



**City of Willow Park
Regular Meeting
City Hall
516 Ranch House Rd, Willow Park, TX 76087
Tuesday, February 14, 2017 at 7:00 p.m.
Agenda**

Section I – Presentations

- 1. Call to Order**
- 2. Determination Of Quorum**
- 3. Invocation & Pledge of Allegiance**
- 4. Special Recognitions**
- 5. Citizen Presentations & Comments**

Section II – Consent Agenda

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of the items unless a Councilmember so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.

6. Approve and Act on Consent Agenda

- A. Approve City Council Regular Meeting Minutes – January 10, 2017
- B. Approve City Council Called Meeting Minutes – January 17, 2017

Section III – General Items

- 7. Discussion/Action:** To Consider amending the City of Willow Park Zoning Ordinance to provide a classification for a one-half acre single-family residential lot size.
- 8. Discussion/Action:** To Consider amending the Zoning Ordinance to add the “Garage Openings Facing Frontal Streets” regulations adopted by ORDINANCE No. 364-94, Code of Ordinances, City of Willow Park, Texas August 16, 1994.
- 9. Discussion/Action:** To consider all matters incident and related to the issuance and sale of City of Willow Park, Texas, Tax and Waterworks and Sewer System Surplus Revenue Certificates of Obligation, Series 2017, including the adoption of an ordinance authorizing the issuance of such certificates of obligation.
- 10. Discussion/Action:** To consider authorizing the City Administrator to execute a Task Order with Jacob Martin for 2017 Street Bond Improvements.

11. Discussion/Action: To consider the adoption of Resolution No. 02-17 a Resolution providing authorization to call a Municipal Election to elect the Mayor and Council members Place 1 and Place 2 on the uniform date of May 6, 2017. (Candy Scott).

12. Discussion/Action: To consider making appointments to the Audit Committee.

13. Discussion: Briefing by Fire Chief LeNoir regarding Engine Replacement Plan.

Section IV – Council Requested Items

14. Discuss and consider approval of the Memorandum of Understanding submitted by Franklin Legal relating to their work product for the Recodification of Willow Park Code of Ordinances. (Councilmember Galle)

15. Discussion/Action: To consider making appointments to the Citizens Utility Rate Advisory Committee. (Councilmember Galle)

Section VI- Informational

16. Mayor & Council Member Announcements

17. City Administrator's Report

Section VII – Executive Session

The City Council reserves the right to adjourn into executive session at any time during the course of the this meeting to discuss an matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 55.1071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.175-183 (Deliberations about Homeland Security Issues), and as authorized by the Texas Tax Code, including, but not limited, Section 321.3022 (Sales Tax Information). The City Council may take action on any agenda item listed for executive session consideration upon reconvening in open session.

18. Executive Session

- A. Consultation with Attorney, pending Litigation
 - Weatherford vs. Willow Park

Section VIII – Adjournment

19. Adjournment

I certify that the above notice of this meeting posted on the bulletin board at the municipal complex of the City of Willow Park, Texas on or before February 10, 2017 at 5:00 pm

Candice Scott
Interim City Secretary, City of Willow Park

If you plan to attend this public meeting and you have a disability that requires special arrangements at this meeting, please contact City Secretary's Office at (817) 441-7108 ext. 6 or fax (817) 441-6900 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.



**City of Willow Park
City Council
Regular Meeting
City Hall
516 Ranch House Road, Willow Park, TX 76087
Tuesday, January 10, 2017 at 7:00 p.m.
Minutes**

Section I – Presentations

1. Call to Order

Mayor Neverdousky called the meeting to order at 7:04 p.m.

2. Determination of Quorum

Mayor Richard Neverdousky
Councilmember Norman Hogue
Councilmember Gene Martin
Councilmember Greg Runnebaum
Councilmember John Gholson
Councilmember Marcy Galle

Staff Present:
City Administrator Scott Wall
City Secretary Josh Armstrong
City Attorney Rider Scott

3. Invocation & Pledge of Allegiance

Mayor Neverdousky started the meeting with the invocation and by leading the room in the Pledge of Allegiance.

4. Special Recognitions

***TCA – Proclamation for the Lady Eagles Varsity Volleyball Team, TCA Varsity Football Team, and the TCA Cheerleading Squad.

5. Citizen Presentations & Public Comment

***No Presentations.

Section II – Consent Agenda

6. Approve and Act on Consent Agenda

A. Approve City Council Regular Meeting Minutes – December 13, 2016

***Councilmember Martin made a motion to approve the consent agenda.

Seconded by Councilmember Runnebaum

Aye votes: Councilmembers Hogue, Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 5-0

Section III – General Items

7. Discussion/Action: To consider financing options for the acquisition of an Interim Wastewater Treatment Plant from AUC Group, L.P. and authorize same.

***Councilmember Runnebaum made a motion to make a purchase of the Interim Wastewater Treatment Plant from AUC Group, L.P.

Seconded by Councilmember Gholson

Aye votes: Councilmembers Hogue, Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 5-0

8. Discussion/Action: To consider and approve Resolution 01A-17, 01B-17, 01C-17, a Resolution providing authorization to publish a Notice of Intention to Issue Certificates of Obligation, for the purpose acquiring, constructing an Interim Wastewater Treatment Plant and/or constructing or enhancing certain wastewater Infrastructure.

***Councilmember Gholson made a motion to approve Resolution 01A-17, 01B-17, 01C-17.

Seconded by Councilmember Runnebaum

Aye votes: Councilmembers Hogue, Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 5-0

***Councilmember Martin made a motion to modify and approve Item #9 from Resolution 01A-17, 01B-17, 01C-17 to 01C-17 and modify Resolution 01C-17 to renumber as 01-17 and approve Resolution 01-17 with amendments.

Seconded by Councilmember Gholson

Aye votes: Councilmembers Hogue, Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 5-0

9. Discussion: Receive Presentation from Public Works Director concerning current and planned street maintenance and repair.

***Received presentation from Public Works Director Steve Martin.

10. Discussion Receive Update regarding utility rate study.

***Received presentation from Josh Armstrong.

- 11.** Discussion: Receive 2016 City of Willow Park Police Department Racial Profiling Report. (Police Chief Brad Johnson)

***Received report from Chief Johnson.

- 12.** Consider and act on Final Plat Lot 1, Block 1, Extreme Exteriors Addition, a 2.00 acre tract of land, John H. Phelps Survey, Abstract No. 1046, City of Willow Park, Parker County, Texas. The property is located at 5720 IH-20 Service Road.

A. Open Public Hearing @ 7:19 p.m.

B. Close Public Hearing @ 7:24 p.m.

***Councilmember Gholson made a motion to move Item #12 on the agenda ahead of Item #7.

Seconded by Councilmember Martin

Aye votes: Councilmembers Hogue, Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 5-0

***Councilmember Martin made a motion to approve the Final Plat.

Seconded by Councilmember Gholson

Aye votes: Councilmembers Hogue, Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 5-0

- 13.** Discussion/Action: Set a date for a Special City Council Meeting to approve to fill the position of Chief of Police on January 23, 2017 or other acceptable date.

***Councilmember Martin made a motion to fill the position of Chief of Police on January 17, 2017 at 6:00 p.m.

Seconded by Councilmember Galle

Aye votes: Councilmembers Hogue, Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 5-0

Section IV- Council Requested Items

- 14.** Discussion/Action: Utility Rate Study Advisory Committee. (Councilmember Galle)

***Discussion only. No action taken.

- 15.** Discussion regarding Meadow Place waste water utility installation (Councilmember Galle)

***Discussion Only.

Section V - Informational

16. Mayor & Council Member Announcements

17. City Administrator's Report

***City Administrator Scott Wall gave his report to council.

Section VII – Executive Session

The City Council reserves the right to adjourn into executive session at any time during the course of the this meeting to discuss an matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 55.1071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.175-183 (Deliberations about Homeland Security Issues), and as authorized by the Texas Tax Code, including, but not limited, Section 321.3022 (Sales Tax Information). The City Council may take action on any agenda item listed for executive session consideration upon reconvening in open session.

***Mayor Neverdousky recessed to executive session at 9:29 p.m.

***Mayor Neverdousky reconvened the meeting session at 10:06 p.m.

18. Executive Session

- A. Consultation with Attorney, pending Litigation
 - Weatherford vs. Willow Park
- B. Economic Development
- C. Real Property

Section VIII – Adjournment

19. Adjournment

***Councilmember Martin made a motion to adjourn.

Seconded by Councilmember Runnebaum

Aye votes: Councilmembers Hogue, Martin, Runnebaum, Gholson, and Galle

Motion passed with a vote of 5-0

Mayor Neverdousky adjourned the meeting at 10:07 p.m.

APPROVED

Richard Neverdousky, Mayor
City of Willow Park, Texas

ATTEST:

Candice Scott, Interim City Secretary
City of Willow Park, Texas



**City of Willow Park
City Council
Regular Meeting
City Hall
516 Ranch House Road, Willow Park, TX 76087
Tuesday, January 17, 2017 at 7:00 p.m.
Minutes**

Section I – Presentations

1. Call to Order

Mayor Neverdousky called the meeting to order at 6:05 p.m.

2. Determination of Quorum

Mayor Richard Neverdousky
Councilmember Norman Hogue
Councilmember Gene Martin
Councilmember Greg Runnebaum
Councilmember John Gholson
Councilmember Marcy Galle

Staff Present:
City Administrator Scott Wall
City Secretary Josh Armstrong
City Attorney Rider Scott

3. Invocation & Pledge of Allegiance

Mayor Neverdousky started the meeting with the invocation and by leading the room in the Pledge of Allegiance.

Section II – Consent Agenda

4. City Administrator Scott Wall's introduction of Police Chief Candidate appointment.

***City Administrator Scott Wall introduced the new Police Chief.

5. Discussion/Action: Confirmation of Police Chief appointment.

***Councilmember Gholson made a motion to accept the Police Chief appointment.

Seconded by Councilmember Hogue

Aye votes: Councilmembers Hogue, Martin, Runnebaum, Gholson, and Galle

Motion passed with a vote of 5-0

Section III – General Items

6. Discussion/Action: Discussion and determination of the project size for the wastewater projects to be financed by certificates of obligation.

***Councilmember Gholson made a motion to approve \$2.725 million for the purchase of the temporary wastewater treatment plant.

Seconded by Councilmember Martin

Aye votes: Councilmembers Hogue, Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 5-0

Section IV – Adjournment

7. Adjournment

***Councilmember Martin made a motion to adjourn.

Seconded by Councilmember Runnebaum

Aye votes: Councilmembers Hogue, Martin, Runnebaum, Gholson, and Galle

Motion passed with a vote of 5-0

Mayor Neverdousky adjourned the meeting at 6:17 p.m.

APPROVED

Richard Neverdousky, Mayor
City of Willow Park, Texas

ATTEST:

Candice Scott, Interim City Secretary
City of Willow Park, Texas



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 2/14/17	Department: Development Services	Presented By: Betty Chew
---------------------------------	--	------------------------------------

AGENDA ITEM:

To consider amending the City of Willow Park Zoning Ordinance to provide a classification for a one-half acre single-family residential lot size.

BACKGROUND:

The City has had requests for a one-half acre single-family residential lot. This will provide a medium density zoning classification which will provide a buffer between the R-1 (40,000) square foot lot and the R-5 (9,000) square foot lots.

STAFF/BOARD/COMMISSION RECOMMENDATION:

Staff would support a recommendation for either an amendment to the lot size for the R-1/S zoning classification (30,000 to 20,000) square feet or a separate zoning classification as submitted and discussed in October 2016.

The Planning and Zoning Commission recommends an amendment to the lot size for the R-1/S zoning classification (30,000 to 20,000) square feet. The commission voted 3-0 in favor of the amendment. An ordinance is included to implement this zoning amendment.

EXHIBITS:

See attached Ordinance 743-17.

ADDITIONAL INFO:	FINANCIAL INFO:	
	Cost	N/A
	Source of Funding	N/A

**CITY OF WILLOW PARK
ORDINANCE NO. 743-17**

AN ORDINANCE AMENDING CHAPTER 12 ARTICLE 12.500 R-1/S "SINGLE-FAMILY DISTRICT WITH SEWER" ADOPTED BY ORDINANCE NO. 432-98, CODE OF ORDINANCES, CITY OF WILLOW PARK, TEXAS, NOVEMBER 17, 1998, TO PROVIDE FOR A MINIMUM LOT AREA OF TWENTY THOUSAND (20,000) SQUARE FEET.

WHEREAS, the City of Willow Park wishes to amend the provisions of Chapter 12 Article 12.500 (B.2) adopted by Ordinance 432.98 to provide for a minimum lot area of Twenty Thousand (20,000) square feet.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

The Zoning Ordinance Chapter 12 Article 12.500 R-1/S "Single-Family District with Sewer" adopted by Ordinance No. 432-98 be amended to provide for a minimum lot area of Twenty Thousand (20,000) square feet.

This ordinance shall be in full force and effect from and after the date of its passage and publication as required by law.

PASSED AND APPROVED this 14th day of February, 2017.

/s/ _____
Mayor

ATTEST:

/s/ _____
City Secretary

	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>
Richard Neverdousky, Mayor	_____	_____	_____
Norman Hogue, Place 1	_____	_____	_____
Gene Martin, Place 2	_____	_____	_____
Greg Runnebaum, Place 3	_____	_____	_____
John Gholson, Place 4	_____	_____	_____
Marcy Galle, Place 5	_____	_____	_____



P&Z AGENDA ITEM BRIEFING SHEET

Meeting Date: 2/14/17	Department: Development Services	Presented By: Betty Chew
---------------------------------	--	------------------------------------

AGENDA ITEM:

To Consider amending the Zoning Ordinance to add the “Garage Openings Facing Frontal Streets” regulations adopted by ORDINANCE No. 364-94, Code of Ordinances, City of Willow Park, Texas August 16, 1994.

BACKGROUND:

The requirement for side entry garages in the residential zoning districts as well as the requirement for accessory buildings with garage type openings to have a screening fence of not less than 6 feet in height is in the Code of Ordinances, not the Zoning Ordinance. All building setback, location, accessory building, and fencing requirements are commonly included in the Zoning Ordinance where property owners, builders, and staff look when preparing and reviewing building and site plans. There have been numerous times over the years where homes have been built and occupied before anyone discovered these requirements. Staff would also recommend consideration, in the R-1 “Single Family District” permitting garage openings at a 45 degree angle to the frontal street. This would allow for ease of access, preservation of trees, less concrete and give property owners flexibility in placement of their residence.

STAFF/BOARD/COMMISSION RECOMMENDATION:

Staff recommends the Zoning Ordinance be amended to include the “Garage Opening” and “Fencing Requirements for Accessory Buildings” be incorporated in the R-1 and R-1/S sections of the Zoning Ordinance. The planning and zoning commission recommended to repeal Ordinance No. 364-94. The commission voted 3-0 in favor of the repeal.

