



**City of Willow Park
Regular Meeting
City Hall
516 Ranch House Rd, Willow Park, TX 76087
Tuesday, June 13, 2017 at 7:00 p.m.
Agenda**

Section I – Presentations

- 1. Call to Order**
- 2. Determination Of Quorum**
- 3. Invocation & Pledge of Allegiance**
 - A. Ted Kitchens, Sr. Pastor at Christ Chapel
 - B. Scout Troop 1099
- 4. Citizen Presentations & Comments**

Section II – Minutes

- 5. Approve and Act on Minutes**
 - A. Approve City Council Regular Meeting Minutes – May 9, 2017
 - B. Approve City Council Called Meeting Minutes – May 18, 2017

Section III – General Items

- 6. Discussion/Action:** To discuss and consider authorization of the execution of an easement with The Shops at Crown Park, LLC. for the use of public street right of way for the installation of two monument signs.
- 7. Discussion/Action:** To discuss and consider approval of Resolution No. 08-17, providing authorization for the execution by the City of an Interlocal Cooperation Agreement with Parker County, TX for the repair, maintenance and construction of roads, thoroughfares or streets.
- 8. Discussion/Action:** To adopt Ordinance No. 753-17, an Ordinance providing authorization to grant Texas Gas Service Company, a franchise to use the present and future streets, alleys, highways, utility easements, municipal rights of way and public property in consideration of certain compensation; and providing for a term and an effective date.
- 9. Discussion/Action:** To discuss and consider approval of Ordinance No. 754-17, an Ordinance to adopt the new Code of Ordinances as presented by Franklin Legal Publishing.
- 10. Discussion/Action:** To discuss and consider accepting recommendation to declare Public Works Department equipment as Surplus and selling by Public Auction.

11. Discussion/Action: To discuss and consider appointment of Kandice Garrett as City Secretary.
12. Discussion/Action: To discuss and consider approval of the FY 2017/18 Budget Calendar.
13. Discussion/Action: To discuss and consider prioritizing the FY 2017/18 Budget Goals.

Section IV – Council Requested Items

14. Discussion/Action: To discuss and consider assigning a team to investigate alternatives for wastewater utility operations. (Mayor Pro-Tem John Gholson)
15. Discussion/Action: To discuss and consider setting a date for a called meeting for the purpose of discussing future wastewater treatment plant site. (Councilmembers Marcy Galle & Amy Fennell)
16. Discussion/Action: To approve Ordinance No. 751-17 changing the appointment and supervision of the City Attorney. (Councilmember Marcy Galle)

Section V- Informational

17. Mayor & Council Member Announcements
18. City Administrator's Report

Section VI – 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 June 9, 2017 at 5:00 p.m.

Kandice Garrett
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, May 9, 2017 at 7:00 p.m.
Minutes**

Section I – Presentations

1. Call to Order

Mayor Neverdousky called the meeting to order at 7:00 p.m.

2. Determination of Quorum

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

Excused: Councilmember Norman Hogue

Staff Present:
City Administrator Scott Wall
Interim City Secretary Kandice Garrett

***Councilmember Martin made a motion to excuse the absence of Councilmember Norman Hogue.

Seconded by Councilmember Galle
Aye votes: Councilmembers Martin, Runnebaum, Gholson, Galle
Motion passed with a vote of 4-0

3. Invocation & Pledge of Allegiance

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

4. Proclamation

***Mayor Neverdousky read the proclamation determining the month of May as Motorcycle Safety and Awareness Month (Ride Safe in Texas).

