discuss and take any action necessary regarding the responsibilities, duties and job descriptions of the positions of City Manager, Director of Planning, Director of Public Works, Director of Parks and Recreation, and Economic Development Director.

Item 14. Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the Board of Commissioners may convene in Executive Session regarding the following matters:

- A. SECTION 551.074(a)-Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
 - a. Employment of Bob Cochran as Interim Public Works Director
 - b. Mike Whaley, City Manager Evaluation

Item 15. 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 16. City Manager's report.

- SAFB 75th Anniversary and ENJJPT's 35th Anniversary Dinner – Sept 21st MPEC 6:00 PM
- TML Region 5 Meeting – Sept 22 at 5:45 pm, MPEC
- Boomtown Glow Run 5K and Friendship Festival – Sept 30 and Oct 1
- TML Annual Conference - Oct 4-7, Austin
- Volunteer Fire Department Installation Dinner -October 13th

Item 17. Commissioner's Comments.

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

*Expressions of thanks, congratulations, or condolence;

*Information regarding holiday schedules;

*An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of the person's public office of public employment is not an honorary or salutory recognition for purposes of this subdivision;

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

*Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and

*Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

Item 18. 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 9:30 a.m. on September 16, 2016 in compliance with the Open Meeting Act Chapter 551.



Janelle Dolan, City Clerk

Posted 9/16/16 @ 9:30 am

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/workshop on August 8, 2016 at 1:00 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
Randy Brewster	Commissioner
Frank Ducos	Commissioner
Jeremy Duff	Commissioner
Marguerite Love	Commissioner
Mike Tugman	Commissioner

Commissioner Lindenborn was not present.

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

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

Item 2. Invocation was given by Commissioner Brewster.

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

Item 4. Mr. Whaley addressed the Mayor and Commissioners and reviewed the FY General Fund 2017 Budget. Mr. Whaley presented a proposed General Fund budget in the amount of \$5,192,763 expenses and \$5,087,829 in revenues. This will leave a projected unfunded balance of (\$104,934). The proposed budget did not include any capital requests (except current lease commitments). The General Fund Review included the following decision points: sales tax anticipated at \$1,350,000; setting proposed tax rate; capital purchases requests of \$668,369; personnel request; retiree benefit request; and changes to employee benefits. Mr. Whaley also reviewed the Boomtown Bay Family Aquatic Center (BFAC) Fund. Discussion was held on the possibility of applying the \$50,000 annual payment from the Burkburnett Development Corporation to the BFAC annual bond payment. The Storm Water Utility Fund and potential projects were reviewed. Mr. Whaley also presented a request from the Golf Course Committee. They are requesting to reduce the amount of the loan payment from \$67,000 to \$36,000 in FY 2017. They will use \$36,000 for a tree replacement program and maintenance. It was the

consensus of the Board of Commissioner to reduce the payment on the loan and start the tree replacement program.

Item 5. Mr. Whaley provided the following Budget Workshop Calendar:

August 9, 2016 at 1 pm is the next scheduled budget workshop. There was discussion on a potential date for an additional workshop. It was the consensus of the board to meet on August 18, 2016 if necessary.

Item 6. No Commissioner Comments.

Item 7. Motion was made by Commissioner Tugman, seconded by Commissioner Duff 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 special called meeting/workshop on August 9, 2016 at 1:00 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; Trish Holley, Director of Administration; Gordon Smith, Director of Public Works; Janelle Dolan, City Clerk; and Ed Stahr, Police Chief.

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

Item 2. Invocation was given by Commissioner Lindenborn.

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

Item 4 Mr. Whaley addressed the Mayor and Commissioners and reviewed the FY 2017 Water Fund budget. Mr. Whaley presented a proposed Water Fund budget in the amount of \$3,796,265 expenses and \$4,023,983 in revenues. This will leave a projected balance of \$227,718. The proposed budget did not include any capital requests. The Water Fund review included the following decision points: water consumption based on 334 million gallons, capital purchases requests of \$224,900; and changes to employee benefits.

Item 5. Mr. Whaley provided the following Budget Workshop Calendar:
August 18, 2016 at 1 pm is the next scheduled budget workshop.

Item 6. No Commissioner Comments.

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

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk

Minutes, August 9, 2016

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, August 15, 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
Frank Ducos	Commissioner
Jeremy Duff	Commissioner
Marguerite Love	Commissioner
Mike Tugman	Commissioner

Commissioner Brewster was not present.

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

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

Item 2. Invocation was given by Bishop Jerry Johnson, The Church of Jesus Christ of Latter-Day Saints.

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

Item 4. Consent Agenda.

- A. Approval of Minutes from July 11, 2016 and July 12, 2016 Special Called Meetings/Workshops and July 18, 2016 Regular Meeting

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 7:02 p.m. and opened the “Public Hearing” for the following Planning & Zoning Commission Case:

- A. Case #2016-29, re-zone application for the 1100 Blk. of Cheryl Dr., 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 Rickie Pike owner of property located at 1111 Cheryl Dr. This request is to allow for a carport overlay district to be extended from the 900 block and 1000 Block of Cheryl Dr. to include the 1100 block of Cheryl. 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. Twenty (20) out of the twenty-three (23) total property owners on the block have signed the petition requesting the carport overlay district. On August 1, 2016 the Planning and Zoning Board met and staff presented the information for review. Mr. Pike was in attendance. The Board discussed the case and considered the overall evaluation of the request. The vote was 4-0 in favor of approving the request.

Item 6. Mayor Law closed the “Public Hearing” at 7:04 p.m. and reopened the regular meeting to take action on the Planning & Zoning Commission Case:

- A. Case #2016-29, re-zone application for the 1100 Blk. of Cheryl Dr., block rezoned as a carport overlay district.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Ducos to approve Case #2016-29, re-zone application for the 1100 Blk. of Cheryl Dr., block rezoned as a carport overlay district. Motion carried unanimously.

Item 7. Ordinance Number 902 was presented. Caption of same being:

AN ORDINANCE GRANTING TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC POWER FRANCHISE TO USE THE PRESENT AND FUTURE STREETS, ALLEYS, HIGHWAYS, PUBLIC UTILITY EASEMENTS, PUBLIC WAYS AND PUBLIC PROPERTY OF THE CITY OF BURKBURNETT, TEXAS, PROVIDING FOR COMPENSATION THEREFOR, PROVIDING FOR AN EFFECTIVE DATE AND A TERM OF SAID FRANCHISE, PROVIDING FOR WRITTEN ACCEPTANCE OF THIS FRANCHISE, PROVIDING FOR THE REPEAL OF ALL EXISTING FRANCHISE ORDINANCES TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS PREDECESSORS AND ASSIGNS, AND FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC.

Mike Whaley, City Manager, addressed the Mayor and Commissioners and stated the City’s electric franchise with ONCOR Electric Delivery is set to expire December 31st, 2016. The City attorney has reviewed and approved the ordinance supplied by ONCOR. The previous franchise amendment agreement was passed and approved in 2006. The current franchise renewal has a term of 20 years and will expire on September 30, 2037. Gordon Drake, ONCOR West Regional Customer Operations Area Manager was present to answer any questions.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Love to approve Ordinance Number 902 as presented. Motion carried unanimously.

Item 8. Mr. Whaley addressed the Mayor and Commissioners and stated now that the Interlocal Agreement with Wichita County and the revised contract agreement with Texas Department of Transportation (TXDOT) are in place for the Gresham Rd Reconstruction Project, the City is now moving into the next phase which is Right of Way (ROW) acquisition. TXDOT has completed the ROW acquisition maps required for the project. Mr. Whaley stated the professional service agreement with HDR Engineering, Inc. details the scope of services, ROW acquisition rates, and terms and conditions of the agreement. City Staff has estimated the contract cost not to exceed \$150,365. There will also be additional title company and acquisition costs estimated from \$30-50,000. Mr. Whaley stated the City will not have to make any financial adjustments to the budget. \$150,000 of the total cost will be reimbursed by TXDOT. There is \$75,000 set aside for the Gresham Rd Reconstruction Project in which the remaining cost will be deducted. (The City had originally approved a contract with HDR in July of 2015 for the ROW acquisition, but due to the period of inactivity, HDR requested to revise the contract and adjust prices accordingly. Originally, cost estimates were from \$155,000 - \$175,000) (New estimates to include HDR and title cost are from \$180,000- 205,000). Mr. Whaley stated the Fiscal Impact is approximately \$25-\$55,000. After a brief discussion, action was deferred on this item until a future meeting.