The Planning and Zoning Commission recommends an amendment to the Zoning Ordinance for R-1, R-1/S, R-2, R-3, R-4 and R-5 Accessory Building or Use setbacks. The recommended amendment would establish a minimum front yard setback be established based on each residential district’s current zoning standard along with a minimum 10 foot rear yard setback and a minimum 10 foot side yard setback for Accessory Buildings and Uses. An ordinance is included to implement this zoning amendment.

EXHIBITS:

See attached Ordinance 744-17.

ADDITIONAL INFO:	FINANCIAL INFO:	
	Cost	N/A
	Source of Funding	N/A

**CITY OF WILLOW PARK
ORDINANCE NO. 744-17**

AN ORDINANCE AMENDING CHAPTER 12 “ZONING ORDINANCE” ADOPTED BY ORDINANCE 335-93, CITY OF WILLOW PARK, TEXAS, FEBRUARY 16, 1993, AS SUBSEQUENTLY AMENDED, TO ESTABLISH SETBACK REQUIREMENTS FOR ACCESSORY BUILDING OR ACCESSORY USE, SAID BUILDING OR USE TO BE LOCATED AT OR BEHIND THE FRONT BUILDING SETBACK LINE ESTABLISHED IN THE ZONING DISTRICT AND TO BE LOCATED A MINIMUM OF TEN (10) FEET FROM ALL SIDE AND REAR PROPERTY LINES, IN THE R-1 “SINGLE-FAMILY DISTRICT”, R-1/S “SINGLE-FAMILY DISTRICT WITH SEWER”, R-2 “SINGLE-FAMILY/DUPLEX DISTRICT”, R-3 “MULTIPLE FAMILY DISTRICT”, R-4 “MANUFACTURED HOUSING DISTRICT”, R-5 “SINGLE-FAMILY MEDIUM DENSITY DISTRICT”.

WHEREAS, the City of Willow Park wishes to amend the provisions of Chapter 12 “Zoning Ordinance” adopted by Ordinance 335-93, as amended to establish minimum setback requirements for accessory buildings or uses in the R-1 “Single-Family District”, R-1/S “Single-Family District with Sewer”, R-2 “Single-Family/Duplex District”, R-3 “Multiple Family District”, R-4 “Manufactured Housing District”, and R-5 “Single-Family Medium Density District”. Accessory Building or Accessory Use shall be located at or behind the front building setback line established in the zoning district and located a minimum of ten (10) feet from all side and rear property lines.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

The provisions of Chapter 12 “Zoning Ordinance” adopted by Ordinance 335-93, be amended to establish minimum setback requirements for accessory buildings or uses in the R-1 “Single-Family District”, R-1/S “Single-

Family District with Sewer”, R-2 “Single-Family/Duplex District”, R-3 “Multiple Family District”, R-4 “Manufactured Housing District”, and R-5 “Single-Family Medium Density District”. Accessory Building or Accessory Use shall be located at or behind the front building setback line established in the zoning district and located a minimum of ten (10) feet from all side and rear property lines.

This ordinance shall be in full force and effect from and after the date of its passage and publication as required by law.

PASSED AND APPROVED this 14th day of February, 2017.

/s/ _____
Mayor

ATTEST:

/s/ _____
City Secretary

	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>
Richard Neverdousky, Mayor	_____	_____	_____
Norman Hogue, Place 1	_____	_____	_____
Gene Martin, Place 2	_____	_____	_____
Greg Runnebaum, Place 3	_____	_____	_____
John Gholson, Place 4	_____	_____	_____
Marcy Galle, Place 5	_____	_____	_____



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 02/14/2017	Department: City Administrator's Office	Presented By: L. Scott Wall &
------------------------------------	---	---

AGENDA ITEM:

Discussion/Action: To consider all matters incident and related to the issuance and sale of City of Willow Park, Texas, Tax and Waterworks and Sewer System Surplus Revenue Certificates of Obligation, Series 2017, including the adoption of an ordinance authorizing the issuance of such certificates of obligation.

BACKGROUND:

Attached please find the following items related to the sale of the Certificates from Eric Macha.

- Final numbers for the City's file
- Combined debt service illustrating assumed \$12 million being issued for a permanent plant in 2018
- Bid summary report

The attached final numbers are based on the TIB bid of 2.74%. You may recall, preliminary analysis assumed a rate of 3.50%. Total sizing came to \$2,725,000 resulting in \$2,660,000 in project proceeds.

As shown on the bid summary form, BB&T bid a lower interest rate of 2.69% but included \$3,672.50 in fees. BB&T had two different call options: 1) callable in whole beginning 2020 or 2) callable in whole or part beginning 2021 and then every other year thereafter with a \$300,000 minimum. TIB did not have any fees and allows for the C/O to be callable in whole or in part anytime beginning 2020. After adjusting for the difference in fees, the net interest difference between TIB and BB&T is \$10,548 spread over the 15 year term. To the extent the C/O is redeemed prior to maturity, the full difference would not be realized. The TIB bid gives the City the most flexibility in terms of the call feature in the event the package plant is sold in the future or if there is need to refund/restructure the C/O at the time of the permanent plant financing.

City Administrator's RECOMMENDATION:

The City Administrator recommends that the Council authorize the execution of the Revenue Certificates of Obligation, Series 2017.

EXHIBITS:

See attached Term Sheet & Bid Form, Form 1295, Bid Summary, Tabulation of Bids, Series 2017 Bond Debt Service, and Series 2017 Summary Schedule.

ADDITIONAL INFO:

FINANCIAL INFO:

Cost

\$2,725,000.00

**Source of
Funding**

Revenue Certificates of
Obligation

City of Willow Park, Texas
\$2,725,000* Tax and Waterworks and Sewer System (Limited Pledge) Revenue Certificate of
Obligation, Series 2017
Private Placement Term Sheet and Bid Form

Borrower:	Willow Park, Texas (the "City").
Financial Advisor:	First Southwest, a Division of Hilltop Securities Inc.
Bond Counsel:	Norton Rose Fulbright, of Dallas, TX will serve the City as Bond Counsel on this transaction.
Principal:	\$2,725,000* Tax and Waterworks and Sewer System (Limited Pledge) Revenue Certificate of Obligation, Series 2017 (the "Certificate").
Security:	The Certificate is a direct obligation of the City payable from the levy and collection of a direct ad valorem tax, levied within the limits prescribed by law, on all taxable property located within the City, as provided in the Ordinance authorizing the Certificate. In addition, the Certificate is payable from a limited pledge of revenues from the City's waterworks and sewer system.
Bond Ratings:	The Certificate will not be rated. The City's existing general obligation debt is currently rated "AA" by Standard and Poor's.
Tax-Exempt:	<p>Interest on the Certificate will be excluded from the gross income of the holders thereof for federal income tax purposes under statutes, regulations, published ruling and court decisions existing on the date of the delivery thereof.</p> <p>The City will designate the Certificate as a "Qualified Tax-Exempt Obligation" for financial institutions.</p> <p>An opinion of Bond Counsel will accompany the Certificate; and the Certificate will be approved by the Texas Attorney General.</p>
Amortization:	<p>The Certificate will mature and be payable in installments on February 15 in each of the years 2021 through 2032, with semiannual interest payments beginning February 15, 2018 and on each February 15 and August 15 thereafter until maturity or prior redemption. Interest will be calculated on the basis of a 360-day year of twelve 30-day months and will accrue from the date of delivery to the Purchaser.</p> <p>The installment amounts have been structured to meet desired annual debt service targets. Therefore, the amount of individual installments may be adjusted slightly (in \$5,000 increments) in order to achieve the desired structure of annual debt service.</p> <p>Approximate installment amounts have been listed on the Bid Form. The City reserves the right to modify the amounts to ensure desired debt service payments upon receipt of the proposed interest rates.</p>
Interest Rate:	Respondents are requested to submit a fixed rate that upon execution of the Bid Form and the verbal commitment from the City will be honored by respondent through delivery of the Certificate. Interest will begin to accrue upon the date of delivery of the Certificate.
Optional Redemption:	The Certificate will be subject to early optional redemption on any date beginning February 15, 2020 at par plus accrued interest without make-whole provision.
Submission of Bid:	<p>Respondents must submit a signed copy of the Bid Form no later than 12:00 P.M. C.S.T. on Wednesday, February 8, 2017.</p> <p>An offer to purchase the Certificate may be submitted by a single purchaser, or a single offer to purchase the Certificate may be submitted as a joint offer by a group of purchasers.</p>

Credit Approval:	Submitted proposals must be approved by appropriate officers of the prospective purchasers before submission to the City. Proposals subject to credit approval will be considered at the City's discretion and may or may not be accepted.
Award Date:	Scheduled for February 14, 2017. The City reserves the right to reject any or all proposals and to waive any irregularities.
Expected Closing/ Delivery Date:	It is anticipated that the Certificate will be delivered on Wednesday, March 15, 2017.
Paying Agent:	It is anticipated that the purchaser will also act as Paying Agent/Registrar for the Certificate. Please list any charges for this service.
HB 1295:	The purchaser must file form HB 1295 with the Texas Ethics Commission by the award date.
Reporting Requirements:	The City, for the benefit of the holder of the Certificate, agrees to provide the City's most current financial information and operating data upon written request.
Conditions Precedent To Funding:	<p>Executed documentation satisfactory to the City's Bond Counsel and the purchaser including, but not limited, to the following:</p> <p><i>Ordinance adopted by the City Council which contains all relevant provisions governing the financing (rates, term, amortization, security and all other conditions, warranties and covenants as are customary for transactions of the same general type); if other terms are required by the purchaser, the submitted proposal should indicate any such other provisions, covenants or conditions being requested to be included in the authorizing documents as part of the proposal, which provisions, covenants and conditions will be evaluated by the City in determining the most favorable bid.</i></p> <p><i>Opinion of Bond Counsel to the City as to Tax Exemption of interest on the Certificate.</i></p> <p><i>Purchase and Investment Letter executed by purchaser and City prepared by Bond Counsel stating that purchaser is a sophisticated investor and that the Bonds are being purchased for the purchaser's own account.</i></p> <p><i>Opinion of the Texas Attorney General as to validity of the Certificate under Texas State Law and the Registration Certificate of the Comptroller of Public Accounts of Texas.</i></p> <p><i>The City will not purchase or provide for CUSIP Numbers.</i></p> <p><i>The Certificate will not be eligible for payment and transfer through the book-entry system of DTC, but will be delivered in the form of a single, physical bond, payable to the purchaser in annual principal installments.</i></p>

*Principal amounts are subject to change.

Bid Form

CITY OF WILLOW PARK, TEXAS

\$2,725,000* Tax and Waterworks and Sewer System (Limited Pledge) Revenue Certificate of Obligation, Series 2017

Name of Bank: _____

Contact: _____

Phone: _____

Date	Principal*	Interest
		Rate
2/15/2021	\$ 185,000	_____ %
2/15/2022	195,000	_____ %
2/15/2023	200,000	_____ %
2/15/2024	205,000	_____ %
2/15/2025	215,000	_____ %
2/15/2026	220,000	_____ %
2/15/2027	230,000	_____ %
2/15/2028	235,000	_____ %
2/15/2029	245,000	_____ %
2/15/2030	255,000	_____ %
2/15/2031	265,000	_____ %
2/15/2032	275,000	_____ %
TOTAL	\$ 2,725,000*	

*Principal amounts are subject to change.

Call Provision: subject to early optional redemption on any date beginning February 15, 2020 at par plus accrued interest without make-whole provision.

Annual Cost to Serve as Paying Agent/Registrar: \$ _____ Other Costs to be incurred by City: \$ _____

Signature, Title

Date

Please reply to Mark C. Kim, Placement Agent, at mark.kim@coastalsecurities.com by Wednesday, February 8, 2017, no later than 12:00 P.M., C.S.T. with your proposal.

Please also include Scott Wall, City Administrator, at swall@willowpark.org and the City's financial advisor, Erick Macha at erick.macha@hilltopsecurities.com.

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

2 of 2

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Coastal Securites
Houston, TX United States

Certificate Number:
2017-164436

Date Filed:
02/09/2017

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Willow Park, Texas

Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

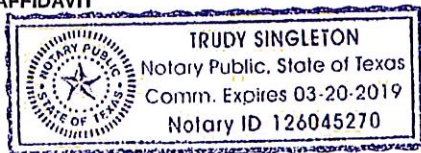
2017 COs PAA
Placement Agent

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party. ☐

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



STE

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said STEVE EVENSEN, this the 9TH day of FEBRUARY 20 17, to certify which, witness my hand and seal of office.

Trudy Singleton
Signature of officer administering oath

TRUDY Singleton
Printed name of officer administering oath

Notary
Title of officer administering oath

CITY OF WILLOW PARK, TEXAS
\$2,725,000 Tax and Waterworks and Sewer System (Limited Pledge) Revenue Certificates of Obligation, Series 2017
Received Bids

	FIRM	CONTACT	EMAIL ADDRESS	PHONE	Interest Rate	BIDS			CALL
						FEES*	PA/REG		
1.	BB&T	Mary Parrish Coley	mcoley@bbandt.com	(704) 954-1706	2.690%	\$ 3,000	\$ -		2/15/2020 @ par
2.	TIB The Independent Bankers Bank	Barry Renfro	brenfro@mybankersbank.com	(210) 697-0502	2.740%	\$ -	\$ -		2/15/2020 @ par
3.	American National Bank	Greg Jebson	gregjebson@anbt.com	(214) 863-6617	2.940%	\$ 2,000	\$ 400		2/15/2020 @ par
4.	BBVA Compass	Troy Pollard	troy.pollard@bbva.com	(214) 706-8002	3.020%	\$ 3,500	\$ -		2/15/2027 @ par
5.	Zions Bank	Jonathan Baker	jonathan.baker@zionsbancorp.com	(801) 844-7640	3.140%	\$ -	\$ -		2/15/2020 @ par
6.	NBH Bank	Sherry A. Villafane	sherry.villafane@nbhbank.com	(303) 784-5937	3.200%	\$ 20,000	\$ 500		Make Whole Call
7.	NBH Bank	Sherry A. Villafane	sherry.villafane@nbhbank.com	(303) 784-5937	3.300%	\$ 20,000	\$ 500		2/15/2020 @ par
8.	Capital One	Jacqueline Bretz	jaci.bretz@capitalone.com	(631) 457-9582	3.650%	\$ -	\$ -		2/15/2024 @ par
9.									