***Mayor Neverdousky read the proclamation, determining the week of May 14-20, 2017, as National Police Week.

5. Citizen Presentations & Public Comments

***None.

Section II – Minutes

6. Approve and Act on Minutes

A. Approve City Council Regular Meeting Minutes – April 11, 2017

***Councilmember Runnebaum made a motion to approve the City Council Regular Meeting Minutes.

Seconded by Councilmember Gholson

Aye votes: Councilmembers Martin, Runnebaum, Gholson

Abstain: Councilmember Galle

Motion passed with a vote of 3-0

Section III – General Items

7. Discussion/Action: Consider and act on a Site Plan for Fuzzy's restaurant, a 7,569 square foot building on Lot 3R, Block 1, The Village at Willow Park Addition, City of Willow Park, Texas, located at 149 Willow Bend Drive.

***Councilmember Gholson made a motion to approve the Site Plan for Fuzzy's restaurant.

Seconded by Councilmember Galle

Aye votes: Councilmembers Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 4-0

8. Discussion/Action: Consider and act on a Preliminary Plat of Lot 1, Block 1, Lots 1-4, Block 2 & Lot 1, Block 3, Phase 1 & 2, I-20 Corridor Addition to the City of Willow Park, Parker County, Texas. Being an 18.747 Acres Subdivision out of The McKinney & Williams Survey Abstract No. 954 & The Wesley Franklin Survey, Abstract No. 468 Parker County, Texas. The property is located in the 4200 Block of I-20 Service Rd N.

***Joshua Anderson, representing Texas Surveying addressed council on the question of ownership of Crown Lane.

***Councilmember Runnebaum made a motion to approve the Preliminary Plat as presented.

Seconded by Councilmember Galle

Aye votes: Councilmembers Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 4-0

9. Discussion/Action: Annual Audit Presentation by Daniel Hungerford, CPA.

***Councilmember Runnebaum made a motion to approve the Annual Audit as presented.

Seconded by Councilmember Galle.

Aye votes: Councilmembers Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 4-0

10. Discussion/Action: Quarterly Financial Report by Jake Weber, CPA.

***No action taken.

11. Discussion/Action: To consider and approve Resolution 06-17, a resolution providing authorization for the execution of a Texas Revenue Recovery Interlocal Cooperation Agreement.

***Councilmember Gholson made a motion to approve Resolution 06-17.

Seconded by Councilmember Galle

Aye votes: Councilmembers Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 4-0

12. Presentation: To consider and approve a Memorandum of Understanding to support and maintain the Children's Advocacy Center of Parker County.

***Councilmember Galle made a motion to approve the Memorandum of Understanding.

Seconded by Councilmember Gholson

Aye votes: Councilmembers Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 4-0

13. Discussion/Action: To consider approving Ordinance No. 752-17, an ordinance establishing and implementing a program to charge mitigation rates for the deployment of emergency and non-emergency services by the fire department for services provided/rendered for the Willow Park Fire/Rescue Department.

***Councilmember Runnebaum made a motion to approve Ordinance No. 752-17.

Seconded by Councilmember Gholson

Aye votes: Councilmembers Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 4-0

Section V - Informational

14. Mayor & Council Member Announcements

***Councilmember Runnebaum and other councilmembers thanked Mayor Neverdousky and Mayor Pro-Tem Martin for their years of service and work through challenging times with the City of Willow Park.

***Councilmember Galle requested the zoning map be updated and current within the next two months. She also requested there be a joint workshop with P&Z and the City Council held prior to the June Council Regular Meeting to discuss accessory buildings and carports.

***Councilmember Martin made a recommendation for the City Council to look at tuition reimbursement policy and procedures for the City of Willow Park and specifically tuition reimbursement funds given to former employee Steve Martin, Director of Public Works.

15. City Administrator's Report

***City Administrator Scott Wall reminded Council of the upcoming Called Meeting to be held on Thursday, May 18 @ 7 p.m. canvassing the election.

***City Administrator Scott Wall informed Council the new City website should be in place by the end of June.

Section VI – Adjournment

16. Adjournment

***Councilmember Martin made a motion to adjourn.

Seconded by Councilmember Galle

Aye votes: Councilmembers Martin, Runnebaum, Gholson, Galle

Motion passed with a vote of 4-0

Mayor Neverdousky adjourned the meeting at 8:10 p.m.