Item 9. Mr. Whaley addressed the Mayor and Commissioners and stated with the recent resignation of Jeff Briscoe (due to employment conflicts) and current member John Robertson's term ending September 30th, the Burkburnett Development Corporation (BDC) has/will have two open chairs. At the regularly scheduled BDC meeting on August 9th, the BDC nominated two ex-officio members, Dale Lewis and Casey McCleskey to serve as voting members to fill the open chairs. Voting members serve two year terms with a maximum of three consecutive years. Mr. Whaley stated there is now four open chairs for ex-officio members, if you have someone who is interested, please have them pick up a volunteer application.

Motion was made by Commissioner Duff, seconded by Commissioner Love to approve the appointment of ex-officio members, Dale Lewis and Casey McCleskey to serve as voting members on the BDC Board. Motion carried unanimously.

Item 10. Mr. Whaley addressed the Mayor and Commissioners and stated the City is required to hold two public hearings prior to the adoption of the proposed tax rate and Fiscal Year 2017 budget. There are specific guidelines for setting the dates for the hearings. The following are the proposed dates public hearing dates:

6PM Tuesday, 9-6-2016 or 6PM Thursday, 9-8-2016
6PM Tuesday, 9-13-2016 6PM Thursday, 9-15-2016

It was the consensus of the Board of Commissioners to hold the public hearings on September 6th and September 13th at 6 pm.

Minutes, August 15, 2016

Item 11. Review of monthly reports.

A. Public Works

- Megan January, Aquatic Manager/Special Events Coordinator reported the Friendship Festival will be held on Saturday, October 1st. Food vendors and kiddie area are scheduled from 12 pm – 6 pm. Entertainment will start at 6:00 with Under the Influence and end with Jake Worthington. Ms. January stated she has 4 confirmed sponsors, 34 regular booths, 8 kiddie booths, and 11 food vendors booked.
- Megan January, Aquatic Manager/Special Events Coordinator reported the current numbers for the Boomtown Aquatic Center: 46,462 customers through the gate, 109 parties were booked, 475 season passes had been purchased, and approximately \$5,000 earned from the food trucks.
- Ed Stahr, Police Chief, reported the 35th Annual Hotter ‘n Hell is August 27th. They will be working from 7am to 1pm.

Item 12. No public comments.

Item 13. City Manager comments.

- Budget Calendar- Next budget meeting August 18th at 1pm.
- City Hall Closed-Labor Day, September 5th
- SAFB Airshow – September 17th and 18th

Item 14. No Commissioner comments.

Item 15. Motion was made by Commissioner n, seconded by Commissioner Ducos 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 special called meeting/workshop on August 18, 2016 at 1:00 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; Trish Holley, Director of Administration; Gordon Smith, Director of Public Works; Janelle Dolan, City Clerk; and Ed Stahr, Police Chief.

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

Item 2. Invocation was given by Commissioner Love.

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

Item 4. Mr. Whaley addressed the Mayor and Commissioners and reviewed the FY 2017 Budget which included a review of the Water Fund, General Fund, and Solid Waste Fund. The Water Fund Review included a rate change. Staff was given direction to increase the base rate by \$1.00. With that in place a proposed Water Fund budget in the amount of \$4,007,166 expenses and \$4,078,933 in revenues. The will leave a projected balance of \$71,817. After discussing water rates, it was the consensus of the Board to increase the base rate \$1.00 for senior citizens and \$2.00 for all other customers.

Mr. Whaley presented a proposed General Fund budget in the amount of \$5,202,764 expenses and \$5,197,838 in revenues. This will leave a projected unfunded balance of (\$4,926). The proposed budget did not include any capital requests (except current lease commitments) and is using the Effective Tax Rate of \$.697067/\$100. Staff is recommending a 2.5 cent increase to \$.722067/\$100. With that the combined Water Fund and General Fund Summary in the amount of \$11,099,414 expenses and \$11,196,311 in revenues. This will leave an unappropriated balance of \$96,897.

Item 5. Mr. Whaley provided the following Budget Workshop Calendar:

Tuesday, September 6 th @ 6:00	Budget Hearing
Tuesday, September 13 th @ 6:00	Budget Hearing
Monday, September 19 th @ 7:00	BOC Meeting (Adopt Tax Rate)

Item 6. No Commissioner Comments.

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

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk



City Commission Agenda Memo

From: Mike Whaley
City Manager

Date: September 19, 2016

Item: Ordinance Number 902 ONCOR Franchise Renewal

Background

The City's electric franchise with ONCOR Electric Delivery is set to expire December 31st, 2016. Enclosed is a copy of the franchise renewal. The City attorney has reviewed and approved the ordinance supplied by ONCOR. The previous franchise agreement was passed and approved in 2006. The current franchise renewal has a term of 20 years and would expire Sept. 30th, 2037. Gordon Drake, ONCOR West Regional Customer Operations Area Manager will be present to answer any questions you may have at the meeting.

Fiscal Impact

N/A

Options

Approve Ordinance Number 902
Deny with recommendations

Staff Recommendation

Staff recommends approval of Ordinance Number 902 ONCOR Franchise Renewal

Attachments

Ordinance Number 902

ORDINANCE NUMBER 902

AN ORDINANCE GRANTING TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC POWER FRANCHISE TO USE THE PRESENT AND FUTURE STREETS, ALLEYS, HIGHWAYS, PUBLIC UTILITY EASEMENTS, PUBLIC WAYS AND PUBLIC PROPERTY OF THE CITY OF BURKBURNETT, TEXAS, PROVIDING FOR COMPENSATION THEREFOR, PROVIDING FOR AN EFFECTIVE DATE AND A TERM OF SAID FRANCHISE, PROVIDING FOR WRITTEN ACCEPTANCE OF THIS FRANCHISE, PROVIDING FOR THE REPEAL OF ALL EXISTING FRANCHISE ORDINANCES TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS PREDECESSORS AND ASSIGNS, AND FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC.

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

SECTION 1. GRANT OF AUTHORITY: That there is hereby granted to Oncor Electric Delivery Company LLC, its successors and assigns (herein called "Company"), the right, privilege and franchise to construct, extend, maintain and operate in, along, under and across the present and future streets, alleys, highways, public utility easements, public ways and other public property (Public Rights-of-Way) of the City of Burkburnett, Texas (herein called "City") electric power lines, with all necessary or desirable appurtenances (including underground conduits, poles, towers, wires, transmission lines, telephone and communication lines, and other structures for its own use), (herein called "Facilities") for the purpose of delivering electricity to the City, the inhabitants thereof, and persons, firms and corporations beyond the corporate limits thereof, for the term set out in Section 7.

SECTION 2. Poles, towers and other structures shall be so erected as not to unreasonably interfere with traffic over streets, alleys and highways.