*MAC Fees to be paid by the City

City Of Willow Park, Texas

Tax and Waterworks and Sewer System Surplus Revenue Certificates of Obligation, Series 2017

Tabulation of Bids

Bids Due Thursday, February 8, 2017 at 12:00pm

Bidder	Rate	Call Feature	Fees
TIB	2.740%	2/15/2020 @ par	N/A
BB&T	2.690%	2/15/2020 in whole @ par	\$3,000 legal; \$672.50 MAC
BB&T	2.690%	2/15/2021 in part every other year with a minimum of \$300,000 repayment	\$3,000 legal; \$672.50 MAC
American National Bank of Texas	2.940%	2/15/2020 @ par	\$2,000 legal; MAC fee; \$400 PA
BBVA Compass	3.020%	2/15/2027 @ par	\$3,500 legal; \$672.50 MAC
Zions Bank	3.140%	2/15/2020 @ par	\$672.50 MAC
NBH Bank	3.200%	Make whole call	Up to \$20K legal; \$500 PA
NBH Bank	3.300%	2/15/2020 in whole @ par	Up to \$20K legal; \$500 PA
Capital One	3.650%	2/15/2024 in whole @ par	N/A

BOND DEBT SERVICE

Willow Park, TX
Tax and Waterworks and Sewer System Surplus Revenue Certificates of Obligation, Series 2017

Dated Date 03/15/2017
Delivery Date 03/15/2017

Period Ending	Principal	Coupon	Interest	Debt Service
09/30/2018			105,775.42	105,775.42
09/30/2019			74,665.00	74,665.00
09/30/2020			74,665.00	74,665.00
09/30/2021	195,000	2.740%	71,993.50	266,993.50
09/30/2022	200,000	2.740%	66,582.00	266,582.00
09/30/2023	205,000	2.740%	61,033.50	266,033.50
09/30/2024	210,000	2.740%	55,348.00	265,348.00
09/30/2025	215,000	2.740%	49,525.50	264,525.50
09/30/2026	225,000	2.740%	43,497.50	268,497.50
09/30/2027	230,000	2.740%	37,264.00	267,264.00
09/30/2028	235,000	2.740%	30,893.50	265,893.50
09/30/2029	240,000	2.740%	24,386.00	264,386.00
09/30/2030	250,000	2.740%	17,673.00	267,673.00
09/30/2031	255,000	2.740%	10,754.50	265,754.50
09/30/2032	265,000	2.740%	3,630.50	268,630.50
	2,725,000		727,686.92	3,452,686.92

Note: Final Numbers

BOND DEBT SERVICE

Willow Park, TX
Tax and Waterworks and Sewer System Surplus Revenue Certificates of Obligation, Series 2017

Dated Date 03/15/2017
Delivery Date 03/15/2017

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
02/15/2018			68,442.92	68,442.92	
08/15/2018			37,332.50	37,332.50	
09/30/2018					105,775.42
02/15/2019			37,332.50	37,332.50	
08/15/2019			37,332.50	37,332.50	
09/30/2019					74,665.00
02/15/2020			37,332.50	37,332.50	
08/15/2020			37,332.50	37,332.50	
09/30/2020					74,665.00
02/15/2021	195,000	2.740%	37,332.50	232,332.50	
08/15/2021			34,661.00	34,661.00	
09/30/2021					266,993.50
02/15/2022	200,000	2.740%	34,661.00	234,661.00	
08/15/2022			31,921.00	31,921.00	
09/30/2022					266,582.00
02/15/2023	205,000	2.740%	31,921.00	236,921.00	
08/15/2023			29,112.50	29,112.50	
09/30/2023					266,033.50
02/15/2024	210,000	2.740%	29,112.50	239,112.50	
08/15/2024			26,235.50	26,235.50	
09/30/2024					265,348.00
02/15/2025	215,000	2.740%	26,235.50	241,235.50	
08/15/2025			23,290.00	23,290.00	
09/30/2025					264,525.50
02/15/2026	225,000	2.740%	23,290.00	248,290.00	
08/15/2026			20,207.50	20,207.50	
09/30/2026					268,497.50
02/15/2027	230,000	2.740%	20,207.50	250,207.50	
08/15/2027			17,056.50	17,056.50	
09/30/2027					267,264.00
02/15/2028	235,000	2.740%	17,056.50	252,056.50	
08/15/2028			13,837.00	13,837.00	
09/30/2028					265,893.50
02/15/2029	240,000	2.740%	13,837.00	253,837.00	
08/15/2029			10,549.00	10,549.00	
09/30/2029					264,386.00
02/15/2030	250,000	2.740%	10,549.00	260,549.00	
08/15/2030			7,124.00	7,124.00	
09/30/2030					267,673.00
02/15/2031	255,000	2.740%	7,124.00	262,124.00	
08/15/2031			3,630.50	3,630.50	
09/30/2031					265,754.50
02/15/2032	265,000	2.740%	3,630.50	268,630.50	
09/30/2032					268,630.50
	2,725,000		727,686.92	3,452,686.92	3,452,686.92

Note: Final Numbers

SOURCES AND USES OF FUNDS

Willow Park, TX

Tax and Waterworks and Sewer System Surplus Revenue Certificates of Obligation, Series 2017

Dated Date 03/15/2017
Delivery Date 03/15/2017

Sources:

Bond Proceeds:	
Par Amount	2,725,000.00
	<hr/>
	2,725,000.00
	<hr/>

Uses:

Project Fund Deposits:	
Project Fund	2,660,000.00
	<hr/>
Delivery Date Expenses:	
Cost of Issuance	65,000.00
	<hr/>
	2,725,000.00
	<hr/>

Note: Final Numbers

BOND SUMMARY STATISTICS

Willow Park, TX
Tax and Waterworks and Sewer System Surplus Revenue Certificates of Obligation, Series 2017

Dated Date	03/15/2017
Delivery Date	03/15/2017
Last Maturity	02/15/2032
Arbitrage Yield	2.738333%
True Interest Cost (TIC)	2.738333%
Net Interest Cost (NIC)	2.740000%
All-In TIC	3.027171%
Average Coupon	2.740000%
Average Life (years)	9.746
Duration of Issue (years)	8.500
Par Amount	2,725,000.00
Bond Proceeds	2,725,000.00
Total Interest	727,686.92
Net Interest	727,686.92
Total Debt Service	3,452,686.92
Maximum Annual Debt Service	268,630.50
Average Annual Debt Service	231,465.04
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	
Total Underwriter's Discount	
Bid Price	100.000000

Bond Component	Par Value	Price	Average Coupon	Average Life
Bond Component	2,725,000.00	100.000	2.740%	9.746
	2,725,000.00			9.746

	TIC	All-In TIC	Arbitrage Yield
Par Value	2,725,000.00	2,725,000.00	2,725,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount			
- Cost of Issuance Expense		-65,000.00	
- Other Amounts			
Target Value	2,725,000.00	2,660,000.00	2,725,000.00
Target Date	03/15/2017	03/15/2017	03/15/2017
Yield	2.738333%	3.027171%	2.738333%

Note: Final Numbers

BOND PRICING

Willow Park, TX
Tax and Waterworks and Sewer System Surplus Revenue Certificates of Obligation, Series 2017

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Bond Component:					
	02/15/2021	195,000	2.740%	2.740%	100.000
	02/15/2022	200,000	2.740%	2.740%	100.000
	02/15/2023	205,000	2.740%	2.740%	100.000
	02/15/2024	210,000	2.740%	2.740%	100.000
	02/15/2025	215,000	2.740%	2.740%	100.000
	02/15/2026	225,000	2.740%	2.740%	100.000
	02/15/2027	230,000	2.740%	2.740%	100.000
	02/15/2028	235,000	2.740%	2.740%	100.000
	02/15/2029	240,000	2.740%	2.740%	100.000
	02/15/2030	250,000	2.740%	2.740%	100.000
	02/15/2031	255,000	2.740%	2.740%	100.000
	02/15/2032	265,000	2.740%	2.740%	100.000
		2,725,000			

Dated Date	03/15/2017	
Delivery Date	03/15/2017	
First Coupon	02/15/2018	
Par Amount	2,725,000.00	
Original Issue Discount		
Production	2,725,000.00	100.000000%
Underwriter's Discount		
Purchase Price	2,725,000.00	100.000000%
Accrued Interest		
Net Proceeds	2,725,000.00	

Note: Final Numbers

FORM 8038 STATISTICS

Willow Park, TX
Tax and Waterworks and Sewer System Surplus Revenue Certificates of Obligation, Series 2017

Dated Date 03/15/2017
Delivery Date 03/15/2017

Bond Component	Date	Principal	Coupon	Price	Issue Price	Redemption at Maturity
Bond Component:						
	02/15/2021	195,000.00	2.740%	100.000	195,000.00	195,000.00
	02/15/2022	200,000.00	2.740%	100.000	200,000.00	200,000.00
	02/15/2023	205,000.00	2.740%	100.000	205,000.00	205,000.00
	02/15/2024	210,000.00	2.740%	100.000	210,000.00	210,000.00
	02/15/2025	215,000.00	2.740%	100.000	215,000.00	215,000.00
	02/15/2026	225,000.00	2.740%	100.000	225,000.00	225,000.00
	02/15/2027	230,000.00	2.740%	100.000	230,000.00	230,000.00
	02/15/2028	235,000.00	2.740%	100.000	235,000.00	235,000.00
	02/15/2029	240,000.00	2.740%	100.000	240,000.00	240,000.00
	02/15/2030	250,000.00	2.740%	100.000	250,000.00	250,000.00
	02/15/2031	255,000.00	2.740%	100.000	255,000.00	255,000.00
	02/15/2032	265,000.00	2.740%	100.000	265,000.00	265,000.00
		2,725,000.00			2,725,000.00	2,725,000.00

	Maturity Date	Interest Rate	Issue Price	Stated Redemption at Maturity	Weighted Average Maturity	Yield
Final Maturity	02/15/2032	2.740%	265,000.00	265,000.00		
Entire Issue			2,725,000.00	2,725,000.00	9.7460	2.7383%

Proceeds used for accrued interest	0.00
Proceeds used for bond issuance costs (including underwriters' discount)	65,000.00
Proceeds used for credit enhancement	0.00
Proceeds allocated to reasonably required reserve or replacement fund	0.00

Note: Final Numbers

PROOF OF ARBITRAGE YIELD

Willow Park, TX
Tax and Waterworks and Sewer System Surplus Revenue Certificates of Obligation, Series 2017

Date	Debt Service	Present Value to 03/15/2017 @ 2.7383334328%
02/15/2018	68,442.92	66,757.66
08/15/2018	37,332.50	35,921.44
02/15/2019	37,332.50	35,436.26
08/15/2019	37,332.50	34,957.63
02/15/2020	37,332.50	34,485.47
08/15/2020	37,332.50	34,019.68
02/15/2021	232,332.50	208,856.15
08/15/2021	34,661.00	30,737.78
02/15/2022	234,661.00	205,289.37
08/15/2022	31,921.00	27,548.39
02/15/2023	236,921.00	201,705.32
08/15/2023	29,112.50	24,450.48
02/15/2024	239,112.50	198,109.05
08/15/2024	26,235.50	21,443.00
02/15/2025	241,235.50	194,505.33
08/15/2025	23,290.00	18,524.82
02/15/2026	248,290.00	194,821.90
08/15/2026	20,207.50	15,641.75
02/15/2027	250,207.50	191,058.83
08/15/2027	17,056.50	12,848.45
02/15/2028	252,056.50	187,306.54
08/15/2028	13,837.00	10,143.58
02/15/2029	253,837.00	183,568.52
08/15/2029	10,549.00	7,525.73
02/15/2030	260,549.00	183,366.90
08/15/2030	7,124.00	4,945.95
02/15/2031	262,124.00	179,525.67
08/15/2031	3,630.50	2,452.90
02/15/2032	268,630.50	179,045.47
	3,452,686.92	2,725,000.00

Proceeds Summary

Delivery date	03/15/2017
Par Value	2,725,000.00
Target for yield calculation	2,725,000.00

Note: Final Numbers

City of Willow Park

Series 2017 - \$2,660,000 Construction Proceeds Wrap 2018 Long - Term Financing Around Package Plant 15 Year Repayment - Private Placement

A	B	C	D	E	F	G	H
FYE	Existing Wastewater Debt Service	\$2,725,000 Series 2017 3/15/2017 - 2.74% Final Numbers			August 2018 - 5.00% \$12,000,000 Preliminary Debt Service	Aggregate Wastewater Debt Service	FYE
		Principal	Interest	Debt Service			
2017	\$ -	\$ -	\$ -	\$ -		\$ -	2017
2018	-	-	105,775	105,775	\$ -	105,775	2018
2019	-	-	74,665	74,665	848,625	923,290	2019
2020	-	-	74,665	74,665	845,625	920,290	2020
2021	-	195,000	71,994	266,994	656,875	923,869	2021
2022	-	200,000	66,582	266,582	652,625	919,207	2022
2023	-	205,000	61,034	266,034	653,250	919,284	2023
2024	-	210,000	55,348	265,348	653,625	918,973	2024
2025	-	215,000	49,526	264,526	658,625	923,151	2025
2026	-	225,000	43,498	268,498	653,375	921,873	2026
2027	-	230,000	37,264	267,264	653,000	920,264	2027
2028	-	235,000	30,894	265,894	657,250	923,144	2028
2029	-	240,000	24,386	264,386	656,125	920,511	2029
2030	-	250,000	17,673	267,673	654,750	922,423	2030
2031	-	255,000	10,755	265,755	653,125	918,880	2031
2032	-	265,000	3,631	268,631	651,250	919,881	2032
2033	-				922,125	922,125	2033
2034	-				920,375	920,375	2034
2035	-				922,500	922,500	2035
2036	-				923,375	923,375	2036
2037	-				923,000	923,000	2037
2038	-				921,375	921,375	2038
2039	-				923,375	923,375	2039
2040	-				919,000	919,000	2040
2041	-				923,125	923,125	2041
2042	-				920,625	920,625	2042
2043	-				921,500	921,500	2043
2044	-				920,625	920,625	2044
2045	-				922,875	922,875	2045
2046	-				923,125	923,125	2046
2047	-				921,375	921,375	2047
2048	-				922,500	922,500	2048
	<u>\$ -</u>	<u>\$ 2,725,000</u>	<u>\$ 727,687</u>	<u>\$ 3,452,687</u>	<u>\$ 24,299,000</u>	<u>\$ 27,751,687</u>	



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 02/14/2017	Department: City Administrator's Office	Presented By: L. Scott Wall
------------------------------------	---	---------------------------------------

AGENDA ITEM:

To consider authorizing the City Administrator to execute a Task Order with Jacob & Martin for 2017 Street Bond Improvements.

BACKGROUND:

Bonds were funded for the Street Project in August of 2016 in the amount of \$2,275,000. WP is required to have a professional engineer engaged for the purpose of public works projects.

*Councilmembers' Hogue and Runnebaum are on the Street Bond Project Committee.

City Administrator's RECOMMENDATION:

The City Administrator recommends that the Council authorize the approval of Street Bond Project Services to Jacob & Martin.

EXHIBITS:

Agreement for Professional Services from Jacob & Martin.