APPROVED

Richard Neverdousky, Mayor
City of Willow Park, Texas

ATTEST:

Kandice Garrett, Interim City Secretary
City of Willow Park, Texas



**City of Willow Park
City Council
Called Meeting
City Hall
516 Ranch House Road, Willow Park, TX 76087
Thursday, May 18, 2017 at 7:00 p.m.
Minutes**

Section I – Presentations

1. Call to Order

Mayor Neverdousky called the meeting to order at 7:00 p.m.

2. Determination of Quorum

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

***Councilmember Norman Hogue arrived at 7:25 p.m.

Staff Present:
City Administrator Scott Wall
Interim City Secretary Kandice Garrett
City Attorney David Dodd

3. Invocation & Pledge of Allegiance

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

4. Discussion/Action: To consider and take action of Resolution No. 07-17, a resolution canvassing and declaring the results of the Municipal General Election held on the uniform election date of May 6, 2017.

***Councilmember Martin made a motion to approve Resolution No. 07-17.

Seconded by Councilmember Runnebaum
Aye votes: Councilmembers Martin, Runnebaum, Gholson, Galle
Motion passed with a vote of 4-0

5. Administer the Oaths of Office and formally swear in the elected Municipal Officials

- Mayor Doyle Moss
- Councilmember Norman Hogue (Uncontested) – Place 1
- Councilmember Amy Fennell – Place 2

***Mayor Neverdousky did the swearing in Oath of Office for Doyle Moss, newly elected Mayor of the City of Willow Park.

***Mayor Doyle Moss did the swearing in Oath of Office for Amy Fennell, newly elected Councilmember, Place 2 of the City of Willow Park.

***Mayor Moss recessed the meeting at 7:15 p.m.

***Mayor Moss reconvened the meeting at 7:25 p.m.

***Mayor Moss did the swearing in Oath of Office for Norman Hogue, newly elected Councilmember, Place 1 of the City of Willow Park.

6. Discussion/Action: Election of the Mayor Pro-tem by the Governing Body.

***Councilmember Galle made a motion to nominate Councilmember John Gholson for Mayor Pro-Tem.

Seconded by Councilmember Hogue

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

Motion passed with a vote of 5-0

Section II – General Items

7. Discussion/Action: To discuss and consider exchange of property for future waste water treatment plant.

***Councilmember Runnebaum made a motion to approve exchange of property for future WWTP.

***No action taken.

***Councilmember Gholson made a motion to table this item to the next meeting.

Seconded by Councilmember Hogue

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

Motion passed with a vote of 5-0

8. Discussion/Action: To discuss and consider settlement of lawsuit re Weatherford v. Willow Park.

***Councilmember Runnebaum made a motion to authorize settlement of lawsuit re Weatherford V. Willow Park.

***No action taken.

Section III – 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 Moss recessed to executive session at 7:34 p.m.

***Mayor Moss reconvened the meeting at 8:05 p.m.

9. Executive Session

A. Consultation with City Attorney for settlement of lawsuit re Weatherford v. Willow Park

***Councilmember Runnebaum made a motion to authorize City Attorney David Dodd to settle the lawsuit with the City of Weatherford.

Seconded by Councilmember Hogue with the added concessions of our good faith and the original intent as discussed in Executive Session.

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

Motion passed with a vote of 5-0

Section IV – Adjournment

10. Adjournment

***Councilmember Gholson made a motion to adjourn.

Seconded by Councilmember Runnebaum

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

Motion passed with a vote of 5-0

Mayor Moss adjourned the meeting at 8:10 p.m.

APPROVED

Doyle Moss, Mayor
City of Willow Park, Texas

ATTEST:

Kandice Garrett, Interim City Secretary
City of Willow Park, Texas



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 6/13/17	Department: Administration	Presented By: Scott Wall, City Administrator
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AGENDA ITEM:

To discuss and consider authorization of the execution of an easement with The Shops at Crown Park, LLC. for the use of public street right-of-way for the installation of two monument signs.