SECTION 3. The City reserves the right to lay, and permit to be laid, storm, sewer, gas, water, wastewater and other pipe lines, cables, and conduits, or other improvements and to do and permit to be done any underground or overhead work that may be necessary or proper in, across, along, over, or under Public Rights-of-Way occupied by Company. The City also reserves the right to change in any manner any curb, sidewalk, highway, alley, public way, street, utility lines, storm sewers, drainage basins, drainage ditches, and the like. Upon request by City, Company shall relocate its facilities at the expense of the City except as otherwise required by Section 37.101(c) of the Texas Public Utility Regulatory Act (PURA), which statutory provision currently states, the governing body of a municipality may require an electric utility to

Oncor Electric Delivery Company LLC/City of Burkburnett Electric Franchise Agreement

relocate the utility's facility at the utility's expense to permit the widening or straightening of a street. City and Company further agree that widening and straightening of a street includes the addition of any acceleration, deceleration, center or side turn lanes, and sidewalks (meaning sidewalks done in conjunction with widening or straightening of a street), provided that the City shall provide Company with at least thirty (30) days' notice and shall specify a new location for such facilities along the Public Rights-of-Way of the street. Company shall, except in cases of emergency conditions or work incidental in nature, obtain a permit, if required by City ordinance, prior to performing work in the Public Rights-of-Way, except in no instance shall Company be required to pay fees or bonds related to its use of the Public Rights-of-Way, despite the City's enactment of any ordinance providing the contrary. Company shall construct its facilities in conformance with the applicable provisions of the National Electrical Safety Code.

If the City requires the Company to adapt or conform its Facilities, or in any manner to alter, relocate, or change its Facilities to enable any other corporation or person to use, or use with greater convenience, said street, alley, highway, or public way, the Company shall not be bound to make such changes until such other corporation or person shall have undertaken, with good and sufficient bond, to reimburse the Company for any costs, loss, or expense which will be caused by, or arises out of such change, alteration, or relocation of Company's Facilities.

If City abandons any Public Rights-of-Way in which Company has facilities, such abandonment shall be conditioned on Company's right to maintain its use of the former Public Rights-of-Way and on the obligation of the party to whom the Public Rights-of-Way is abandoned to reimburse Company for all removal or relocation expenses if Company agrees to the removal or relocation of its facilities following abandonment of the Public Rights-of-Way. If the party to whom the Public Rights-of-Way is abandoned requests the Company to remove or relocate its facilities and Company agrees to such removal or relocation, such removal or relocation shall be done within a reasonable time at the expense of the party requesting the removal or relocation. If relocation cannot practically be made to another Public Rights-of-Way, the expense of any right-of-way acquisition shall be considered a relocation expense to be reimbursed by the party requesting the relocation.

SECTION 4.

A. In consideration of the granting of this Franchise, Company shall, at its sole cost and expense, indemnify and hold the City, and its past and present officers, agents and employees harmless against any and all liability arising from suits, actions or claims regarding injury or death to any person or persons, or damages to any property arising out of or occasioned by the intentional and/or negligent acts or omissions of Company or any of its officers, agents, or employees in connection with Company's construction, maintenance and operation of Company's system in the City Public Rights-of-Way, including any court costs, reasonable expenses and reasonable defenses thereof.

B. This indemnity shall only apply to the extent that the loss, damage or injury is attributable to the negligence or wrongful act or omission of the Company or its officers, agents or employees, and does not apply to the extent such loss, damage or injury is attributable to the negligence or wrongful act or omission of the City or the City's officers, agents, or employees or any other person or entity. This provision is not intended to create a cause of action or liability for the benefit of third parties but is solely for the benefit of Company and the City.

C. In the event of joint and concurrent negligence or fault of both Company and the City, responsibility and indemnity, if any, shall be apportioned comparatively between the City and Company in accordance with the laws of the state of Texas without, however, waiving any governmental immunity available to the City under Texas law and without waiving any of the defenses of the parties under Texas law. Further, in the event of joint and concurrent negligence or fault of both Company and the City, responsibility for all costs of defense shall be apportioned between the City and Company based upon the comparative fault of each.

D. In fulfilling its obligation to defend and indemnify City, Company shall have the right to select defense counsel, subject to City's approval, which will not be unreasonably withheld. Company shall retain defense counsel within seven (7) business days of City's written notice that City is invoking its right to indemnification under this franchise. If Company fails to retain counsel within such time period, City shall have the right to retain defense counsel on its own behalf, and Company shall be liable for all reasonable defense costs incurred by City, except as otherwise provided in section 4.B and 4.C.

SECTION 5. This franchise is not exclusive, and nothing herein contained shall be construed so as to prevent the City from granting other like or similar rights, privileges and franchises to any other person, firm, or corporation. Any Franchise granted by the City to any

other person, firm, or corporation shall not unreasonably interfere with this Franchise.

SECTION 6. In consideration of the grant of said right, privilege and franchise by the City and as full payment for the right, privilege and franchise of using and occupying the said Public Rights-of-Way, and in lieu of any and all occupation taxes, assessments, municipal charges, fees, easement taxes, franchise taxes, license, permit and inspection fees or charges, street taxes, bonds, street or alley rentals, and all other taxes, charges, levies, fees and rentals of whatsoever kind and character which the City may impose or hereafter be authorized or empowered to levy and collect, excepting only the usual general or special ad valorem taxes which the City is authorized to levy and impose upon real and personal property, sales and use taxes, and special assessments for public improvements, Company shall pay to the City the following:

- A. A final quarterly payment will be made on or before December 15, 2016 for the basis period of July 1, 2016 through September 31, 2016 and the privilege period of July 1, 2017 through September 31, 2017 in accordance with the provisions in the previous franchise.
- B. As authorized by Section 33.008(b) of PURA, the original franchise fee factor calculated for the City in 2002 was 0.003003 (the "Base Factor"), multiplied by each kilowatt hour of electricity delivered by Company to each retail customer whose consuming facility's point of delivery is located within the City's municipal boundaries for determining franchise payments going forward.

Due to a 2006 agreement between Company and City the franchise fee factor was increased to a franchise fee factor of 0.003153 (the "Current Factor"), multiplied by each kilowatt hour of electricity delivered by Company to each retail customer whose consuming facility's point of delivery is located within the City's municipal boundaries on an quarterly basis.

However, consistent with the 2006 agreement, should the Public Utility Commission of Texas at any time disallow Company's recovery through rates of the higher franchise payments made under the Current Factor as compared to the Base Factor, then the franchise fee factor shall immediately revert to the Base Factor of 0.003003 and all

future payments, irrespective of the time period that is covered by the payment, will be made using the Base Factor.

Company shall make quarterly payments as follows:

<u>Payment Due Date</u>	<u>Basis Period</u>	<u>Privilege Period</u> <u>(Following Year)</u>
March 15	Oct.1 – Dec. 31	Oct. 1 – Dec. 31
June 15	Jan. 1 – Mar. 31	Jan. 1 – Mar. 31
September 15	Apr.1 – Jun. 30	Apr.1 – Jun. 30
December 15	Jul.1 – Sept. 30	Jul.1 – Sept. 30

1. The first payment hereunder shall be due and payable on or before March 15, 2017 and will cover the basis period of October 1, 2016 through December 31, 2016 and privilege period of October 1, 2017 through December 31, 2017. The final payment under this franchise is due on or before December 15, 2036 and covers the basis period of July 1, 2036 through September 30, 2036 and the privilege period of July 1, 2037 through September 30, 2037; and

1. 2. After the final payment date of December 15, 2036, Company may continue to make additional quarterly payments in accordance with the above schedule. City acknowledges that such continued payments will correspond to privilege periods that extend beyond the term of this Franchise and that such continued payments will be recognized in any subsequent franchise as full payment for the relevant quarterly periods.

C. A sum equal to four percent (4%) of gross revenues received by Company from services identified as DD1 through DD24 in Section 6.1.2 “Discretionary Service Charges,” in Oncor’s Tariff for Retail Delivery Service (Tariff), effective 1/1/2002, that are for the account and benefit of an end-use retail electric consumer. Company will, upon request by City, provide a cross reference to Discretionary Service Charge numbering changes that are contained in Company’s current approved Tariff.

1. The franchise fee amounts based on “Discretionary Service Charges” shall be

calculated on an annual calendar year basis, i.e. from January through December 31 of each calendar year.