ADDITIONAL INFO: The Council will award the lowest responsible bid for street construction at the July Council meeting.	FINANCIAL INFO:	
	Cost	\$120,000.00
	Source of Funding	Street Bond Project \$2,275,000

AGREEMENT FOR PROFESSIONAL SERVICES

Jacob & Martin, LLC
1508 Santa Fe Drive, Suite 203
Weatherford, Texas 76086

This Professional Services Agreement is entered into between **the City of Willow Park (CLIENT)** and **Jacob & Martin, LLC (ENGINEER)**

Client: City of Willow Park,
Texas **Project:** 2017 Street Improvements

Scope of Services: Provide engineering services for the above referenced project as described in Attachment A.

Compensation: Fees associated with the outlined services will be provided as described in Attachments B and C.

Schedule: Projected Schedule for the completion of work to be as described in Attachment D.

Client has read, understands and agrees to the Scope of Services, Compensation and any Addenda Incorporated into this Agreement by reference. This Agreement, including the Scope of Services, and Addenda, if any, represents the entire Agreement between the parties and supercedes any and all agreements between the parties, either oral or in writing, including any purchase order issued by Client.

This Agreement is entered into at Weatherford, Texas and is made effective upon signature by both parties.

Client: City of Willow Park	Consultant: Jacob & Martin, LLC
By: _____	By: _____
Name: _____	Name: Derek Turner
Title: _____	Title: Principal
Date: _____	Date: _____

ATTACHMENT A

To Agreement for Professional Services

- 1) ENGINEER shall provide general engineering for the project that is to include preparation of construction plans for street rehabilitations for the streets described in the City's 2017 Bond Issue for street improvements (approximately 15,910 linear feet). This shall include plan and profile drawings, drainage plan, and all associated construction details as well as construction specifications.**
- 2) ENGINEER shall provide construction administration for the project. This shall include preparation of bid documents and overseeing the bid process, periodic on-site inspection as necessary for construction completeness, verification of pay requests, review and processing of change orders, bidding of prepared construction documents, administering pre-final and final inspections, and all associated coordination.**
- 3) ENGINEER shall provide topographic and boundary surveying for the project as necessary to prepare a complete set of construction drawings.**
- 4) ENGINEER shall provide construction staking for the project.**
- 5) ENGINEER shall provide materials testing for the project. Testing will be completed as needed and requested by CLIENT.**
- 6) ENGINEER shall provide resident daily inspection for the project.**

ATTACHMENT B

To Agreement for Professional Services

1) Basic Engineering - Design	Lump Sum	\$95,000
2) Basic Engineering – Construction Admin	Lump Sum	\$25,000
3) Topographic & Boundary Surveying	Hourly- According to Attachment C	
4) Construction Staking	Hourly- According to Attachment C	
5) Materials Testing	Hourly- According to Attachment C	
6) Inspection	Hourly- According to Attachment C	

Additional services not provided for in this agreement and requested by the Client shall be negotiated separately.

ATTACHMENT C



3465 Curry Lane
Abilene, Texas 79606
325-695-1070
www.jacobmartin.com

1508 Santa Fe Drive
Suites 203
Weatherford, Texas 76086
817-594-9880

FEES FOR PROFESSIONAL SERVICES

Principal Engineer	\$	175.00
Registered Professional Engineer - 1	\$	150.00
Registered Professional Engineer - 2	\$	130.00
Engineer-in-Training (E.I.T.)	\$	110.00
Licensed Architect	\$	140.00
Engineering Technician - 1	\$	90.00
Engineering Technician - 2	\$	70.00
Engineering Intern	\$	40.00
Environmental Coordinator	\$	90.00
GIS Technician - 1	\$	80.00
GIS Technician - 2	\$	65.00
CAD Draftsman -1	\$	75.00
CAD Draftsman -2	\$	60.00
Registered Professional Land Surveyor	\$	120.00
Surveyor-in-Training (S.I.T.)	\$	80.00
Resident Inspector (non-engineer)	\$	65.00
Clerical - 1	\$	50.00
Clerical - 2	\$	40.00

FIELD WORK

1-Man Crew or Technician	\$	65.00
2-Man Crew	\$	110.00
3-Man Crew	\$	130.00
GPS Equipment	\$	60.00
Robotic Total Station	\$	50.00
Mule	\$	30.00

Sales tax will be added where applicable.

A FACTOR OF 1.10 SHALL BE APPLIED TO THE FOLLOWING:

1. Vehicle charge - \$50.00 per day plus IRS rate per mile.
2. Reproduction - \$2.50/per copy
3. Actual cost of subsistence and lodging.
4. Actual cost of long distance telephone calls, express charges and postage, other than ordinary first class.
5. Actual cost of material required for the job and used in surveying, drafting drafting and allied activities, including printing and reproduction costs.
6. Actual cost of special tests and services of special consultants, if required.



3465 Curry Lane
Abilene, Texas 79606
325-695-1070
www.jacobmartin.com

1508 Santa Fe Drive
Suites 203
Weatherford, Texas 76086
817-594-9880

CONSTRUCTION MATERIALS ENGINEERING AND TESTING FEES

SERVICE TIME

Registered Professional Engineer	\$	150.00
Materials Technical Service Time	\$	50.00
Overtime (Weekends, Holidays or before 7 am or after 5 pm)	\$	62.00
Pier Observation, Hot Mix, Reinforcing Steel	\$	58.00
Overtime (Weekends, Holidays or before 7 am or after 5 pm)	\$	40.00

CONCRETE

Concrete Cylinder compressive Strength Tests	\$	20.00
Entrained Air Content Test	\$	25.00
Slump Tests, when cylinders are not made	\$	15.00
Concrete Mix Design	\$	475.00
Concrete Design Confirmation Cylinders	\$	20.00

SOILS

Atterberg Limits (Liquid Limit, Plastic Limit & P.I.)	\$	65.00
Field Compaction Tests	\$	21.00
Moisture-Density Curve (Proctor)	\$	235.00
Washed Sieve Analysis (Soil)	\$	60.00
Washed Sieve Analysis (Base Material)	\$	60.00
Unit Weight	\$	35.00
Absorption	\$	35.00
Decantation	\$	35.00
Moisture Content	\$	20.00

ASPHALT

Rice Theoretical Specific Gravity	\$	70.00
Field Density	\$	21.00

Vehicle charge - \$15.00 per trip to the project.

Travel from and return to office at IRS rate per mile, plus service time at above rates for both ways for out-of-town projects.

A FACTOR OF 1.10 SHALL BE APPLIED TO THE FOLLOWING:

1. Actual cost of subsistence and lodging.
2. Actual cost of long distance telephone calls, express charges and postage, other than ordinary first class.
3. Actual cost of material required for the job and used in surveying, drafting and allied activities, including printing and reproduction costs.
4. Actual cost of special tests and services of special consultants, if required.

ATTACHMENT D

PROJECTED SCHEDULE OF WORK

<u>Task</u>	<u>Anticipated Completion Date</u>
1. Preliminary Engineering & Coordination	March 10, 2017
2. Topographic & Boundary Surveying	April 7, 2017
3. Plans & Specifications	May 31, 2017
4. Bids (through award)	July 11, 2017
5. Construction	April 30, 2018

This schedule is approximate based upon typical projects and is dependent upon the date of acceptance of work order by the City.



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 2/14/2017	Department: Legislative	Presented By: Candy Scott
-----------------------------------	-----------------------------------	-------------------------------------

AGENDA ITEM:

To consider the adoption of Resolution No. 02-17 a Resolution providing authorization to call a Municipal Election to elect the Mayor and Council members Place 1 and Place 2 on the uniform date of May 6, 2017. (Candy Scott).

BACKGROUND:

This Resolution is for the purpose of calling a General Election for the position of Mayor and Council Member Places 1 and 2 to be held on Saturday, May 6, 2017.

STAFF/BOARD/COMMISSION RECOMMENDATION:

This has been done by Ordinance and by Resolution (May 1, 1999 election) in the past. Staff recommends calling the election with a resolution.

EXHIBITS:

See attached Resolution and Exhibit A.

ADDITIONAL INFO:	FINANCIAL INFO:	
	Cost	Estimated at \$4,194.75 by Parker County Elections Administration
	Source of Funding	General Fund Legislative Department

RESOLUTION NO. 02-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 6, 2017, FOR THE PURPOSE OF ELECTING A MAYOR AND COUNCILMEMBERS TO PLACES 1, AND 2; ESTABLISHING PROCEDURES FOR THE CONDUCT OF THE ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, state law has established the second Saturday in May as the date for general municipal elections; and

the City. The election shall be conducted according to the Texas Election Code and the Texas Constitution.

WHEREAS, by this Resolution, it is the intention of the City Council to call the General Election, designate a polling place for the election, to appoint the necessary election officers and to establish and set forth procedures for conducting the election.

SECTION 4. EARLY VOTING

Early voting both by personal appearance and by mail, will be by the use of the Digital Reading Equipment (DRE) voting system in accordance with the Texas Election Code as amended. Early Voting by personal appearance will be conducted at the locations tentatively set by the Parker County Elections Administration offices as attached to this resolution as **Exhibit "A"** respectively; and, the dates and times are included in said exhibit.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

Applications for early voting by mail may be delivered to the Parker County Elections Administrator at the following address: 1112 Santa Fe, Weatherford, Texas 76086, email: elections@parkercounty.com, not later than the close of business on April 25, 2017. Early voting by ballots shall be mailed to the Parker County Elections Administrator at the same address.

SECTION 1. ELECTION ORDER.

An election is hereby ordered to be held in the City of Willow Park, Texas, on Saturday, May 6, 2017 for the purpose of electing city officials to the following offices:

**Mayor
Councilmember Place 1
Councilmember Place 2**

SECTION 5. ELECTION DAY LOCATION AND HOURS

On May 6, 2017, Election Day, the polls shall be open from 7:00 a.m. to 7:00 p.m. and shall be held at Willow Park City Hall, 516 Ranch House Road, Willow Park, Texas 76087

SECTION 2. JOINT ELECTION

Such election shall be held jointly with Parker County.

SECTION 6. ADMINISTRATION AND PROCEDURES OF THE ELECTION

SECTION 3. CONDUCT OF ELECTION

The Parker County Elections Administrator, 1112 Santa Fe, Weatherford, Texas 76086 shall conduct the election and shall be the clerk for early voting for

The Mayor or the City Administrator of the City are hereby authorized and directed to enter into a joint

election agreement for said election with Parker County, Texas and to execute such election agreement for said election. Such agreement will provide for the type of DRE to be used for early voting and on election day, and the compensation for and appointment of for election judges and clerks both County Elections Administrators shall process the Early Voting Ballots, and other positions, appointments or requirements as required by law, and any other requirements or appointments necessary for the conduct of said election for and on behalf of the City. All election materials and proceedings shall be printed in both English and Spanish.

SECTION 7. PERSONS QUALIFIED TO VOTE

All residents who are qualified electors of the City shall be permitted to vote at said election. This election shall be held and conducted in accordance with the provisions of the Texas Election Code as may be required by law.

SECTION 8. NOTICE OF ELECTION

Notice of the election shall be given by posting a substantial copy of this Resolution ordering an election in English and Spanish translations at City Hall on the official bulletin board used for posting notices of the meetings of the City Council; a copy of this Resolution's caption shall also be published in English and Spanish translations in the City's official newspaper of general circulation published in the City.

SECTION 9. APPLICATION FOR A PLACE ON THE BALLOT

Qualified persons may file as candidates for the General Election by filing applications in the office of the City Secretary located at 516 Ranch House Road, Willow Park, Texas 76087 from 8:00 a.m. to 5:00 p.m., on all regular business days from January 18, 2016 through February 17, 2016.

SECTION 10. EFFECTIVE DATE

This resolution shall become effective immediately upon its passage.

PASSED AND APPROVED on this the 14th day of February 2017, by a vote of ____ ayes, ____ nays, and ____ abstentions at a regular meeting of the City Council of the City of Willow Park, Texas.

Richard Neverdousky, Mayor

ATTEST:

Candice Scott, Interim City Secretary

EARLY VOTING SITES AND HOURS

EARLY VOTING BY PERSONAL APPEARANCE FOR THE NOVEMBER ELECTION TO BE HELD ON MAY 6, 2017 AS CONDUCTED BY
PARKER COUNTY, TEXAS AS FOLLOWS;

VOTERS CAN VOTE AT ANY POLLING SITE DURING EARLY VOTING

MAIN EARLY VOTING SITE:

Parker County Courthouse Annex Annex Kitchen
1112 Santa Fe Dr, Weatherford Texas

BRANCH EARLY VOTING SITES:

Springtown Municipal Court Annex Meeting Room
200 N Main St, Springtown Texas

Peaster Fire Department Meeting Room
221 Judd St, Weatherford Texas

Aledo ISD Admin Building Board Meeting Room
1008 Bailey Ranch Rd, Aledo Texas

Azle Masonic Lodge Meeting Room
257 W Main, Azle Texas

Willow Park Municipal Building City council Meeting Room
516 Ranch House Rd, Weatherford

Old Brock ISD Admin Building Meeting Room
100 Grindstone Rd, Weatherford

DAYS AND HOURS OF EARLY VOTING:

Monday April 24, 2017	8:00-5:00pm
Tuesday April 25, 2017	7:00-7:00pm
Wednesday April 26, 2017	8:00-5:00pm
Thursday April 27, 2017	7:00-7:00pm
Friday April 28, 2017	8:00-5:00pm
Monday- May 1, 2017	8:00-5:00pm
Tuesday- May 2, 2017	8:00-5:00pm

APPLICATIONS FOR BALLOT BY
MAIL MAY BE OBTAINED BY
CALLING **817-598-6185**

APPLICATIONS FOR BALLOT BY
MAIL MUST BE RECEIVED BY THE
EARLY VOTING CLERK NO LATER
THAN THE CLOSE OF BUSINESS ON
APRIL 25, 2017.

APPLICATIONS FOR BALLOT BY
MAIL SHALL BE MAILED TO:
DON MARKUM
EARLY VOTING CLERK
1112 SANTA FE DR
WEATHERFORD, TEXAS 76086

EMAIL TO:
elections@parkercountytexas.com

FAX: (817) 598-6183



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 02/14/2017	Department: City Administrator's Office	Presented By: L. Scott Wall
------------------------------------	---	---------------------------------------

AGENDA ITEM:

To consider making appointments to the Audit Committee.

BACKGROUND:

The Independent Auditor will present their work to the full Council to be accepted. Prior to the presentation a Committee of the Mayor and two Council members will meet with Independent Auditor to have a more detailed conversation about the audit report. This Committee will then make a recommendation to the full Council to accept the audit as presented.

City Administrator's RECOMMENDATION:

The City Administrator recommends that the Council appoint the following to the Audit Committee: Richard Neverdsousky, Gene Martin and Marcy Galle.