BACKGROUND:

The Shops at Crown Park have requested that their monument sign be located in the public street right-of-way to advertise and promote their development.

STAFF/BOARD/COMMISSION RECOMMENDATION:

Authorize the City Administrator to execute the right-of-way easement with The Shops at Crown Park, LLC.

EXHIBITS:

Right-of-Way Use Agreement, Exhibit "A" Monument Sign Locations, Site Plan & Sign Renderings.

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

**CITY OF WILLOW PARK
RIGHT-OF-WAY USE AGREEMENT**

STATE OF TEXAS ()
COUNTY OF PARKER ()

KNOW ALL MEN BY THESE PRESENTS:

That the *City of Willow Park, Texas*, hereinafter referred to as "**City**", does consent and agree to permit *The Shops at Crown Park, LLC*, herein referred to as "**Applicant**", to use a public street right-of-way, previously dedicated to the City, for installation of two (2) monument signs and associated landscape & lighting, at the location shown on Exhibit A attached hereto. Applicant agrees to the following conditions:

I.

That Applicant, their successors or assigns, shall maintain and keep in neat and attractive condition all of the easement area and the improvements situated thereon; and, that City shall not become responsible for such maintenance at any time in the future. Applicant shall repair any damage to City facilities caused by Applicant within a reasonable time.

II.

That Applicant shall and does hereby agree to indemnify and hold harmless City from any and all damages, loss or liability of any kind whatsoever by reason of injury to property or third person occasioned by its use of the right-of-way or act of omission, neglect or wrong doing of Applicant, its officers, agents, employees, invitees or other persons, with regard to the improvements and maintenance of such improvements; and the Applicant shall, at his own cost and expense, defend and protect City against any and all such claims and demands.

III.

This Right-of-Way Use Agreement is limited to monument signage, landscape, and associated accent lighting and may not be expanded upon by Applicant without the express written consent of the City. Applicant shall be responsible for all cost of installation & maintenance, including ongoing cost of electricity and irrigation.

IV.

In the event Applicant elects to remove the monument sign(s) and associated improvements permitted by this agreement, this agreement shall become null and void with respect to permission for use at the locations(s) where the signage improvements were removed.

V.

Nothing contained herein shall remove Applicant's obligation to comply with all applicable City sign ordinance requirements with respect to height, length, and composition that were in effect as of the date of this approval by the City of Willow Park City Council. The installation shall also comply with all City requirements for sight distance and non-obstruction of sight distance corridors.

VI.

This agreement shall be filed of record in the Deed Records of Parker County, Texas and shall bind all future owners of Lot 1R and Lot 2R, Block C, Crown Pointe Addition as recorded in Cabinet D, Slide 640, Plat Records Parker County, Texas. This document shall be considered for all purposes as a covenant running with the land.

IN TESTIMONY WHEREOF, Applicant executes this Right-of-Way Use Agreement on this the _____ day of _____, 2017.

APPLICANT

THE SHOPS AT CROWN PARK, LLC
10235 W. Interstate Highway 20
Eastland, TX 76448

By: _____

Printed Name: _____

Title: _____

CITY

CITY OF WILLOW PARK, TEXAS
516 Ranch House Road
Willow Park, Texas 76087

By: _____

Printed Name: _____

Title: _____

STATE OF TEXAS ()

COUNTY OF PARKER ()

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Kyle Wilks, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that same was the act of said The Shops at Crown Park, LLC, and that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 5th day of June, 2017.