2. The franchise fee amounts that are due based on “Discretionary Service Charges” shall be paid at least once annually on or before April 30 each year based on the total “Discretionary Service Charges”, as set out in Section 6C, received during the preceding calendar year. The initial Discretionary Service Charge franchise fee amount will be paid on or before April, 30 2017 and will be based on the calendar year January 1 through December 31, 2016. The final Discretionary Service Charge franchise fee amount will be paid on or before April 30, 2038 and will be based on the calendar months of January 1 through September 30, 2037.
3. Company may file a tariff or tariff amendment(s) to provide for the recovery of the franchise fee on Discretionary Service Charges.
4. City agrees (i) to the extent the City acts as regulatory authority, to adopt and approve that portion of any tariff which provides for 100% recovery of the franchise fee on Discretionary Service Charges; (ii) in the event the City intervenes in any regulatory proceeding before a federal or state agency in which the recovery of the franchise fees on such Discretionary Service Charges is an issue, the City will take an affirmative position supporting the 100% recovery of such franchise fees by Company and; (iii) in the event of an appeal of any such regulatory proceeding in which the City has intervened, the City will take an affirmative position in any such appeals in support of the 100% recovery of such franchise fees by Company.
5. City agrees that it will take no action, nor cause any other person or entity to take any action, to prohibit the recovery of such franchise fees by Company.
6. In the event of a regulatory disallowance of the recovery of the franchise fees on the Discretionary Service Charges, Company will not be required to continue payment of such franchise fees.

SECTION 7. This Ordinance shall become effective upon Company's written acceptance hereof, said written acceptance to be filed by Company with the City within sixty (60) days after final passage and approval hereof. The right, privilege and franchise granted hereby shall expire on September 30, 2037; provided that, unless written notice of cancelation is given by either party hereto to the other not less than sixty (60) days before the expiration of this franchise agreement, it shall be automatically renewed for an additional period of six (6) months

from such expiration date and shall be automatically renewed thereafter for like periods until canceled by written notice given not less than sixty (60) days before the expiration of any such renewal period.

SECTION 8. This Ordinance shall supersede any and all other franchises granted by the City to Company, its predecessors and assigns.

SECTION 9 The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any portion of this Ordinance is declared illegal or unconstitutional by the valid final non-appealable judgment or decree of any court of competent jurisdiction, such illegality or unconstitutionality shall not affect the legality and enforceability of any of the remaining portions of this Ordinance.

SECTION 10. In order to accept this franchise, Company must file with the City Clerk its written acceptance of this franchise ordinance within sixty (60) days after its final passage and approval by City.

SECTION 11. It is hereby officially found that the meeting at which this Ordinance is passed is open to the public and that due notice of this meeting was posted by City, all as required by law.

PASSED AND APPROVED on the 1st reading at a regular meeting of the City Council of Burkburnett, Texas, on this the 15th day of August, 2016.

PASSED AND APPROVED on the 2nd reading at a regular meeting of the City Council of Burkburnett, Texas, on this the 19th day of September, 2016.

PASSED AND APPROVED on the 3rd and final reading at a regular meeting of the City Council of Burkburnett, Texas, on this the ____ day of _____, 2016.

Mayor
The City of Burkburnett

ATTEST:

City Clerk

STATE OF TEXAS §
COUNTY OF WICHITA §
CITY OF BURKBURNETT §

MEMORANDUM

To: Mike Whaley, City Manager, City of Burkburnett

From: Nicole R. Burns

Re: Court of Record Ordinance Amendment

Date: September 1, 2016

The City's existing Municipal Court of Record Ordinance was passed in 2008. The Ordinance included a provision for Appeals, which was very general and stated only that appeals would "be governed by the applicable provisions of the Act and the Texas Code of Criminal Procedure."

Since the Court is a court of record, we seldom deal with appeals. In fact, our first request for appeal since I have been the prosecutor in this court came just a couple of months ago. Unlike a non-court of record, where an appeal is de novo, an appeal from a court of record is based on errors reflected in the record. This means a trial must be had, the proceedings transcribed, and the entire record must be forwarded to the appellate court for their review. In addition to the requirement that the defendant pay an appeal bond and the fee to have the proceedings transcribed by an official court reporter, Local Government Code Sec. 30.00014 provides that "a municipality shall by ordinance establish a fee for the preparation of the clerk's record in the amount of \$25." Burkburnett has not established that fee directly.

This proposed ordinance amendment establishes the \$25 fee to be collected for the preparation of the clerk's record, as well as sets out the additional duties required of the defendant in order to perfect their appeal.

ORDINANCE NUMBER 908

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING THE CITY OF BURKBURNETT CODE OF ORDINANCES BY AMENDING CHAPTER 33 MUNICIPAL COURT OF RECORD BY AMENDING SECTION 33.11 APPEALS; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners has determined that there is a need to codify the process for appeals from the Municipal Court of Record in the Code of Ordinances to add the requirement of a bond and the fees required to be paid by an appealing defendant for preparation of the clerk's record and reporter's record;

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 33 MUNICIPAL COURT OF RECORD, by amending '33.11 Appeals, which shall read as follows:

' 33.11 Appeals

- (1) A defendant has the right of appeal from a judgment or conviction in the municipal court of record. The State has the right to appeal as provided by Code of Criminal Procedure §44.01, as amended.
- (2) The defendant must not take an appeal until he files an appeal bond with the municipal court of record. The bond must be approved by the court and filed not later than the 10th day after the date on which the motion for new trial is overruled. The bond must be in the amount of \$100.00 or double the amount of the fines and costs adjudged against the defendant, whichever is greater.
- (3) A defendant must pay the fee of \$25.00 for preparation of the clerk's record not later than ten days after the date on which the motion for new trial is overruled. The court shall note the payment of the fee on the docket of the court. If the case is reversed on appeal, the fee shall be refunded to the defendant.
- (4) The appellant shall pay for any reporter's record containing a transcription of the proceeding. Before the recorded proceedings are transcribed, the defendant shall, unless found by the court to be unable to pay for the reporter's record, post a cash deposit with the municipal court for the estimated cost of the record. The cash deposit shall be based on an estimate provided by the court reporter or the length of the proceedings as indicated by the amount of tape. If the cash deposit exceeds the actual cost of the reporter's record, the court reporter shall refund the difference to the defendant. If the cash deposit is insufficient to cover the actual cost of the transcription, the appellant must pay the additional amount due before the transcription may be submitted. If a case is reversed on appeal, the court shall promptly refund to the appellant any amounts paid for the

reporter's record.

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 6. Effective Date.

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

PASSED and APPROVED this 19th day of September, 2016.

Carl Law, Mayor
City of Burkburnett, Texas

ATTEST:

Janelle Dolan, City Clerk



September 19, 2016

Mayor and Board of Commissioners
City of Burkburnett
Burkburnett, Texas

It is my honor to present to you the operating budget for Fiscal Year 2017 in accordance with the Constitution and Laws of the State of Texas and the City Charter of the City of Burkburnett.

The City of Burkburnett is committed to the efficient delivery of quality services to its citizens. This commitment is the foundation behind policy decisions and priorities that ensures well-formulated plans for the operation of our City.

The FY 2017 Budget represents the hard work and dedication of the Board of Commissioners and City Staff to maintain effective and efficient operations. The Commission and staff have done a tremendous job of planning for the future while evaluating current programs and operations to develop a budget that provides for the continuation of quality services while looking to the future of the City.

The Fiscal Year 2017 Budget includes:

- Anticipated Revenues \$11,375,776
- Anticipated Expenditures \$11,375,776

I would like to express my appreciation to all the City Staff and department heads for their cooperation and assistance in the preparation of this budget. On behalf of all the City employees, I would like to express our appreciation to the Commissioners for all of your work and for your continued support.

Sincerely,

Mike Whaley
City Manager



City Commission Agenda Memo

From: Mike Whaley, City Manager

Date: September 19, 2016

Item: Ordinance Number 903 adopting the FY 2017 Maintenance & Operational Budget

Background

The Board of Commissioners has conducted multiple budget workshops and two public hearings as required by law on the proposed FY 2017 M&O Budget. Ordinance Number 903 adopts the FY 2017 M&O Budget that has been previously presented in the workshops and public hearings.