EXHIBITS:

None.

ADDITIONAL INFO: Committee will terminate after the Audit is presented to the Council.	FINANCIAL INFO:	
	Cost	N/A
	Source of Funding	N/A



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 02/14/17	Department: Fire	Presented By: Mike LeNoir
----------------------------------	----------------------------	-------------------------------------

AGENDA ITEM:

Briefing by Fire Chief LeNoir regarding Engine Replacement Plan.

BACKGROUND:

Replacement of 3 older apparatus with one new engine.

Replacement vehicles are Tanker 35- 2003 Freightliner FL80 trade in value \$100,000.

Engine 235- 1999 E-ONE Freightliner FL70- \$40,000.

Brush 35- 2008 Wildfire Ford F750- \$60,000.

Total trade-in value \$200,000 through Brindlee Mountain Fire

Apparatus

This Engine would provide 1000 gallon water supply and help with plagued motor vehicle repair costs.

The Financing would be \$346,651 to include the Vehicle and BuyBoard Fee.

With a 1 year deferred payment from signing,

10 year annual payment of \$41, 220.89 at a 3.28% true interest cost.

Vehicle was contracted through BuyBoard due to the quality of the vehicle and company. Technician service is local to DFW area which cuts down on transporting to a facility. In most instances will fix on site.

Brush 35 was a cost share purchase from the Texas Forestry Service on a grant for \$125,000 and became eligible for trade-in in 2013.

Tanker 35 was a lease trade from Parker County and the title was transferred over.

Engine 235 was a purchase by the Fire Board and was paid off prior to the purchase of E35.

No Action required at this time.

STAFF/BOARD/COMMISSION RECOMMENDATION:

EXHIBITS:

Attached Financing option, Photo of Engine, Quote form, Trade-in Apparatus

ADDITIONAL INFO: See attached for details of Equipment.	FINANCIAL INFO: Lease Purchase	
	Cost	\$346,651.00
	Source of Funding	General Fund 2017-2018 Budget



February 7, 2017* Revised

Mr. Mike LeNoir
Willow Park Fire/Rescue Department
817-441-8020
mlenoir@willowpark.org

Dear Chief LeNoir,

Thank you for the opportunity to present proposed financing for Willow Park Fire/Rescue Department. I am submitting for your review the following proposed structure:

ISSUER:	City of Willow Park, Texas
FINANCING STRUCTURE:	Public Property Finance Contract issued under Local Government Code Section 271.005
FINANCED AMOUNT:	\$ 346,651
TERM:	10 Annual Payments
TRUE INTEREST COST:	3.28%
PAYMENT AMOUNT:	\$ 41,220.89
PAYMENTS BEGINNING:	One year from signing, annually thereafter

Financing for these projects would be simple, fast and easy due to the fact that:

- ✓ We have an existing relationship with you and have your financial statements on file, expediting the process. Please keep in mind we may also need current year statements.
- ✓ We can provide familiar documentation for your legal counsel.

The above proposal is subject to audit analysis, assumes bank qualification and mutually acceptable documentation. The terms outlined herein are subject to change and rates are valid for fourteen (14) days from the date of this proposal. If funding does not occur within this time period, rates will be indexed to markets at such time. Additionally, Government Capital is registered with Texas Ethics Commission to be HB 1295 compliant.

Our finance programs are flexible and my goal is customer delight. If you have any questions regarding other payment terms, frequencies or conditions, please do not hesitate to call.

With Best Regards,

Stephanie Cates

Stephanie Cates
Client Services
Main: 817-421-5400

**PROMOSITE****MENU****H-5969: CINDER CUSTOM PUMPER**

Chassis: Cinder custom fire chassis, Cummins ISL9 450 hp engine, Allison 3000 EVS transmission

Body: Heavy duty extruded aluminum fire body, Left and Right side full height compartments, Upper body compartments, ROM roll up doors, Ladders and pike poles stored between tank and right high sides, Storage for 4 spare SCBA bottles over rear wheels, Adjustable shelves in the full height compartments, Full width intermediate rear step and Adjustable hose bed dividers

Pump: Hale QMAX 1750 GPM pump with Side panel controls, Fire Research Pump Boss governor, Left and Right side floating running board hose trays, Left and Right side gated 2½" inlets, Front bumper discharge, Triple crosslays, Right side LDH discharge, Deck gun discharge, 2½" preconnect in hose bed

Tank: 1000 gallon poly water tank with Fireman's Friend 3" tank fill valve at rear body and auxiliary water level indicators on each side of the cab and at the rear body

Features: Whelen LED warning lights, On Scene Solutions LED compartment lights Lettering

Price: \$427,898

Photos



(img/5969/H-5969-1.jpg)



(img/5969/H-5969-2.jpg)



(img/5969/H-5969-3.jpg)



[\(img/5969/H-5969-4.jpg\)](#)



[\(img/5969/H-5969-5.jpg\)](#)



[\(img/5969/H-5969-6.jpg\)](#)



[\(img/5969/H-5969-7.jpg\)](#)



[\(img/5969/H-5969-8.jpg\)](#)

[Contact Ferrara About This Truck \(../contact.php?sub=H-5969 Cinder Custom Pumper\)](#)

[See All Specially Priced Demo Trucks \(../demos\)](#)

FERRARA FIRE APPARATUS

HALL BUICK - GMC

Quote



Date	February 7, 2017
Valid Until	November 30, 2017
Quote #	WPFDPUMPER-0002
Customer ID	

Customer:

City of Willow Park Fire Department

Quote/Project Description

Custom Rescue Pumper

Description	Line Total
One-(1) Custom Rescue Pumper Mounted on a Cinder Chassis:	\$545,151.00
BuyBoard Processing Fee:	\$1,500.00
OPTIONS:	
Add Speedy Dry Compartment: \$2,418.00	
Add Hand Wheel Valve Control ILO Push Pull: \$450.00 Per Discharge	
Add Waterous Platinum 200-P CAFS w/Foam Pro 2001 ILO AP 1.0 Foam System: \$38,922.00	
Add Rowe CAFS w/Foam Pro 2001 ILO AP 1.0 Foam System: \$52,674.00*	
*CAFS to two-(2) 1-1/2" discharges only	

Special Notes and Instructions

Total \$ **\$546,651.00**

Above information is not an invoice and only an estimate of services/goods described above.

Thank you for your business!

Trade in apparatus

Tanker 35-

2003 ALF Freightliner FL80

Mileage 16,XXX

Tires need to be replaced quote from Turpin Tire of \$4,909.65

Kussmaul charging system needs to be replaced \$1,500

Various air leaks

Various water leaks from pump area

High Idle not functioning

Commercial cab not initially designed for fire service use

No roll over protection or air bag system

Cab doors opening while driving down the road

Aging apparatus 14 years old

Engine 235-

1999 E-ONE Freightliner FL70

Mileage 57,XXX

Tires need to be replaced quote from Turpin Tire of \$3047.36

Engine idle issue unknown cost to repair

Load manager issues

Interior seating decaying

Various fluids leaking from engine compartment

Various Air leaks in air system

Air conditioning not functioning

No air conditioning installed in the rear of the cab

Brake system issues

Compartment door latching issues

Inadequate compartment space

Cracks in frame of cab

PDP gauges leaking oil

Commercial cab not initially designed for fire service use

Engine 235 Continued

No roll over protection or air bags

Cab doors opening while driving down the road

Cab doors will not open when parked on certain terrain

Emergency lighting is bare minimum as per NFPA 1901

Aging apparatus 18 years old

Brush 35- **2008 Wildfire Ford F-750**

Mileage 6,XXX

Size of the apparatus prevents the apparatus from being able to make access to most incidents

Numerous repairs over the past few years one being the emissions system that totaled over \$13,000



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 2/14/17	Department: Legislative	Presented By: Councilmember Galle
---------------------------------	-----------------------------------	---

AGENDA ITEM:

Discuss and consider approval of the Memorandum of Understanding submitted by Franklin Legal relating to their work product for the Recodification of Willow Park Code of Ordinances.

BACKGROUND:

The City of WP executed a professional services agreement with Franklin Legal Publishing, Inc. on **May 2014**. Kirk Franklin, owner of the codification company, is an experienced attorney who has prepared and completed ordinance codification projects for over 20 years. The city has paid for professional services to execute a codification project to empower citizens, elected officials and staff with a current and user friendly code of ordinances. This code, once completed, will be available to any user on line and accessed through the WP web site. Reducing confusion and improving our services are some of the benefits of executing the proposed updated Code of Ordinances.

*ACCORDING TO THE ATTORNEY KIRK FRANKLIN THERE IS NO LEGAL REQUIREMENT THAT THE COUNCIL APPROVE THIS MEMORANDUM OF UNDERSTANDING. The Council will have to adopt an ordinance that approves the code of ordinances once it is completed.

COUNCIL MEMBER GALLE'S RECOMMENDATION:

Approve the Memorandum of Understanding submitted by Franklin Legal relating to their work product for the Recodification of Willow Park Code of Ordinances.

EXHIBITS:

Memorandum of Understanding submitted by Franklin Legal relating to their work product for the Recodification of Willow Park Code of Ordinances.

ADDITIONAL INFO: The cost paid to date is \$10,000 for the codification project that started in May 2014.	FINANCIAL INFO:	
	Cost	\$9,250.00 Base Cost
	Source of Funding	General Fund

**CODE OF ORDINANCES OF THE
CITY OF WILLOW PARK
MEMORANDUM OF UNDERSTANDING**

As prepared by



2435 20th Street
Lubbock, Texas 79411
806.797.8281
www.franklinlegal.net

February 2016

CODE OF ORDINANCES OF THE CITY OF WILLOW PARK

MEMORANDUM OF UNDERSTANDING

GENERAL COMMENTS AND RECOMMENDATIONS

1. The preliminary code draft is for review purposes only. In cases of obviously misspelled words in the prior code and/or ordinances, the words have been corrected or the correct word has been placed in brackets.

Note: In the interest of saving time and thus expense, every misspelled word, typographical error and formatting error found in the old code or ordinances has *not* been pointed out in the legal review.

The final product will be numbered and indexed. Also, the final product will have tab dividers inserted before each chapter, the index and the reference tables. The final code pages will be printed on both sides on a heavier weight paper and will be bound in a custom 3-ring binder.

Any and all findings, comments and/or recommendations made by Franklin Legal Publishing should be fully reviewed by an attorney appropriately designated to represent the city. Liability shall extend only to correction of errors in the code and supplements and not to acts or occurrences resulting from any such errors.

Please be aware that this draft was prepared in accordance with the ordinances received and verified as having been officially adopted by the city. It is possible there are alternate drafts of ordinances that were not officially adopted and the city should be aware this code represents only those ordinances that were approved and adopted by the city council.

2. The numbering system to be used in the new code is a three-part system. The first number indicates the chapter number. The second indicates the article number within that chapter. The third number indicates the section number within that article and chapter. As an example, section 3.05.008 would be the eighth section in chapter 3, article 3.05.

3. A legislative history will be maintained at the end of each section or other division of the code which includes references to amending ordinances as well as the section of the old code from which the material derives. The code comparative table published as an appendix to this code lists the sections of the old code as well as their disposition in the new code. The ordinance disposition table (also maintained as an appendix) lists the ordinances that amend the code as well as their disposition in the new code.
4. Many of the code provisions are somewhat dated and are possibly obsolete. Though specific instances of this are pointed out in the legal review, it is recommended that all of the provisions included in this preliminary code draft be briefly reviewed to determine whether or not they are in accordance with the procedures currently being followed by the city. Of special relevance with respect to this are the fees that are to be charged for various city services.
5. The preliminary draft code is current through Ordinance 671 adopted December 15, 2014. Ordinances adopted through the date of the legal review will be incorporated into the final draft. Ordinances adopted subsequently will be included in the first supplement to the adopted code.
6. Throughout the code and ordinances, fine amounts are referenced. State law periodically changes as to the amounts a municipality may fine persons for certain violations of the municipality's ordinances. Many of the older provisions currently in effect contain fine amounts, which are significantly lower than the amounts now allowed by state law. Currently, municipalities may impose fines of up to \$500.00 for violations of the ordinances except for those ordinances governing fire, health, safety and zoning. In such cases, the fines may be as high as \$2,000.00. (See V.T.C.A., Local Government Code, Section 54.001.) In the completed version of the code, a general penalty provision will be included in the first chapter which contains these current penalty amounts. This would make enforcement of the ordinances somewhat simpler. Also, should the Texas Legislature revise the allowable penalty amounts, only this one section of the code would be in need of revision, thus providing a savings on the cost of supplementing the code.

7. Codification consists of the codification of all “general and permanent” ordinances, meaning the code does not include ordinances that are limited in time, only applicable to a certain property or person, etc. These other ordinances (listed as Not in Code, or NIC, in the disposition tables) are specifically saved from repeal, but are not codified. Some examples of these types of ordinances include:
- ❑ Tax levies (ad valorem) for a specific fiscal year.
 - ❑ Budget adoption (or appropriating funds) and amendments for specific fiscal year.
 - ❑ Annexation, disannexations, or expanding extraterritorial jurisdiction.
 - ❑ Bonds: issuance, certificate of obligation, bond elections.
 - ❑ Maintenance, improvements, bids.
 - ❑ Elections: Councilmembers, mayor, unopposed candidates, other elected officials. We do, however, publish charter elections and certain sales and use tax elections.
 - ❑ Abandoning portions of streets, easements, rights-of-way, etc.
 - ❑ Purchases, contracts, and agreements.
 - ❑ Franchises.
 - ❑ Rezoning of specific property.
8. Revision will be made throughout the code where necessary to update the name(s) of any state or federal commissions, agencies, etc.
9. Revision will be made throughout the code where necessary to update references to state and federal law.
10. Words, phrases and other materials whose time has passed or that are obsolete have been omitted from the code. This includes the initial appointments to boards, etc.
11. In many instances, a word or phrase appears to have been missing in the original code provision or ordinance. Where the missing language was obvious, it has been included and has been bracketed. Only those changes that could have a potentially substantive effect have been pointed out the following review. Further, in cases where language had been bracketed in the prior code, these brackets have been removed.

12. Missing materials. We do not have a complete copy of Ordinance 530-05 (gas and oil wells). At the request of the city, this ordinance shall be put on file in the offices in the city until a new one can be drafted and adopted by the city.
13. Legislative History. There are two previous codifications: 1986 Code and 1993 Code (GSA). The 1993 Code was never supplemented. Ordinances adopted prior to Ordinance 234-87 included in the 1986 Code are not listed in the ordinance disposition table.
14. Materials in the new code will be organized according to the following chapter arrangement:

Chapter 1: General Provisions
Chapter 2: Animal Control
Chapter 3: Building Regulations
Chapter 4: Business Regulations
Chapter 5: Fire Prevention & Protection
Chapter 6: Health & Sanitation
Chapter 7: Municipal Court
Chapter 8: Offenses & Nuisances
Chapter 9: Personnel
Chapter 10: Subdivision Regulation
Chapter 11: Taxation
Chapter 12: Traffic & Vehicles
Chapter 13: Utilities
Chapter 14: Zoning
Appendices: Code Comparative Tables and Ordinance Disposition Table
Code Index

CHAPTER 1

GENERAL PROVISIONS

15. Article 1.01, Code of Ordinances. These provisions pertain to the adoption of the Code of Ordinances generally (i.e., definitions, severability, etc.). (See *also* comments above regarding the general penalty provision.)
16. Sec. 1.02.001, Form of government; town redesignated as city. The footnote in the previous code is unnecessary and, though not an official part of the code, will be omitted in the new code.