Kellie A

Notary Public in and for the
State of Texas

My Commission Expires: 8/26/2020



STATE OF TEXAS ()

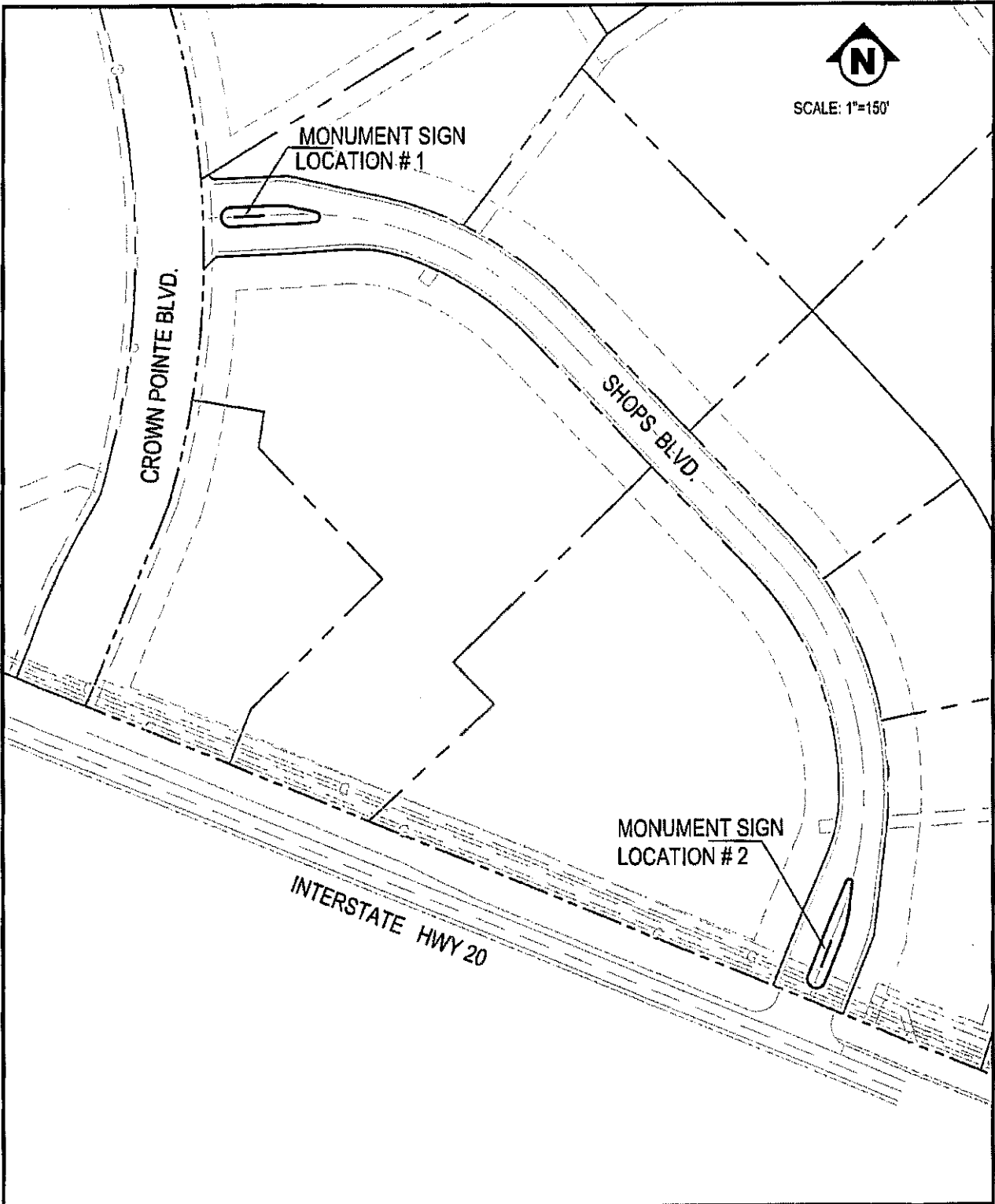
COUNTY OF PARKER ()

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that same was the act of said City of Willow Park, Texas, and that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