Fiscal Impact

Ordinance Number 903 establishes the FY 2017 M&O Budget

Options

Adopt Ordinance Number 903

Staff Recommendation

Staff recommends that the Board of Commissioners adopt the ordinance

Attachments

Ordinance Number 903

ORDINANCE NUMBER 903

AN ORDINANCE ADOPTING THE FISCAL YEAR OPERATING BUDGET OCTOBER 1, 2016 – SEPTEMBER 30, 2017 FOR THE CITY OF BURKBURNETT, TEXAS AND APPROPRIATING THE SEVERAL SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED, AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1.

That the City of Burkburnett's operating budget for the fiscal year ending September 30, 2017, which is hereto attached, was duly prepared and filed with the City Clerk, where it is available for inspection of any taxpayer.

SECTION 2.

That the operating budget for the City of Burkburnett, Texas hereto attached for the fiscal period ending September 30, 2017 in the amount of \$11,375,776 be and the same is hereby in all respects finally approved and adopted as so changed, and the same shall be and is filed with the City Clerk of said City.

SECTION 3.

That the several amounts specified for the several purposes named in said operating budget be, and they are hereby appropriated to and for such purposes.

SECTION 4.

That this ordinance shall take effect and be in full force after its date of passage.

SECTION 5.

The Board of Commissioners finds that this ordinance relates to the immediate preservation of the public peace, health, safety and welfare and that the City's operating budget should be adopted at the earliest possible moment to comply with Article VI, Section 2 of the City Charter, as amended to continue the essential services to Burkburnett citizens.

PASSED AND APPROVED on this 19th day of September 2016.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk



City Commission Agenda Memo

From: Mike Whaley, City Manager

Date: September 19, 2016

Item: Ordinance Number 904 adopting the FY 2017 Capital Improvement Budget

Background

The Board of Commissioners has conducted multiple budget workshops and two public hearings as required by law on the proposed FY 2017 M&O Budget which included the Capital Improvement Budget.

Ordinance Number 904 adopts the FY 2017 Capital Improvement Budget that has been previously presented in the workshops and public hearings.

Fiscal Impact

Ordinance Number 904 establishes the FY 2017 Capital Improvement Budget, \$783,183

Options

Adopt Ordinance Number 904

Staff Recommendation

Staff recommends that the Board of Commissioners adopt Ordinance Number 904

Attachments

Ordinance Number 904

ORDINANCE NUMBER 904

AN ORDINANCE ADOPTING THE FISCAL YEAR CAPITAL IMPROVEMENT BUDGET OCTOBER 1, 2016 - SEPTEMBER 30, 2017 FOR THE CITY OF BURKBURNETT, TEXAS AND APPROPRIATING THE SEVERAL SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED, AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1.

That the City of Burkburnett's capital improvement budget for the fiscal year ending September 30, 2017, which is hereto attached, was duly prepared and filed with the City Clerk where it is available for inspection of any taxpayer.

SECTION 2.

That the capital improvement budget for the City of Burkburnett, Texas attached for the fiscal period ending September 30, 2017 in the amount of \$783,183 be and the same if hereby in all respects finally approved and adopted as so changed, and the same shall be and is filed with the City Clerk of said City.

SECTION 3.

That the several amounts specified for the several purposes named in said capital improvement budget be, and they are hereby appropriated to and for such purposes.

SECTION 4.

That this ordinance shall take effect and be in full force after its date of passage.

SECTION 5.

The Board of Commissioners finds that this ordinance relates to the immediate preservation of the public peace, health, safety and welfare and that the City's capital improvement budget should be adopted at the earliest possible moment. These planned capital improvements are to provide quality services to Burkburnett citizens.

PASSED AND APPROVED on this 19th day of September 2016.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk



City Commission Agenda Memo

From: Mike Whaley, City Manager

Date: September 19, 2016

Item: Ordinance Number 905 setting the 2016 Tax Rate

Background

The Board of Commissioners has conducted multiple budget workshops and two public hearings as required by law on the proposed FY 2017 M&O Budget, Capital Improvement Budget based on the proposed 2016 Tax Rate. Ordinance Number 905 sets the 2016 Tax Rate that has been discussed and presented in the workshops and public hearings. The proposed 2016 Tax Rate is \$0.727067/\$100 in valuation.

Fiscal Impact

Ordinance Number 905 sets the 2016 Tax Rate

Options

Adopt Ordinance Number 905

Staff Recommendation

Staff recommends that the Board of Commissioners adopt Ordinance Number 905

Required Motion Language: "I move that the property tax rate be increased by the adoption of a tax rate of 0.727067, which is effectively a 4.30 percent increase in the tax rate."

Attachments

Ordinance Number 905

ORDINANCE NUMBER 905

AN ORDINANCE LEVYING AN ANNUAL AD VALOREM TAX FOR THE YEAR 2016 SETTING SPECIFIC TAX RATES, APPLICABLE TO ALL REAL, PERSONAL AND MIXED PROPERTY SITUATED WITHIN THE CITY OF BURKBURNETT CITY LIMITS; SETTING THE DUE DATE AND PROVIDING FOR PENALTIES AND INTEREST ON DELINQUENT TAXES.

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

SECTION 1.

That an ad valorem tax rate of \$0.727067 per \$100.00 of market value, as said values are fixed by the Wichita County Appraisal District, be and the same is hereby levied for the year 2016 on all real property, personal property and mixed property located and situated within the city limits of the City of Burkburnett as of January 1, 2016.

SECTION 2.

That the above specified ad valorem tax rate be distributed as follows:

A. MAINTENANCE / OPERATIONS	\$0.525861/\$100
B. INTEREST AND SINKING DEBT	\$0.201206/\$100
TOTAL	\$0.727067/\$100

SECTION 3.

Any person failing to pay their taxes after January 31, 2017, shall be subject to maximum penalties thereon allowed by law to be collected on delinquent taxes. All delinquent taxes shall bear interest at the highest per annum interest rate allowed by law to be collected on delinquent taxes and shall bear interest from date of delinquency until paid.

PASSED, APPROVED AND EFFECTIVE this 19th day of September 2016.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk



City Commission Agenda Memo

From: Mike Whaley, City Manager

Date: September 19, 2016

Item: Ordinance Number 906 Adjusting the City of Burkburnett Water Rates

Background

The Board of Commissioners has conducted two Special Called meetings in which they held budget workshops and two public hearings on the proposed FY 2017 Operating Budget which included the proposed water rates. Ordinance Number 906 adjusts the City of Burkburnett water rates which has been discussed and presented in the previous meetings and public hearings. The proposed increase to the water base rate is \$2.00/month which increases from \$24.50 to \$26.50 and for senior accounts \$1.00/month which increases from \$24.50 to \$25.50.

Minimum First 2,000 Gallons	\$26.50
Senior Citizen (65 yrs./older) Min. First 2,000 Gallons	\$25.50
2,001-10,000 gallons	\$6.61 per 1,000 gallons
10,001-15,000 gallons	\$7.57 per 1,000 gallons
15,001-20,000 gallons	\$8.00 per 1,000 gallons
20,001 + gallons	\$9.00 per 1,000 gallons

Fiscal Impact

Ordinance Number 906 adjusts the City of Burkburnett water rates.

Options

- Adopt Ordinance Number 906

Staff Recommendation

Staff recommends Board of Commissioners adopt Ordinance Number 906

Attachments

Ordinance Number 906

ORDINANCE NUMBER 906

AN ORDINANCE SUPERSEDING ORDINANCE NUMBER 895 OF THE CITY OF BURKBURNETT, TEXAS PRESENTLY CODIFIED AS CHAPTER 53, WATER IN THE CODE OF ORDINANCES, SPECIFYING THE EFFECTIVE DATE; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

SECTION 53.20-RATES; BILLING

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

Minimum First 2,000 Gallons	\$26.50
Senior Citizen (65 yrs./older) Min. First 2,000 Gallons	\$25.50
2,001-10,000 gallons	\$6.61 per 1,000 gallons
10,001-15,000 gallons	\$7.57 per 1,000 gallons
15,001-20,000 gallons	\$8.00 per 1,000 gallons
20,001 + gallons	\$9.00 per 1,000 gallons

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

SECTION 53.28 - LATE CHARGE FEE

A late charge fee of 10% of the total amount of the bill will be added to a customer's water bill if paid after the due date posted on the bill.