17. Sec. 1.02.004, Official newspaper. This section designates the Community News of Parker County as the city's official newspaper. By state law, the governing body is to contract with a newspaper on an annual basis with a public newspaper to be the city's official newspaper. (See V.T.C.A., Local Government Code, sec. 52.004) This section will be omitted from the final draft of the code.
18. Sec. 1.04.003, Disposition of ordinances. "Resolutions" at the beginning of the section will be corrected to "ordinances."
19. Sec. 1.05.032, Membership; appointment and term of members; compensation; vacancies. Note: Subsection (b) provisions designating the initial term of specific individuals have been omitted.
20. Sec. 1.07.032, Powers and duties of director. In subsection (1), second sentence, "Parker County" will be revised to "the city."
21. Sec. 1.08.009, Microfilming of records. In subsection (c), the beginning of this subsection will be amended to read as follows:

(c) All microfilming activities by custodians must be carried out on or ~~before~~ after April 1, 1990, under rules established by the commission ...

(Note: It reads "after" in Ordinance 274-90, which adopted this section)
22. Sec. 1.09.004, Depository. This section will be revised to omit the name of the selected depository.

CHAPTER 2

ANIMAL CONTROL

23. General comments. The version of chapter 2 used for the preliminary draft is not the version in the hard copy of the code book provided by the city.

Chapter 2 is problematic. The city provided three (3) copies of that chapter as prepared by the original codifier, including the one sent in the hardcopy of the book being used as the base code. This version of the chapter 2 is flawed.

Starting on page 2-7, it seems a large section of text that should follow this page (pertaining to vicious animals) was dropped entirely. The following page (2-8) starts with section 2.102 (which is out of order) and page 2-9 picks up with rabies reporting but is incomplete.

It seems that since all three versions follow this pattern and the page numbers are sequential, the chapter was prepared by the codifier to read like this. The ordinances received that amend the animal control ordinance amend sections that are not in this version.

Also provided was another version. This differs from the one in the book received in both its arrangement, content and formatting. There is a citation at the end of this chapter that says the entire ordinance derived from Ordinance 339-93, which is the ordinance that adopted the 1993 Code. This is the version that has been amended in later ordinances.

It is not clear, but it appears that when the code was prepared by the original codifier in 1993, the city noticed the errors in chapter 2 and a new chapter 2 was prepared and adopted as a part of the 1993 Code. This new chapter 2 was not then put in all of the copies of the book and that is why there are now two different versions.

We are working under the assumption that since this is the one currently amended and used by the city, that it was officially adopted as part of the 1993 Code. It is therefore being used in this version of the code.

24. Sec. 2.01.016, Guard dogs. In subsections (a) and (b), the section references appear to be incorrect. Corrections have been added in brackets and approved by the city.

CHAPTER 3 BUILDING REGULATIONS

25. Sec. 3.01.001, Garage openings facing frontal streets. This section refers to a "housing board of adjustments and appeals." At the direction of the city, this board title will be changed to the "board of adjustment."

26. Sec. 3.03.001, Codes adopted.

- (1) This section was added by Ordinance 434-98, adopting various technical codes. Subsequent ordinances, the most recent being Ordinance 705-15, amended this section to adopt the International Codes instead of the Uniform Codes, and to adopt more recent editions.

The following sections, which adopt or relate to previously adopted construction codes or are duplicative of section 3.03.001, will be deleted:

- Sec. 3.03.031 - Adopting International Residential and Building Codes.
- Sec. 3.03.032 - Amendments to Uniform Building Code.
- Sec. 3.03.251 - Adopts the 1984 National Electrical Code.
- Sec. 3.03.252 - Amendments to 1984 Electrical Code.
- Sec. 3.03.321 - Adopts the 1991 Uniform Mechanical Code.
- Sec. 5.04.001 - Adopts the 1984 Uniform Fire Code.
- Sec. 5.05.001 - Adopts the Life Safety Code.

- (2) The 2012 edition of the International Residential Code will be added to the list of adopted codes in this section.
- (3) The International Property Maintenance Code edition will be specified as the 2012 edition.
- (4) The NCTCOG amendments as adopted by Ordinance 705-15 will be referenced as being on file in the offices of the city.

27. Article 3.03, Division 3, Plumbing. Though the ordinance is unclear, it appears that some of this division may be superseded by adoption of the 2003 International Plumbing Code in section 3.03.001. No changes will be made during the codification process; however, it is recommended that the city review these regulations and amend as necessary.
28. Article 3.03, Division 3, Part V, Private Sewage Disposal Facilities. This division will be omitted, as these regulations are presumably superseded by article 13.07, On-Site Sewage Facilities (Ordinance 649-12).
29. Article 3.04, Registration of Contractors. Ordinance 657-12 was unclear as to whether sections 3.04.002–3.04.005 were to be omitted. At the direction of the city, these sections will be deleted from the code. The reference in section 3.03.259 to section 3.04.002 will be amended to reference section 3.04.001.
30. Sec. 3.04.001, Generally. In subsection (b), missing text has been added in brackets. The city has approved the corrected text.
31. Sec. 3.05.034, Administration. This section establishes the procedures for variances from the flood damage prevention regulations. Mention is made of an "appeal board, as established by the community." This is the standard language in these model ordinances as provided by FEMA. Revision will be made to provide that the city council will perform these functions.

CHAPTER 4

BUSINESS REGULATIONS

32. Article 4.02, Street Rental Fees. In most cases, cities no longer collect such rental fees, as franchise agreements are in place for those companies using municipal easements, rights-of-way, etc. This article will be repealed by not including it in the new code.
33. Sec. 4.04.003, License fee levied. The Texas Amusement Machine Commission referenced in this section was abolished in 1988. The comptroller now issues licenses and registrations for coin-operated machines. This reference will be updated.

34. Sec. 4.04.004, Payment of tax and license fee; display of receipt. Missing text has been added in brackets and approved by the city.
35. Sec. 4.05.007, License fee; duration. Persons engaged in interstate commerce will be excluded from the portions of this section regarding a fee. Although the city may require such persons to register with the city, such persons are exempt from the payment of a license or permit fee. Ordinances requiring permit fees for persons engaging interstate commerce have been held to impose an undue burden on interstate commerce and were held to be void. (See Pictorial Review Co. v. Alexandria, 46 F2d 337.)
36. Sec. 4.06.002, Location restricted; permit required. Subsection (a) will be revised to read as follows:
- (a) It shall be unlawful for any itinerant business to sell or offer to sell any item or items within the city if it is not:*
- (1) Within property that is ~~not~~ part of a flea market;*
 - (2) ~~If it is not~~ housed within a properly constructed and permitted building; or*
 - (3) Within a properly zoned PD area of the city.*

CHAPTER 5 FIRE PREVENTION AND PROTECTION

37. Sec. 5.01.001, Arson reward. When originally adopted, having such a reward resulted in a discount on the city's key rate fire insurance. As the key rate system no longer exists in the same fashion, the underlying reason for this provision no longer exists. At the direction of the city, this section will be omitted from the code.

CHAPTER 6 HEALTH AND SANITATION

38. Sec. 6.01.001, City sanitarian. This section will be omitted from the code.

39. Article 6.04, Cleanliness of Property.

- This article, though newer, does not contain the notice provisions now provided for by the Texas Health and Safety Code. As of June 5, 1991, the notification requirements for violations of certain sanitation ordinances were eased. Before a city could impose a fine or assess property owners for correcting violations of tall weeds and grass, accumulations of unsightly or unsanitary matter, or pools of stagnant water, notice had to be given either personally to the owner in writing or by letter addressed to the owner at the owner's post office address if known. If the owner's address was unknown or the owner could not be personally served, the notice could be given by publication at least twice within ten (10) consecutive days. Now, if a person cannot be personally served and the owner's address is unknown, the city has the option of publishing notice of the violation, or by posting the notice on or near the of each building on the property to which the violation relates, or by posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings. (See V.T.C.A., Health and Safety Code, Section 342.006(b)(3).) This article will be revised to be in accordance with these notification requirements.
- This article requires compliance after notice within ninety (90) days and will be revised to require compliance after ten (10) days.
- Additional authority to abate "dangerous weeds" has been granted to cities. This allows cities to immediately abate the nuisances of weeds in excess of forty-eight (48) inches in height which are an immediate danger to the health, life or safety of any person. (See V.T.C.A., Health and Safety Code, section 342.008.) These provisions will be added to the code.

40. Article 6.05, Weeds, Rubbish, Brush, and Other Unsanitary or Unsanitary Matter. This may be superseded by article 6.04, Cleanliness of Property (Ordinance 381-96). At the direction of the city, this article will repealed and omitted from the code.

CHAPTER 7 MUNICIPAL COURT

41. Similar to the municipal court technology fund as has been adopted by the city (see section 7.02.001 of the preliminary draft), the city may also wish to consider the adoption of a "municipal court building security fund." The revenues from this fund can be used to finance items used for the purpose of providing security services for the municipal court (i.e., x-ray machines, handheld metal detectors, etc.). (See V.T.C.A., Code of Criminal Procedure, Section 102.017.) At the direction of the city, provisions regarding this fee will be included in the code.

CHAPTER 8 OFFENSES AND NUISANCES

42. Article 8.07, Abandoned or Junked Vehicles. There are also provisions re abandoned vehicles in section 12.04.004. At the city's direction, the provisions codified as section 12.04.004 will be repealed and omitted from the code. Subsection 12.04.003(a)(5) (conditions under which impoundment authorized) has a reference to section 12.04.004. This reference will be changed to article 8.07.
43. Sec. 8.07.001, Definitions. The state law definition of "junked vehicle" has been amended. This definition will be revised to be consistent with state law.

CHAPTER 9 PERSONNEL

44. Sec. 9.01.001, Texas Municipal Retirement System. The various TMRS ordinances pertaining to updated service credits, etc., have not been published. Because many of these provisions are updated frequently, the state law pertaining to the Texas Municipal Retirement System (V.T.C.A., Government Code, ch. 851, subtitle G et seq.) will be adopted by reference and language will be added saving such ordinances from repeal and referencing them as being on file in the office of the city secretary.

45. Sec. 9.03.033, Selection, appointment and compensation of members. Ordinance 433-98 amended sections 8.301–8.303. Attached to Ordinance 433-98 were provisions titled “8.303 Selection and Appointment of Members,” which set out specific criteria for advancement to various ranks in the police department. The provisions of this attachment will not be included.

CHAPTER 10

SUBDIVISION REGULATION

46. Typically, subdivision ordinances are not codified, but are included as exhibits to codes of ordinances. In this case, however, the city had previously codified the subdivision ordinance, making it difficult to treat as an exhibit. Therefore, the subdivision ordinance has been recodified as article 10.02 in the new code.
47. Sec. 10.02.062, Certificate of occupancy permit required. This section was amended by Ordinance 452-00 and subsequently by Ordinance 618-10 (the remainder of Ordinance 618-10 pertains to animal establishments). The provisions in Ordinance 618-10 are the same as the provisions prior to amendment by Ordinance 452-00.

Prior to amendment (section 9.302 of the existing code):

All residential or commercial building(s) hereafter erected, structurally altered, occupied, used or undergoing a change in use shall have a certificate of occupancy permit and safety permit that has been issued by the city inspector stating that the building or proposed use to the building or premises complies with city ordinances and all other regulations pertaining to construction in the City of Willow Park, Texas. A change in use shall be construed to mean any change in occupancy or type of business.

As set out in Ordinance 452-00:

A. All residential or commercial building(s), or a portion thereof, hereafter erected, structurally altered, occupied, used or undergoing a change in occupancy classification use shall have a certificate of occupancy permit and ~~[safety permit]~~ that has been issued by the city inspector stating that the building or proposed use of ~~to~~ the building or premises complies with city ordinances and all other regulations pertaining to construction in the City of Willow Park, Texas. ~~[A change in use shall be construed to mean any change in occupancy or type of business.]~~

B. A new certificate of occupancy shall be required when there is a change of ownership of an operating business. The new owner may continue to operate the business until the new certificate of occupancy is issued. Upon inspection by the Building Official or designee, the owner shall make any necessary repair within a time period determined by the Building Official to be reasonable.

C. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of the Uniform Building Code, as revised, or of ordinances of the City. Certificates presuming to give authority to violate or cancel the provisions of the Code or ordinances shall not be valid.

As set out in Ordinance 618-10:

All residential or commercial ~~building(s)~~ structures hereafter erected, structurally altered, occupied, used or undergoing a "change in use" shall have a certificate of occupancy permit and safety permit that has been issued by the city inspector stating that the ~~building or~~ structure and proposed use ~~to~~ of the building structure or premises complies with all city ordinances and all other regulations pertaining to construction or use of the structure in the City of Willow Park, Texas. A "change in use" shall be construed to mean any change in occupancy or type of business.

At the request of the city, these amendments will be combined (Subsections B. and C added by Ordinance 452-00 were retained and subsection A. reads as provided by Ordinance 618-10, so that this section shall read as follows:

A. All residential or commercial ~~building(s)~~ structures hereafter erected, structurally altered, occupied, used or undergoing a "change in use" shall have a certificate of occupancy permit and safety permit that has been issued by the city inspector stating that the ~~building or~~ structure and proposed use ~~to~~ of the building structure or premises complies with all city ordinances and all other regulations pertaining to construction or use of the structure in the City of Willow Park, Texas. A "change in use" shall be construed to mean any change in occupancy or type of business.

B. A new certificate of occupancy shall be required when there is a change of ownership of an operating business. The new owner may continue to operate the business until the new certificate of occupancy is issued. Upon inspection by the Building Official or designee, the owner shall make any necessary repair within a time period determined by the Building Official to be reasonable.

C. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of the Uniform Building Code, as revised, or of ordinances of the City. Certificates presuming to give authority to violate or cancel the provisions of the Code or ordinances shall not be valid.