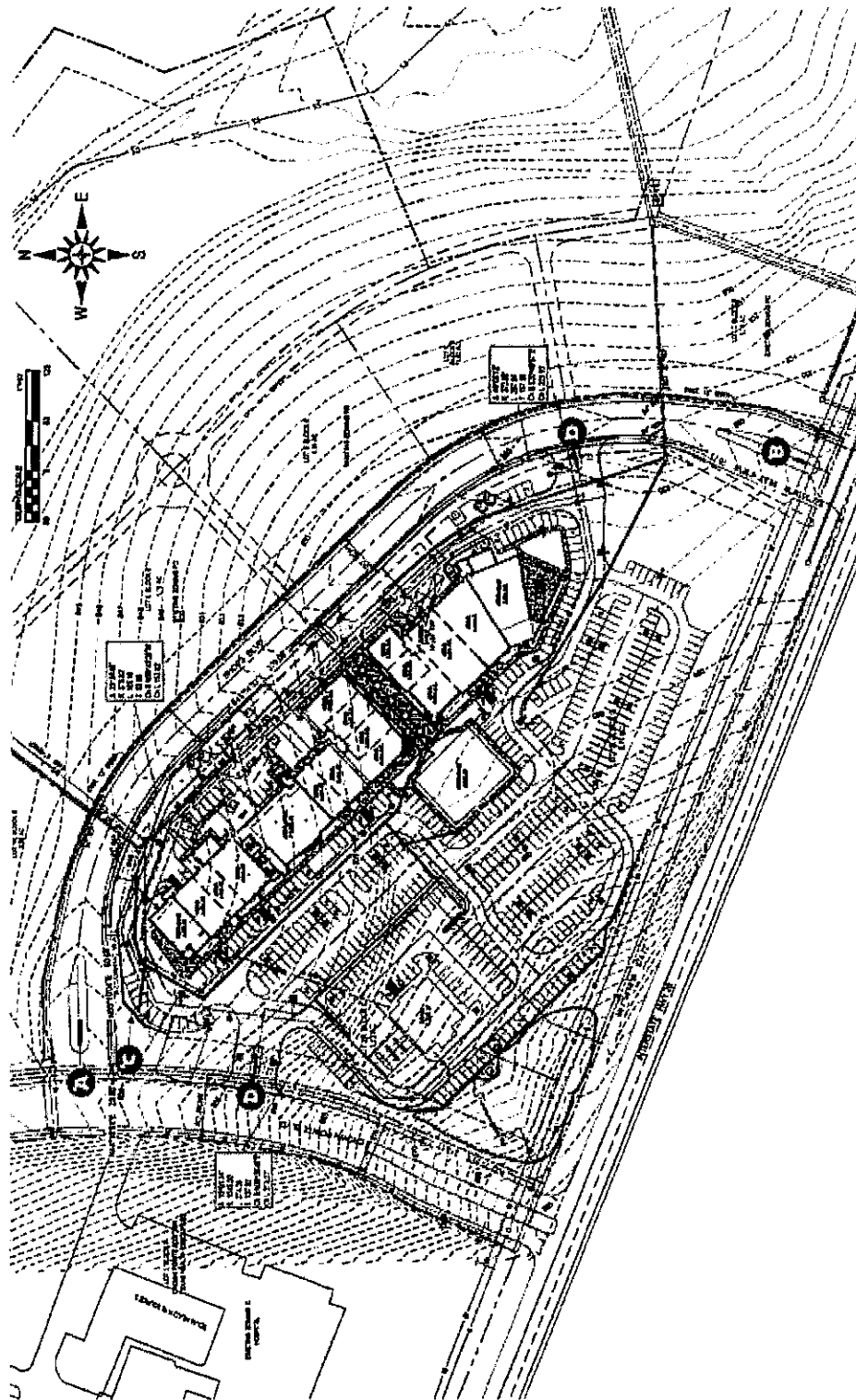
GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2017.