Section 2. This ordinance shall be in full force and effective October 1, 2016.

Section 3. This Ordinance shall take effect immediately and all other ordinances and resolutions and parts of thereof in conflict with any part of this Ordinance are hereby expressly repealed to the extent of such conflict.

Section 4. In the event any one or more of the provision of this Ordinance should be declared to be invalid, unenforceable or illegal; such invalidity, unenforceability or illegality shall not affect the validity, enforcement, or legality of the remaining portions of this Ordinance.

Section 5. It is hereby officially found and determined that said meeting at which this Ordinance is passed is open to the public as required by law and that notice of said time, place and purpose of said meeting was given.

PASSED AND APPROVED on this 19th day of September, 2016.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk



City Commission Agenda Memo

From: Mike Whaley, City Manager

Date: September 19, 2016

Item: Ordinance Number 907 Adjusting the City of Burkburnett Garbage Rates

Background

The Board of Commissioners has conducted multiple budget workshops and two public hearings on the proposed FY 2017 Operating Budget which included the proposed garbage rates. Ordinance Number 907 adjusts the City of Burkburnett's garbage rates which were discussed and presented in the previous meetings and public hearings. The proposed increase to the garbage rate is an increase to the extra polycart fee from \$7.88 to \$8.08.

Fiscal Impact

Ordinance Number 907 adjusts the City of Burkburnett garbage rates.

Options

Adopt Ordinance Number 907

Staff Recommendation

Staff recommends Board of Commissioners adopt Ordinance Number 907

Attachments

Ordinance Number 907

ORDINANCE NUMBER 907

AN ORDINANCE AMENDING ORDINANCE NUMBER 887 OF THE CITY OF BURKBURNETT, TEXAS PRESENTLY CODIFIED AS CHAPTER 50, GARBAGE AND REFUSE IN THE CODE OF ORDINANCES, SPECIFYING THE EFFECTIVE DATE; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That Chapter 50 of the Code of Ordinances of the City of Burkburnett be amended by changing Section 50.10 to the following:

SECTION 50.10-COLLECTION CHARGES

- (A) The monthly rates for residential garbage service set by the Board of Commissioners shall be as follows:

<u>Service</u>	<u>Rates</u>
Residential collection	\$20.65
Once a week pickup-polycart	
Once a week call in-bulk pickup	
Senior Citizens (65/over)	\$16.96
Once a week pickup-polycart	
Once a week call in-bulk pickup	

Extra polycart \$ 8.08

- (B) The monthly rates for commercial garbage service set by the Board of Commissioners shall be as follows:

CONTAINER

SIZE	<u>1X</u>	<u>2X</u>	<u>3X</u>	<u>5X</u>
2 -Cubic Yd.	\$ 52.07	\$ 103.87	\$160.31	\$278.17
4-Cubic Yd.	\$ 87.01	\$175.82	\$271.59	\$485.95
6-Cubic Yd.	\$129.44	\$270.15	\$406.31	\$727.85
8-Cubic Yd.	\$171.90	\$349.49	\$541.03	\$969.75

- (C) The above schedule of rates shall be effective October 1, 2016.

SECTION 2. That this ordinance shall take effect immediately on all garbage bills rendered on or after October 1, 2016.

SECTION 3. 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 4. 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 that notice of the time, place and purpose of said meeting was given. This ordinance shall become effective following its publication as required by City Charter, Article IV, Section 20.

PASSED AND APPROVED on this 19th day of September 2016.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk



City Commission Agenda Memo

From: Mike Whaley
City Manager

Date: August 19th, 2016

Item: Organizational Restructuring

Mayor, BOC,

Monday I sent an email discussing my desire to restructure the organizational make-up of the City as it pertains to the recent personnel vacancies of EDC Director and Public Works Director.

As you know, I have been looking at the possibility of restructuring in order to improve our effectiveness and efficiency and to deliver a better services to our citizens, particularly as it pertains to the Public Works, Planning & Zoning, and Parks & Rec. I have also been considering restructuring at the EDC Director position based upon the size of the workload.

In my review, the direction I am recommending is to hire an EDC Director who would also serve as the Planning & Zoning Director. This restructuring would go a long way to resolve both the issues with the current organizational "log-jam" in Public Works, as well as justify the salary and workload of the EDC/Planning Director. The EDC/Planning Director in concept is a great marriage of duties. It would encompass the development side of the organization.

I believe that this restructuring of the organization is the right direction for Burkburnett.

After reviewing the email, Commissioner Tugman has requested that the office of City Manager, Public Works, and EDC Director be placed on the agenda for discussion. I will include Planning & Zoning and Parks & Rec to that list.

Thank You,
Mike

Planning & Zoning Director

1. ZBA
 - Variance Cases
 - Appeals
2. P&Z Board
 - Rezone
 - Plat
 - Site Plan Approval
 - Carport Overlay
 - Specific Use Permits
3. Building Official
 - Permitting
 - Building Code
 - Inspection
 - Plan Review
 - Backflow Prevention
4. Code Enforcement Officer
 - Inspection
 - Nuisance violations
 - Junk Vehicles
 - Dilapidated/dangerous buildings
5. Additional Duties
 - Storm Water Coordinator
 - 911 Coordinator
 - Cross Plains Rural Transportation Proxy

Public Works Director

1. Water Department
 - Water Distribution
 - Wastewater Collection
 - Reuse Water Distribution
 - Meter Maintenance
2. Street Department
 - Street Maintenance
 - Grounds Maintenance
 - Building Maintenance
 - Fleet Maintenance
 - Storm Water Maintenance
3. WTP
 - Water Well Production
 - Water Treatment
 - Water Storage
4. WWTP
 - Wastewater Treatment
 - Reuse Production
5. Solid Waste

- Citizen Collection Station
- Solid Waste Contractor Liaison
- 6. Additional Duties
 - Solid Waste Grant Oversight
 - CDBG Oversight

Director of Parks & Rec

- Cemetery
 - Records
 - Maintenance
- Community Center
 - Maintenance
 - Event Scheduling
- Parks
 - Park Ground Maintenance
 - City Grounds Maintenance
 - Building Maintenance
- Sport Association Liaison/Oversight
 - Red River Riding Association
 - Burkburnett Soccer Association
 - Girls Softball Association
 - Burkburnett Baseball Association
 - Black Sox Baseball
- BFAC
 - Director of Operations
- Events Coordinator
 - Movies in the Park
 - Friendship Festival
 - Fourth of July Celebration
 - Additional Events

Section 9. ORDINANCES PASSED BY POPULAR VOTE, REPEAL OR AMENDMENT.

No ordinance or resolution which may have been passed by the Board of Commissioners upon a petition, or adopted by popular vote, under the provisions of this Article, shall be repealed or amended, except by the Board of Commissioners in response to a referendum petition or by popular or by popular vote thereon.
(Adopted May 8, 1923)

Section 10. NUMBER OF ELECTIONS.

There shall not be held under this Article more than one special election in any period of six months.
(Adopted May 8, 1923)

Section 11. FURTHER REGULATIONS BY BOARD OF COMMISSIONERS.

The Board of Commissioners may pass ordinances or resolutions providing other and further regulations for carrying out the provisions of this Article not inconsistent herewith.
(Adopted May 8, 1923)

Section 12. FRANCHISE ORDINANCE.

Nothing contained in this Article shall be construed to be in conflict with any of the provisions of Article VIII of this Charter pertaining to the ordinances, granting of franchises or special privileges or the referendum thereon.
(Adopted May 8, 1923)

ARTICLE V

City Manager

Section 1. APPOINTMENT.