48. Sec. 10.02.128, Resubdivision. This section requires notice to surrounding property owners for replats of property "previously platted by a common dedication." Presumably, this is a reference to Local Government Code requirements regarding certain replats. A replat without vacation of the preceding plat must conform to additional notice and public hearing requirements if the area to be replatted was assigned interim or permanent single family or duplex zoning or was restricted in the same manner by deed restrictions. (See V.T.C.A., Local Government Code, section 212.015.) This section will be revised for clarification.
49. Subdivision ordinance exhibits. Some of the mathematical formulas contain a check mark. Presumably, these should represent a square root symbol and they were published as such in the following sections:
- Exhibit B:
 - Minimum Size Water Lines, section 3.b
 - Exhibit C:
 - Design Practice, section 3.a (d)
 - Design Practice, section 3.A(d)

CHAPTER 11 TAXATION

50. Sec. 11.02.005, Filing for residence homestead exemption. Presumably, this section was superseded by section 11.02.004. (Note: section 12.02.005 only mentions exemption for elderly; section 11.02.004 is for both elderly and disabled.) Section 11.02.005 will be repealed and omitted from the code.

51. Sec. 11.04.004, Reports. This section requires that taxpayers submit a copy of the quarterly report required for the state hotel occupancy tax. Depending on the amount of revenue, some taxpayers are required to file this report on a monthly basis. (See V.T.C.A., Tax Code, sec. 156.151.) This section will be revised to apply to those taxpayers as well.

CHAPTER 12

TRAFFIC AND VEHICLES

52. Many of the provisions to be contained in this chapter are not legally troublesome, but are of such a local nature that it is important that they be fully reviewed by the city to determine current applicability. This is particularly true with regard to speed limits, parking provisions, etc.
53. Traffic schedules and traffic regulations on specific streets. Traffic regulations for specific streets and location of traffic-control devices will not be included in the code and will be listed as being on file in the offices of the city. The following sections will be omitted:

- Sec. 12.03.034, Speed limits on IH-20 and IH-20 frontage roads
- Sec. 12.06.001, Schedule A: Traffic-control device listing
- Sec. 12.06.002, Schedule A-1: Local residential roads

References elsewhere in this chapter to these sections will be changed to reference the traffic schedules as adopted by the city.

- Sec. 12.04.007(a), Parking prohibited at all times on certain streets. The specific streets will be omitted and placed on file.
54. Sec. 12.02.001, Conformance with manual. Traffic-control devices must now be installed in accordance with the manual and specifications adopted by the Texas Transportation Commission pursuant to V.T.C.A., Transportation Code, sec. 544.001. This section will be amended to read as follows:

"All traffic-control devices including signs, signals and markings (pavement and/or curb) installed or used for the purpose of directing and controlling traffic within the city shall conform with the manual and specifications adopted by the state transportation commission as provided in V.T.C.A., Transportation Code, section 544.001. All signs, signals and markings erected or used by the city must conform to the manual and specifications adopted under V.T.C.A., Transportation Code, section 544.001. All existing

traffic control devices and those erected in the future by the city being consistent with the manual and specifications, state law and this section shall be official traffic-control devices."

CHAPTER 13 UTILITIES

55. Many of the provisions to be contained in this chapter are not legally troublesome, but are of such a local nature that it is important that they be fully reviewed by the city to determine current applicability. This is particularly true with regard to billing procedures, rates, etc.
56. Sec. 13.02.004, Qualifications. The qualifications for the public works director are very outdated. This section will be repealed and omitted from the code.
57. Sec. 13.03.004 and Sec. 13.04.004, Extension policy. These sections may be in conflict with the subdivision regulations (sections 10.02.271–10.02.282, Water and Sewer Extension Policy). At the direction of the city, these sections will be omitted from the code.
58. Sec. 13.04.047, Delinquency; discontinuance of service. The due date and delinquency date for sewer service bills in subsection 13.04.047(a) are different from those stated for water service bills in section 13.03.047(a). At the direction of the city, these subsections shall be amended partially to read as follows:
- Section 13.03.047(a) (water service):
The due date of the bill for utility service shall be the tenth of each month. A bill for utility service is delinquent if unpaid by the due date.
- Section 13.04.047(a) (sewer service):
The due date of the bill for utility service shall be the tenth of each month. A bill for utility service is delinquent if unpaid by the due date.
59. Sec. 13.07.011, Warning regarding malfunctioning septic system. This appears to be superseded by Ordinance 649-12 (section 13.07.007(6)) and will be repealed in the new code.

60. Article 13.08, Impact Fees. Ordinance 382-96 adopted 2/20/96 is included in this article. Ordinance 382-96 did not specifically amend the Code of Ordinances. The "Whereas" clauses of Ordinance 504-03 state that it amends "Art. 11.500 of the Municipal Code of the City" relating to impact fees. There is no article 11.500 in the code and we did not receive an ordinance adopting an article 11.500. Ordinance 677-13 adopted 5/14/13 states that it amends article 11.500, "Impact Fees," section 11.504, "Impact Fee Schedule."
61. Sec. 13.08.003, Impact fee schedule. The fees in this section will be omitted from the code and language will be added stating these fees are maintained on file in the offices of the city.
62. Sec. 13.08.007, Use of fees. Subsection (b)(4) will be amended to read as follows:
- (4) Fees actually paid or contracted to be paid to an independent qualified engineer or financial consultant preparing or updating the ~~capital engineer or financial consultant preparing or updating the~~ capital improvements plan who is not an employee of the city.*
63. Article 13.11, Water conservation and drought response. Ordinance 698-14 adopted a new drought contingency plan but did not specifically amend the Code of Ordinances. Parts of the ordinance seem to conflict with the existing codified provisions. Please note Ordinance 698-14 also states the enforceable provisions of the plan are in section 11.209 (now 13.11, division 4). An editor's note will be added to division 4 stating the complete drought contingency plan is available on file in the offices of the city but the city will need to review the new drought plan and amend the code to rectify any conflicts between the two.
64. Sec. 13.11.092, Declaration of emergency; water use restrictions. In subsection (1)(B)(iii), 6:00 a.m. at the end of subsection (iii) will be changed to 5:00 a.m., as follows:
- (B) Water use restrictions.
- (i) Residents having even-numbered addresses are permitted to water outside only on Sunday, Tuesday and Thursday between the hours of 5:00 a.m. to 8:00 a.m. and 7:00 p.m. to 9:00 p.m.

- (ii) Residents having odd-numbered addresses are permitted to water outside only on Saturday, Monday and Wednesday between the hours of 5:00 a.m. to 8:00 a.m. and 7:00 p.m. to 9:00 p.m.
- (iii) Watering is prohibited between the hours of 8:00 a.m. to 7:00 p.m. and 9:00 p.m. to 6:00 a.m.

CHAPTER 14

ZONING

- 65. No changes will be made to any zoning regulations as part of the ordinance codification process due to the legal requirements regarding the adoption and amendment of zoning regulations. Such regulations have been reproduced exactly as it was provided to Franklin Legal Publishing with the exception of numbering, formatting and any other nonsubstantive changes.
- 66. Typically, zoning ordinances are not codified, but are included as exhibits to codes of ordinances. In this case, however, the city had previously codified the zoning ordinance, making it difficult to treat as an exhibit. Therefore, the zoning ordinance has been recodified as chapter 14 in the new code.
- 67. All fees contained in the zoning ordinances will be omitted from the code and placed on file in the offices of the city. An editor's note will be added indicating this was done at the request of the city.
- 68. References to Uniform Building Code. There are numerous references to the Uniform Building Code and "UBC" in this chapter. The currently adopted code is the International Building Code.
- 69. Sec. 14.02.001, Establishment of districts and boundaries. In the listing of districts, the R-5, Single-Family Medium Density District (name of district changed by Ordinance 703-15), was not listed. This has been added for clarification in the code.
- 70. Sec. 14.06.008, Class II - Residential: "R-3" Multifamily District. Subsection (b)(9) (Irrigation regulations) refers to section 12.204. There is no section 12.204. Section 12.204 is "reserved" in Ordinance 414-97.

71. Sec. 14.06.009, Class II - Residential: "R-4" Manufactured Housing District. Though this district is established, and there is a definition of "manufactured housing," this ordinance fails to account for the state required definitions for the use of the terms "manufactured housing" and "mobile homes." Presumably, "manufactured housing" is meant to refer to HUD-Code manufactured homes, however this is not clear. The city may prohibit the future placement of all "mobile homes," as defined by said statute, in all areas of the city.
72. Sec. 14.06.010, Class II - Residential: "R-5" Single-Family Medium Density District.
- Ordinance 703-15 uses strike-thru and underline to indicate changes to the previous text as adopted by Ordinance 513-004. The amended text in Ordinance 703-15 does not correspond with the text as amended by Ordinance 513-004. Ordinance 703-15 was included as adopted.
 - The references in subsection (a)(14)(C) are incorrect and were corrected in brackets to read: "A front building elevation plan may be reversed once within a block face (including both sides of the street) or within three hundred (300) feet along a street or streets in order to meet the criteria as specified in (2)(a) and (2)(b) **[subsections (a)(14)(B)(ii) and (iii)]** of this section: provided that in such event, criteria (2)(c) and (2)(d) **[subsections (a)(14)(B)(iv) and (v)]** must also be satisfied." The city will review this section to ensure these corrections are correct.
73. Sec. 14.06.013, Class III - Business: "C" Commercial District. Subsection (a): Ordinance 650-12 added the use "Climate-controlled, self-contained public storage." This appears to have been inadvertently omitted in the subsequent amendment by Ordinance 665-13 and 712-15. The provisions adopted by Ordinance 650-12 have been retained (subsection (a)(21)). Ordinance 712-15 appears to have inadvertently omitted subsection (a)(24) "Special exception uses after recommendation by the planning and zoning commission and approval by the city council." This subsection was also retained. It is recommended that this be reviewed to ensure this is correct.
74. Article 14.07, Sign Regulations. Ordinance 492-02, which amends certain provisions of the sign regulations, provides that the changes are valid for only ninety days unless otherwise acted upon by the city council. As we received no confirmation that these were acted upon by the city council, this ordinance will not be included in the code.

75. Sec. 14.07.002, Signs requiring permits. Subsection (f)(6) requires permits for certain political signs, but is in conflict with state law on this matter. Municipalities may only regulate (including requiring a permit) a political sign that:

- (1) has an effective area greater than 36 feet;
- (2) is more than eight feet high;
- (3) is illuminated; or
- (4) has any moving elements.

(See V.T.C.A., Local Government Code, sec. 216.903.)

76. Sec. 14.16.001, Definition. These provisions were amended by Ordinance 475-01 and subsequently by Ordinance 683-14. The amendment by Ordinance 475-01 appears to have been inadvertently omitted in Ordinance 683-14. The text from Ordinance 475-01 has been retained. It is recommended that this be reviewed to ensure that it is correct.

Ordinance 475-01:

The word "Commission" or "Planning Commission" or "Zoning Commission" when used in ~~this ordinance~~ Chapter 9 and 12 of this code shall be construed to mean the "Planning and Zoning Commission."

Ordinance 683-14:

The word "Commission" or "Planning Commission" or "Zoning Commission" when used in this ordinance shall be construed to mean the "Planning and Zoning Commission."

77. Sec. 14.06.015, Class V - IH-20 Overlay District. Subsection (d)(1)(f) states, in part, that the "following uses shall be prohibited in any district:" This then gives a listing of the prohibited uses. Many of the uses prohibited here are specifically provided for as permitted uses in other portions of the zoning ordinance. It is unclear what the intention was in this subsection.

FEES

78. At the request of the city, the fee schedule will be omitted from the code. All other fees throughout the code will be amended to read "a fee in the amount established by city council", rather than a specific dollar amount. A list of fees omitted from the code will be provided to the city for incorporation into the city's fee schedule.

It is important to note that there are provisions in the fee schedule that are not included elsewhere in the code. This is particularly true with regard to the utilities provisions. It is recommended that the city fully review the code in conjunction with the fee schedule, as it existed prior to this codification to ensure that the provisions contained in the fee schedule are in fact intended to be omitted in the new code.

Please indicate by signature that the foregoing memorandum has been reviewed and that the city agrees to and has requested that all changes discussed be made in the final code.

Name:

Title:

Date:

PROFESSIONAL SERVICES AGREEMENT

TABLE OF CONTENTS

PART I. RECODIFICATION AND LEGAL REVIEW SERVICES

(1) Copies of Code and Ordinances to be Provided	1
(2) Editorial Review, Analysis and Codification.....	1
(3) Preliminary Draft	1
(4) Legal Review	1
(5) Editorial and Legal Conference	1
(6) New Ordinances and Code Provisions.....	2
(7) Arrangement, Notations, Cross References, and State Law References.....	2
(8) Code Index and Table of Contents.....	2
(9) Code Comparative and Ordinance Disposition Tables.....	2
(10) Draft and Adopting Ordinance.....	2
(11) Printing and Final Copies.....	3

PART II. LOOSELEAF SUPPLEMENTAL SERVICE

(1) Service Provided As Requested	3
(2) Incorporation of New Ordinances.....	3
(3) Index, Table of Contents and Reference Tables	3
(4) Instructions Provided	3
(5) Supplement Fees	3

PART III. FEES.....4

PART IV. AGREEMENT IS BINDING.....5

PART V. INDEMNITY6

PART VI. ARBITRATION.....6

SIGNATURE PAGE.....6

PROFESSIONAL SERVICES AGREEMENT FOR

RECODIFICATION AND LEGAL REVIEW SERVICES

FRANKLIN LEGAL PUBLISHING, INC., a corporation duly authorized and existing under the laws of the State of Texas, hereinafter referred to as "Franklin Legal Publishing," hereby agrees to edit, codify and publish a revised Code of Ordinances for the CITY OF WILLOW PARK, TEXAS, hereinafter referred to as "City," according to the following terms and conditions.

PART I. RECODIFICATION AND LEGAL REVIEW SERVICES

(1) **Copies of Code and Ordinances to be Provided.** The City will provide one (1) copy of the existing Code of Ordinances and one (1) copy of all ordinances adopted since the code was last supplemented. Such materials will be provided in an editable electronic format, if available, within thirty (30) days of execution of this agreement. Only copies are to be provided, as these materials will not be returned to the City. Logs of all materials received will be prepared and submitted to the City for approval prior to proceeding with preparation of the revised code to ensure that all materials have been provided.

(2) **Editorial Review, Analysis and Codification.** The existing Code of Ordinances and all ordinances of the City adopted since the code was last supplemented will be arranged into a revised Code of Ordinances for the City. During this process, Franklin Legal Publishing will analyze each ordinance and identify any conflicts, ambiguities, obsolete, and/or duplicative provisions which may be found.

(3) **Preliminary Draft.** Franklin Legal Publishing will provide a preliminary draft code. The preliminary draft will be complete with the exception of the code comparative table, the ordinance disposition table, and the index. The preliminary draft will include all graphics and textual tables at no extra cost to the City. The preliminary draft will be provided electronically or by printed copy, if requested.