Notary Public in and for the
State of Texas

My Commission Expires: _____



<div> Barton-Stark-Swift Consulting Engineers P.C.</div> <div>8221 Southwest Boulevard, Suite 100 Fort Worth, Texas 76132 (O) 817.231.8100 (F) 817.231.8144 Texas Registered Engineering Firm F-12999 Texas Registered Survey Firm F-158600 www.bartonstark.com</div>	<div>EXHIBIT "A"</div> <div>MONUMENT SIGN LOCATIONS</div> <div>SHOPS AT WILLOW PARK</div>	PROJECT No. 171-9311
		DATE: 05-15-2017
		SHEET

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SITE PLAN

REVISION 1

ITEM #001	QTY	UNIT PRICE	TOTAL
10001	1.00	1.00	1.00
10002	1.00	1.00	1.00
10003	1.00	1.00	1.00
10004	1.00	1.00	1.00
10005	1.00	1.00	1.00
10006	1.00	1.00	1.00
10007	1.00	1.00	1.00
10008	1.00	1.00	1.00
10009	1.00	1.00	1.00
10010	1.00	1.00	1.00
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10095	1.00	1.00	1.00
10096	1.00	1.00	1.00
10097	1.00	1.00	1.00
10098	1.00	1.00	1.00
10099	1.00	1.00	1.00
10100	1.00	1.00	1.00

Work Order
393475R1
Engineer
JAMES S-S-2017

CONSTRAINTS OF PROFITS		TOTAL	
<input type="checkbox"/> MATERIALS	<input type="checkbox"/> LTL. DEL.	<input type="checkbox"/> CASH. 1/4	<input type="checkbox"/> CASH. 1/4
<input type="checkbox"/> LABOR	<input type="checkbox"/> INVENTORY	<input type="checkbox"/> CASH. 1/2	<input type="checkbox"/> CASH. 1/2
<input type="checkbox"/> FACILITIES	<input type="checkbox"/> CREDIT	<input type="checkbox"/> INVENTORY	<input type="checkbox"/> INVENTORY
<input type="checkbox"/> MANAGEMENT	<input type="checkbox"/> CREDIT	<input type="checkbox"/> LTL. DEL.	<input type="checkbox"/> LTL. DEL.
<input type="checkbox"/> FINANCIAL	<input type="checkbox"/> CREDIT	<input type="checkbox"/> INVENTORY	<input type="checkbox"/> INVENTORY
<input type="checkbox"/> PERSONNEL	<input type="checkbox"/> CREDIT	<input type="checkbox"/> LTL. DEL.	<input type="checkbox"/> LTL. DEL.
<input type="checkbox"/> EQUIPMENT	<input type="checkbox"/> CREDIT	<input type="checkbox"/> INVENTORY	<input type="checkbox"/> INVENTORY
<input type="checkbox"/> TECHNOLOGY	<input type="checkbox"/> CREDIT	<input type="checkbox"/> LTL. DEL.	<input type="checkbox"/> LTL. DEL.
<input type="checkbox"/> CAPITAL	<input type="checkbox"/> CREDIT	<input type="checkbox"/> INVENTORY	<input type="checkbox"/> INVENTORY
<input type="checkbox"/> OTHER	<input type="checkbox"/> CREDIT	<input type="checkbox"/> LTL. DEL.	<input type="checkbox"/> LTL. DEL.
<input type="checkbox"/> TOTAL	<input type="checkbox"/> CREDIT	<input type="checkbox"/> INVENTORY	<input type="checkbox"/> INVENTORY

ENGINEERING REVISIONS
 RE: 5-10-2017 REV. POWDER COAT
 COLOR PER CUSTOMER - XCH



D/F MONUMENT SIGN
(1) REQUIRED - MANUFACTURE & INSTALL

[illegible][illegible]