The Board of Commissioners shall appoint the City Manager at the organization meeting of said Board or as soon thereafter as practicable, who shall be the administrative head of the municipal government, under the direction and supervision of said Board.
(Adopted May 8, 1923)

Section 2. RESIDENCE OF CITY MANAGER.

The City Manager may or may not be a resident of the City of Burkburnett when appointed. The individual hired as City Manager will have ninety (90) days from their appointment as City Manager to move within the City limits of the City of Burkburnett and must continue to reside within the City limits of the City of Burkburnett during their term of employment as City Manager.
(Adopted May 8, 1923; Am. Ord. 871, passed 2-16-15, as adopted by election held on 5-9-15)

Section 3. TERM OF OFFICE.

The City Manager shall be appointed for an indefinite period and shall be subject to discharge at the will of the Board of Commissioners.

(Adopted May 8, 1923)

Section 4. ABSENCE OR DISABILITY OF CITY MANAGER.

During the absence or disability of the City Manager the Board of Commissioners shall designate some properly qualified person to perform the duties of said office.

(Adopted May 8, 1923)

Section 5. POWERS AND DUTIES.

The powers and duties of the City Manager shall be:

(a) To devote all his working time and attention to the affairs of the city and be responsible to the Board of Commissioners for the efficient administration of its affairs;

(b) To see that all laws and ordinances are enforced;

(c) With the advice and consent of the Board of Commissioners to appoint and remove all heads of departments (except where this Charter places in the Board of Commissioners such power of appointment), and all subordinate employees of the city;

(d) To exercise supervision and control over all departments created by this Charter or that may hereafter be created by the Board of Commissioners, except as otherwise provided herein;

(e) To attend all meetings of the Board of Commissioners, with the right to take part in the discussions, but having no vote and he shall be notified of all special meetings of said Board in the time and manner this Charter requires such notice to be given to the members of said Board;

(f) To see that all terms and conditions imposed in favor of the city or its inhabitants, in any public utility franchise are faithfully kept and performed, and upon knowledge of any violation thereof to call the same to the attention of the Board of Commissioners;

(g) To act as Budget Commissioner and as such to prepare and submit to the Board of Commissioners prior to the beginning of each fiscal year, a budget of proposed expenditures for the ensuing year, showing in as much detail as practicable the estimated amounts required by months for the efficient operation of each department of the city government and the reasons for such estimated expenditures;

(h) To make a full written report to the Board of Commissioners as soon after the close of each month's accounts as possible, showing the operation and expenditures of each department of the city government for the preceding month, and a comparison of such monthly expenditures, by departments, with the monthly allowances made for such departments in the annual budget, and to keep said Board fully advised at all times as to the financial condition and needs of the city;

(i) To act as purchasing agent for the city and to purchase all merchandise, materials and supplies needed by the city; to establish a suitable storehouse where such supplies shall be kept, and from which same shall be issued as needed, and to adopt such rules and regulations governing requisitions and the transaction of business between himself, as such purchasing agent, and the heads of the departments, officers and employees of the city, as the Board of Commissioners may approve;

(j) To recommend to the Board of Commissioners the salaries to be paid each appointive officer and subordinate employee of the city, and it shall be the duty of said Board to pass ordinances or resolutions from time to time, fixing rates of compensation;

(k) To recommend to the Board of Commissioners in writing, from time to time, for adoption, such measures as he may deem necessary or expedient, and;

(l) To do and perform such other duties as may be prescribed by this Charter or be required of him by the ordinances and resolutions of the Board of Commissioners.
(Adopted May 8, 1923)

Section 6. COMPENSATION OF CITY MANAGER.

The City Manager shall receive such compensation as the Board of Commissioners shall fix from time to time by ordinance or resolution.
(Adopted May 8, 1923; as amended by election held on April 4, 1967)

ARTICLE VI

Finance

Section 1. FISCAL YEAR.

The fiscal year of the City shall be established, from time to time, by the Board of Commissioners by resolution.
(Adopted May 8, 1923; Am. Ord. 633, passed 2-5-02)

Section 2. ANNUAL BUDGET.

(A) City Manager's Duties. Each year the City Manager shall: (i) gather the appropriate information required to prepare a proposed budget; (ii) prepare a proposed budget each year in consultation with the Board of Commissioners; and (iii) file the proposed budget with the municipal clerk.

RESOLUTION NUMBER 540

A RESOLUTION DEFINING AND CLARIFYING THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS INTERPRETATION OF ARTICLE V, SECTION 5 (c) PERTAINING TO THE 'ADVICE AND CONSENT' OF THE BOARD OF COMMISSIONERS IN THE PERSONNEL HIRING AND FIRING DECISIONS OF THE CITY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Burkburnett has had a long-standing practice of providing the Board of Commissioners with a monthly Personnel Report that reflects all of the personnel decisions of the prior month; and

WHEREAS, the monthly Personnel Report has served as adequate 'advice and consent' of the Board of Commissioners as required by the City Charter; and

WHEREAS, the current Board of Commissioners would like to provide additional direction to the City Manager as it relates to the personnel practices of the City;

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

Section 1. The hiring and firing of Senior Staff Department positions and all organizational restructuring plans require the City Manager to bring the Board of Commissioners his/her recommendation along with all of the supporting documentation and seek Council consent prior to affecting the personnel decisions or implementing an organizational structure change. Senior Staff Department positions are defined as: Chief of Police, Public Works Director, City Clerk, and the Director of Administration.

Section 2. The hiring and firing of all other positions within the city's organization will continue the past practice of reporting on a monthly basis to the Board of Commissioners rendering the Board of Commissioner's 'advice and consent' to those personnel decisions after the decision(s) have been made.

PASSED AND APPROVED at a meeting of the Board of Commissioners of the City of Burkburnett on this 19th day of November, 2012.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk

CITY OF BURKBURNETT

Public Works Director

<i>Job Title:</i> Public Works Director	<i>FLSA:</i> <input type="checkbox"/> Exempt <input type="checkbox"/> Non-Exempt
<i>Reports To:</i> City Manager	<i>Revised:</i>

Summary of Essential Functions for the Position:

Provides administrative direction for several major components of the municipality. Administers policies and programs for the municipal engineering, planning, and major public works activities of the city. Supervises engineering functions including plan review, survey, construction inspection and design; works with consulting engineers in the design of major municipal public works construction projects. Coordinates the work of the department with other City departments, state and federal government agencies. Provides leadership to city management in establishing policy for municipal maintenance and improvements.

Qualifications / Knowledge / Skills / Abilities:

Ten years experience in the construction, operation and maintenance of water, sewer, street, storm water, and sanitation and building maintenance departments. Five years in managerial experience, in a responsible administrative position. Thorough knowledge of the principles and practices of civil engineering and public works administration. Thorough knowledge of modern methods and techniques used in the design and construction of public works projects. Ability to plan, organize, direct and evaluate the programs of a multi-function department including engineering, street maintenance, water, wastewater, sanitation. Ability to assign, supervise and review the work of a subordinate professional, technical and clerical staff. Ability to communicate effectively, orally and in writing, and to make effective presentations. Ability to establish and maintain effective working relationships with others.

Educational / Experience and Training Guidelines:

Bachelor's Degree in civil or mechanical engineering desired, but may be substituted with 5 years of progressive responsibilities, including supervision, project management, business administration plus accredited training courses in street construction maintenance, solid waste collection and water & wastewater (distribution, collection, and maintenance). TCEQ Grade B groundwater certification. TCEQ Class 2 wastewater collection certification or TCEQ grade B Wastewater Operator. Valid Class C Texas Drivers License.

Physical Requirements / Environmental Conditions:

In the performance of these functions, employees will spend 30-40% of available time in field locations at industrial or construction sites. Required to ascend/descend vertical ladders up to 35 feet; walk on slopes of varying grades up to 2 feet horizontal to one foot vertical; maneuver safely on construction sites, enter confined spaces that require bending, crouching, twisting motions; have good hearing, vision, depth and color perception to assure personal safety and safety of coworkers. Employee spends remainder of time in administrative surroundings where sitting for up to 4 to 5 hours per day is characteristic. Employee is required to do some pushing and pulling action, and lifting of up to 50 pounds. Employee will be exposed to skin and respiratory irritants, and vibrations from heavy equipment.