(4) **Legal Review.** Attorneys for Franklin Legal Publishing will review the existing Code of Ordinances and all ordinances against state, federal and case law to determine if any provisions are unlawful, unconstitutional, obsolete, or otherwise unenforceable. A written report of any findings will be prepared and submitted to the City for review along with recommendations. Ordinances adopted up to the date of the delivery of this review will be incorporated into the final code. Ordinances subsequently will be included as part of the first code supplement.

(5) **Editorial and Legal Conference.** Upon completion of the editorial and legal review, an attorney for Franklin Legal Publishing will meet with key City officials in an

editorial and legal conference to discuss any findings revealed during the editorial and legal analysis and to determine how to remedy any actual or perceived conflicts. Following this conference, Franklin Legal Publishing will submit to the City a written memorandum of understanding outlining the proposed substantive changes approved at the editorial and legal conference for the City to amend existing ordinances where necessary. Changes will then be drafted and incorporated into the final draft at no charge.

(6) New Ordinances and Code Provisions. During the course of the work, Franklin Legal Publishing will make recommendations for new provisions where there is an obvious need for legislation on specific subjects. Franklin Legal Publishing will provide sample ordinances or Code provisions to accomplish this, if requested by the City. Since the need for such new legislation is of a local nature and varies from city to city, Franklin Legal Publishing will also rely on the City for guidance with regard to any specific legislation needed.

Note: Due to policy and legal restrictions, Franklin Legal Publishing will not draft new zoning and subdivision ordinances. These ordinances, if published, will be incorporated in the Code exactly as they have been adopted and amended, and will be included as exhibits to the pertinent code chapters. Review of these ordinances shall extend only to the relationship of these ordinances to other ordinances with regard to conflicts and/or repetition.

(7) Arrangement, Notations, Cross References, and State Law References. Franklin Legal Publishing will arrange the Code to be all-inclusive and subject matter will be arranged in an orderly and logical fashion. References to ordinances or old code provisions and history will be cited to indicate the ordinance from which each section or subsection is derived. Also, editorial footnotes and cross references will be incorporated where deemed appropriate so that related Code provisions can be tied together. State law references will also be provided as footnotes to applicable Code provisions.

(8) Code Index and Table of Contents. Franklin Legal Publishing will prepare a comprehensive general index by subject matter and a table of contents for the Code. Separate tables of contents for inclusion at the beginning of each chapter will also be prepared.

(9) Code Comparative and Ordinance Disposition Tables. Franklin Legal Publishing will list all ordinances and old code provisions in a chronological and/or numerical sequence setting out the location of such code provision or ordinance in the revised Code or indicating whether they have been repealed, deleted or superseded. The ordinance disposition table will be detailed and will include all ordinances adopted by the City, whether or not they are codified within the Code.

(10) Draft and Adopting Ordinance. Following the editorial conference, Franklin Legal Publishing will provide a draft copy to the City for final review before adoption. Following this review, the City will notify Franklin Legal Publishing of any changes

needed in the Code, if any. Franklin Legal Publishing will make any changes needed and send the City amended pages to effect the changes. Franklin Legal Publishing will not include ordinances adopted since the date specified in paragraph (4) above. Any such ordinances shall be included in the first supplement to the code, which, at the City's request, can be completed prior to adoption of the code. The revised draft will then be submitted to the City Council for adoption. Franklin Legal Publishing will prepare an ordinance to adopt the revised Code, which will be submitted to the City prior to the City Council meeting at which it is being considered for adoption.

(11) Printing and Final Copies. Franklin Legal Publishing will print the adopted Code on 8-1/2" X 11", 60 lb. offset white paper. The Code will be typed in a single-column Times New Roman font. Franklin Legal Publishing will provide the required number of copies of the adopted revised Code to the City in 3-ring binders. All binders will be specially ordered heavy-duty, turned-edge binders. The City's name will be embossed in gold-leaf on the binder. Franklin Legal Publishing will also furnish custom-made mylar separator tabs, printed on both sides, for each chapter and other major divisions of the Code. Final copies will be either delivered or shipped to the City at no cost.

PART II. LOOSELEAF SUPPLEMENTAL SERVICE

(1) Service Provided As Requested. Supplemental service will be provided to the City on an annual, semi-annual, or quarterly basis, or as otherwise requested by the City. All supplements will be completed and mailed to the City within forty-five (45) days of receipt of the ordinances. The City agrees to permit Franklin Legal to prepare the annual Code supplements(s) for at least three (3) years or for the first three (3) Code supplements, whichever is longer.

(2) Incorporation of New Ordinances. All new ordinances adopted by the City since the adoption of the Code or last supplement will be studied in conjunction with existing Code provisions to determine if any provisions of the Code are repealed, amended, or replaced. New pages will be printed to remove any such repealed or amended provisions and to allow for the insertion of newly adopted provisions. The same numbering system and type will be used as in the original Code.

(3) Index, Table of Contents and Reference Tables. The Index, Table of Contents, Code Comparative Table, and Ordinance Disposition Table will be fully updated with each supplement.

(4) Instructions Provided. A Code Supplement Instruction Sheet will be prepared with each supplement to provide instructions for the removal of obsolete pages and insertion of new pages.

(5) Supplement Fees. Franklin Legal Publishing will prepare and print the required number of copies of each supplement at the rate as provided for in Part III hereof. This price is guaranteed for three (3) years.

PART III. FEES

(A) RECODIFICATION SERVICE

(1) Base Recodification Fee, includes.....\$9,250.00*

- a. Editorial and Legal Review
- b. Preliminary Draft provided prior to conference
- c. On-Site Conference with Texas-licensed Franklin Legal Attorney
- d. Memorandum of Understanding
- e. Editorial Work
- f. Typesetting and Printing of Proofs
- g. Indexing
- h. Printing and Binding
 - i. Number of copies.....3
 - ii. Number of binders3
 - iii. Number of sets of custom tabs3
- i. Travel Costs for On-Site Legal Conference.....(NO CHARGE)
- j. Shipping and Delivery(NO CHARGE)

NOTE: No additional charges for: (1) additional pages; (2) pages containing tables and/or graphics; (3) travel costs; (4) revisions subsequent to onsite legal conference and prior to adoption; or (5) shipping/delivery costs.

(2) Additional Services.

- a. Completed code on CD-ROM integrated with Folio Views search and retrieval software**
 - i. One License\$995.00
 - ii. Each Additional License\$100.00
 - iii. Training sessions (either onsite or via telephone).....(NO CHARGE)
- b. Code on Internet, per year (*no charge for first year*)\$375.00
- c. Additional complete bound copies of completed code.....Quotation on request
- d. Reprints of ChaptersQuotation on request
- e. Laserfiche Document Imaging Software.....Quotation on request

* **Note:** The base cost is all-inclusive and covers the recodification process entirely. The City will in no way experience an increased cost due to the code being larger than originally estimated. (Franklin Legal Publishing does not base the cost of the project on the number of pages in the complete code.) Further, there are no extra hidden charges relating to graphics, tables, etc. Finally, postage and delivery is included in this cost.

** **Note:** Prices include hyperlinking of all internal and cross references throughout the code text with no additional charge.

(3) Payment Schedule for Codification.

- a. Upon execution of agreement10%
- b. Upon delivery of preliminary draft40%
- c. Upon delivery of draft for adoption40%
- d. Upon delivery of completed new codes10%

(Note: This schedule may be revised to better suit budget needs at the request of the City.)

(B) SUPPLEMENTATION SERVICE

(1) Printed Supplement Service

- a. Annual Fee None
- b. Number of Printed Copies3
- c. Supplement Service
 - i. Cost per printed code page.....\$20.00
 - ii. Cost for updated Folio CD-ROM, per supplement.....\$150.00
 - iii. Cost for updated RTF format, per supplement\$25.00
 - iv. Additional sets of Folio CD-ROM.....\$75.00

(2) Rapid Web Update ServiceSM Monthly Internet Updates.

(Note: Cost includes printed copy supplementation on quarterly basis.)..... \$24.00

(C) PAYMENT FOR SUPPLEMENTATION SERVICE

- a. Payment for supplementation service will be due upon receipt of invoice.
- b. Supplements will be invoiced when shipped.

PART IV. AGREEMENT IS BINDING

When executed by both Franklin Legal and the City, this proposal constitutes an agreement between the parties. There are no other agreements or representations other than those set forth in this agreement. This agreement may not be modified except in writing, signed by both parties.

The foregoing agreement is limited strictly to the terms contained herein, and in no way implies any representation of the City by Franklin Legal Publishing and/or attorneys associated therewith. This agreement does not constitute agreement by Franklin Legal Publishing to represent the City, and Franklin Legal Publishing shall provide only those review services as provided for herein. Any and all findings, comments and/or recommendations made by Franklin Legal Publishing should be fully reviewed by an

attorney appropriately designated to represent the City. Liability for services as outlined herein shall extend only to correction of errors in the code and supplements and not to acts or occurrences resulting from any such errors.


PART V. INDEMNITY

Franklin Legal Publishing shall defend, save, hold harmless, and indemnify the City from and against all third party claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature whatsoever resulting from, arising out of, or relating to the intentional, reckless or negligent acts or omissions of Franklin Legal Publishing or its officers, employees, subcontractors, agents, affiliates, distributors, or sublicensees under this Agreement; provided that Franklin Legal Publishing shall have no obligation to indemnify the City from and against any claims, suits, actions, losses, damages, liabilities, costs and expenses attributable solely to the acts or omissions of the City, and their officers, employees or agents.

PART VI. ARBITRATION

Any controversy or claim arising under this Agreement shall be settled exclusively by arbitration in Parker County, Texas in accordance with the rules of the American Arbitration Association then in effect, and judgment may be entered on the arbitrator's award in any court having jurisdiction.

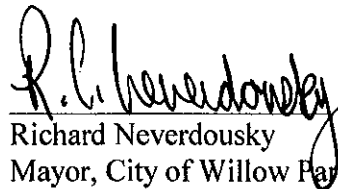
AGREED:



R. Kirk Franklin
President/Attorney at Law
Franklin Legal Publishing, Inc.

May 13, 2014

Date



6/3/2014

Richard Neverdousky
Mayor, City of Willow Park

Date

Approved as to form & content:

Rider Scott
City Attorney
City of Willow Park

This offer was discussed and approved by a majority vote of the City Council on January 14, 2014 and the Mayor is hereby authorized to sign on behalf of the City of Willow Park, Texas



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 2/14/17	Department: Legislative	Presented By: Councilmember Galle
---------------------------------	-----------------------------------	---

AGENDA ITEM:

To consider making appointments to the Citizens Utility Rate Advisory Committee.

BACKGROUND:

The City of Willow Park has engaged a utility rate analysis contractor to prepare a rate adjustment for the Council's consideration.

The rate analysis recommendations from NewGen Strategies & Solutions have not been received. NewGen has all the data necessary for the rate calculations.

Councilmember Galle requested the Council appoint a temporary committee to receive the utility rate adjustment recommendations.

These are Ms. Galle's recommended committee members to date:

Ella Bullock (Stage Coach Est.)
Brandi Dunn (Squaw Creek Estates West)
Tiffany Geffert (El Chico Addition)
Allan McLean (WP Village)
Hunter Stockton, (Hunters Glen)

STAFF/BOARD/COMMISSION RECOMMENDATION:

N/A

EXHIBITS:

NewGen's Proposal dated July 13, 2016.

ADDITIONAL INFO:	FINANCIAL INFO: N/A	
	Cost	Not to exceed \$15,000.00
	Source of Funding	Utility Funds



1300 E. Lookout Drive
Suite 100
Richardson, TX 75082
Phone: (972) 680-2000
Fax: (92) 680-2007

July 13, 2016

Mr. Josh Armstrong
City Secretary
City of Willow Park, Texas
516 Ranch House Road
Willow Park, Texas 76087

Re: Proposal to assist the City in updating Water and Sewer Rate Model

Dear Mr. Armstrong:

Based on our prior conversations, NewGen Strategies and Solutions LLC, (NewGen) appreciates this opportunity to propose our assistance to the City of Willow Park (City). It is our understanding that the City is requesting assistance with updating the City's Water and Sewer Rate Model to reflect the impact of upcoming capital projects, with particular emphasis on upcoming wastewater improvements. This assistance may include, but is not limited to, the following:

- Assist City staff with updates and necessary modifications to the water and wastewater rate model previously developed by NewGen;
- Analyze billing data provided by the City and input respective billing determinants within the model;
- Assist City staff in preparing and entering financial pro forma and budget data into the model including projecting anticipated customer use and revenues as well as the City's capital program and anticipated funding mechanisms;
- As requested, meet with and make presentations to the City Staff and Council; and,
- Tracking and monitoring the City's competitive position in relation to similar municipalities in water and wastewater rate design through the preparation of regional comparisons.

Services provided under this agreement will commence immediately upon execution. Primary work efforts are anticipated to occur during August through October 2016, with anticipated presentation of results towards the end of calendar year 2016.

NewGen will invoice the City on a monthly basis for actual hours worked at our then applicable hourly billing rates, plus out of pocket expenses incurred at cost. Payment is due within thirty (30) days upon receipt of invoice. NewGen's hourly billing rates, effective through December 31, 2016, are as follows:

**NewGen Strategies and Solutions, LLC
Billing Rates**

Staff Category	Hourly Billing Rates
President	\$295
Directors	\$235 - \$285
Executive Consultant	\$210 - \$285
Senior Consultant	\$160 - \$180
Staff Consultant	\$120 - \$140
Administrative Assistant	\$80- \$85

Costs incurred by NewGen under this agreement will not exceed \$15,000.00 without prior written authorization of the City. NewGen shall not be required to furnish services or incur expenses above \$15,000.00 without prior written authorization and additional funding committed by the City. This agreement is subject to cancellation by the City with thirty (30) days prior written notice provided to NewGen. In the event of cancellation, all labor and expense charges incurred by NewGen through the date of cancellation will be considered due at the time notice of cancellation is delivered, regardless of work product and/or engagement status.

In executing this letter, you agree that the services rendered by NewGen will be performed in accordance with instructions or specifications received by the City and will be provided with the degree of skill and judgment exercised by recognized professionals performing services of similar nature and consistent with the applicable industry best practices. You further agree that compensation for services rendered will be provided to NewGen regardless of the final outcome of the engagement.

If this letter and its terms and conditions are acceptable, please execute one copy and return to our Richardson, Texas office. If you should have any questions regarding this letter and/or require additional information, please contact Chris Ekrut at 972.232.2234.

Very truly yours,

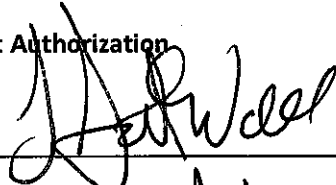


Chris Ekrut
Director
NewGen Strategies & Solutions

Mr. Josh Armstrong
July 13, 2016
Page 3

Project Authorization

Signed


City Adm

Printed

L. Scott Wall

Title

Date

1-4-17