Job Duties and Responsibilities:

Responsible for planning, organizing and directing a multi-function department engaged in diverse activities including engineering, street maintenance, grounds maintenance, building maintenance, storm water collection, refuse, and water and sewer utilities. Supervision is exercised directly or through subordinate supervisory personnel, over a large staff of professional, technical and clerical personnel. Work is performed with wide latitude for the exercise of independent judgment and action under the general direction of the City Manager and in accordance with City policies, rules and regulations applicable to specific areas of program activity. Performs related work as required.

Employee Signature:

Date:

CITY OF BURKBURNETT

Director of Planning and Zoning

<i>Job Title:</i> Director of Planning and Zoning	<i>FLSA:</i> <input type="checkbox"/> Exempt <input type="checkbox"/> Non-Exempt
<i>Reports To:</i> City Manager	<i>Revised:</i>

Summary of Essential Functions for the Position:
Responsible for the administration of all City Subdivision and Planning and Zoning policies and for the supervision and direction of inspection activities in the enforcement of the City's building code. Reviews and recommends changes to policies and procedures relative to the enforcement of the building and housing codes and ordinances. Has direct oversight of the Zoning Board of Adjustments and the Planning and Zoning Board. The Planning and Zoning Director advises the City Manager, and Board of Commissioners on development issues.

Qualifications / Knowledge / Skills / Abilities:
Comprehensive knowledge of the concepts, skills, methods, and practices of municipal planning, including zoning, redevelopment, subdivision, development review, and site planning and code enforcement.

Educational / Experience and Training Guidelines:
Bachelor's Degree in civil or mechanical engineering desired, but may be substituted with 5 years of progressive responsibilities, including supervision, project management, municipal planning and business administration. Certifications in Code inspection, Plumbing inspection, or other pertinent professional certifications preferred.

Physical Requirements / Environmental Conditions:
In the performance of these functions, employees will spend 30-40% of available time in field locations at industrial or construction sites. Required to ascend/descend vertical ladders up to 35 feet; walk on slopes of varying grades up to 2 feet horizontal to one foot vertical; maneuver safely on construction sites, enter confined spaces that require bending, crouching, twisting motions; have good hearing, vision, depth and color perception to assure personal safety and safety of coworkers. Employee spends remainder of time in administrative surroundings where sitting for up to 4 to 5 hours per day is characteristic. Employee is required to do some pushing and pulling action, and lifting of up to 50 pounds. Employee will be exposed to skin and respiratory irritants, and vibrations from heavy equipment.

Job Duties and Responsibilities:
Responsible for planning, organizing and directing a multi-function department engaged in diverse activities including building inspection, plan review, permitting, zoning actions and code enforcement. Supervision is exercised directly or through subordinate supervisory personnel, over staff of professional, technical and clerical personnel. Work is performed with wide latitude for the exercise of independent judgment and action under the general direction of the City Manager and in accordance with City policies, rules and regulations applicable to specific areas of program activity. Performs related work as required.

<i>Employee Signature:</i>	<i>Date:</i>
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CITY OF BURKBURNETT

Director of Parks and Recreation

<i>Job Title:</i> Parks and Recreation Director	<i>FLSA:</i> <input type="checkbox"/> Exempt <input type="checkbox"/> Non-Exempt
<i>Reports To:</i> City Manager	<i>Revised:</i>

Summary of Essential Functions for the Position:
Plans, directs and coordinates the management of the Boomtown Family Aquatic Center, municipal park system, recreation programs and events, building maintenance, Community Center, and Cemetery. Manages the design, construction, maintenance and operation of municipal park facilities and recreation programs. Coordinates with the various sporting associations. Plans and directs the development and maintenance of the grounds, buildings and facilities for parks and recreational purposes. Has oversight of the Park and Recreation Board and the Cemetery Board. Does related work as required.

Qualifications / Knowledge / Skills / Abilities:
Thorough knowledge of the principles and objectives of parks and recreation administration. Considerable knowledge of a wide variety of recreational activities. Knowledge of the principles and practices of park and cemetery design, and construction and maintenance requirements. Ability to plan, direct and supervise a comprehensive parks and recreation program.

Educational / Experience and Training Guidelines:
Bachelor's Degree desired but may be substituted with 5 years progressive responsibilities, including supervision and project management. Texas Chemical Applicator License. Pool Operator License. Texas Class C Drivers License.

Physical Requirements / Environmental Conditions:
In the performance of these functions, employees will spend 30-40% of available time in field locations at industrial or construction sites. Required to ascend/descend vertical ladders up to 35 feet; walk on slopes of varying grades up to 2 feet horizontal to one foot vertical; maneuver safely on construction sites, enter confined spaces that require bending, crouching, twisting motions; have good hearing, vision, depth and color perception to assure personal safety and safety of coworkers. Employee spends remainder of time in administrative surroundings where sitting for up to 4 to 5 hours per day is characteristic. Employee is required to do some pushing and pulling action, and lifting of up to 50 pounds. Employee will be exposed to skin and respiratory irritants, and vibrations from heavy equipment.

Job Duties and Responsibilities:
Responsible for developing and administering a comprehensive, year-round parks and recreation program, including the effective and proper maintenance of related areas, facilities and equipment. Work requires the development and planning of programs and facilities to meet the short and long term needs of the community, and assuring that program objectives are accomplished at playgrounds, swimming pool, cemetery and athletic fields. Ability to develop and maintain effective public relations. Effectively supervise people and manage resources. Supervision is exercised over permanent staff and a number of seasonal personnel. Work is performed under the general direction of the City Manager with considerable latitude for independent judgment and action. Performs related work as required.

<i>Employee Signature:</i>	<i>Date:</i>
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Executive Director of Economic Development

DESCRIPTION AND QUALIFICATIONS:

Under the direction of the City Manager, the Executive Director of Economic Development supports the operation of the Burkburnett Development Corporation and promotes City economic development initiatives and programs. The Executive Director plans, organizes, and directs economic development activities to expand the property and sales tax base and encourages the creation of jobs. The Executive Director is highly visible and is in constant contact with the general public, city employees, civic groups, and local businesses.

KEY DUTIES INCLUDE:

- Develops and carries out plans to attract new businesses and to expand or retain existing businesses;
- Assists businesses that are interested in locating in Burkburnett;
- Compiles and maintains critical information desired by development prospects such as economic data, land/structure availability, and market information;
- Builds and maintains effective relationships with the business community, City departments, real estate developers, advisory groups, government agencies, and citizens;
- Coordinates activities with City Departments;
- Implements short and long-term economic development strategies;
- Presents proposed programs and projects to business community groups, Burkburnett Development Corporation, and City Council;
- Researches, analyzes, and reports on economic and market trends;
- Proposes and writes resolutions, ordinances, staff reports, and other official documents as required related to economic development;
- Prepares and manages the Corporation budget.

POSITION REQUIREMENTS:

- Well developed interpersonal skills and abilities
- Ability to establish effective working relationships inside and outside of City
- Ability to remain politically neutral
- Financial management experience
- Good customer service skills
- Knowledge of laws, ordinances, and regulations regarding land use & property development
- Knowledge of the Open Meetings Act and Open Records Act
- Knowledge and experience with Microsoft Office, Word, Excel, and Powerpoint

MINIMUM QUALIFICATION:

- Bachelor's degree in a related field, five years of work experience in related field, or any combination of education and experience which provides the required knowledge, skills, and abilities to perform duties of the job.
- Excellent communication skills; written and verbal.
- Knowledge of municipal government organization, operations, policies, and procedures.
- Certified Economic Developer or can obtain certification within 12 months of employment.
- Class C drivers license
- Experience with a 4A or 4B corporation preferred.