ENGINEERING REVISIONS

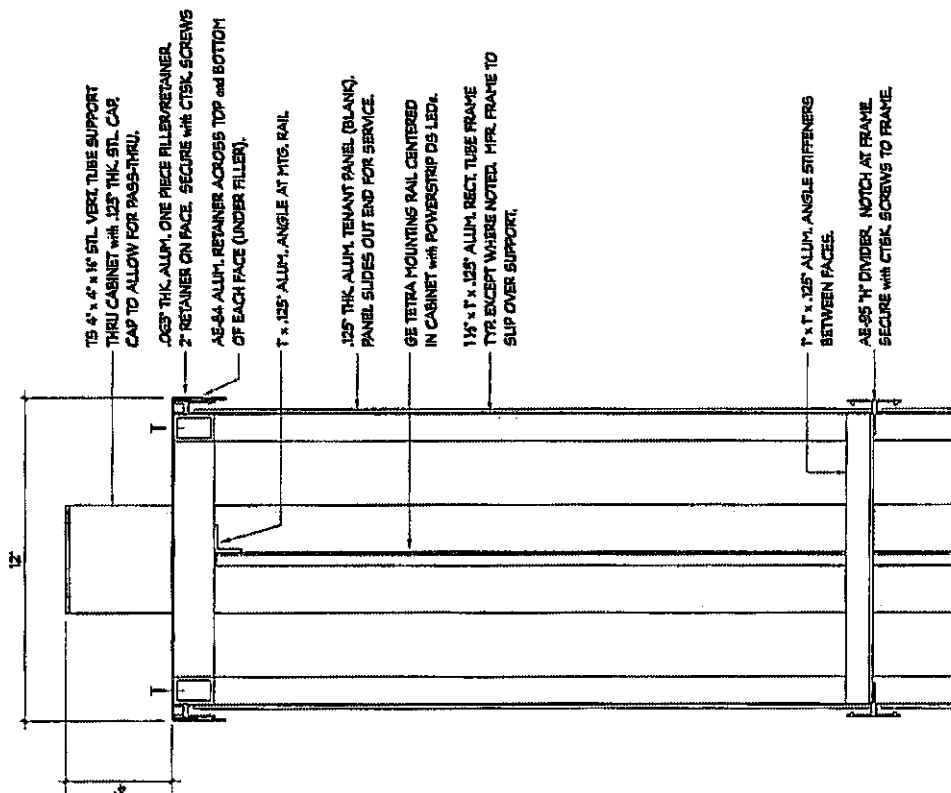
MATERIAL LIST				
70	06 TERRA POWERSTRAP DS (7#)	1	DOL. POLE SWITCH (20-377)	X
	LETA VA (GEOS11-1)	1	SWITCH COVER (70-030)	
2	06PS24-00U PWR. SUPPLY	1	WEATHER PROOF J-BOX	
1	GEOS24-00U PWR. SUPPLY	1		

[illegible]

ENGINEERING REVISIONS

DISTRIBUTION OF PRINTS		TOTAL	
<input type="checkbox"/> 100% 1st	<input type="checkbox"/> 100% 2nd	<input type="checkbox"/> 100% 3rd	<input type="checkbox"/> 100% 4th
<input type="checkbox"/> 100% 5th	<input type="checkbox"/> 100% 6th	<input type="checkbox"/> 100% 7th	<input type="checkbox"/> 100% 8th
<input type="checkbox"/> 100% 9th	<input type="checkbox"/> 100% 10th	<input type="checkbox"/> 100% 11th	<input type="checkbox"/> 100% 12th
<input type="checkbox"/> 100% 13th	<input type="checkbox"/> 100% 14th	<input type="checkbox"/> 100% 15th	<input type="checkbox"/> 100% 16th
<input type="checkbox"/> 100% 17th	<input type="checkbox"/> 100% 18th	<input type="checkbox"/> 100% 19th	<input type="checkbox"/> 100% 20th
<input type="checkbox"/> 100% 21st	<input type="checkbox"/> 100% 22nd	<input type="checkbox"/> 100% 23rd	<input type="checkbox"/> 100% 24th
<input type="checkbox"/> 100% 25th	<input type="checkbox"/> 100% 26th	<input type="checkbox"/> 100% 27th	<input type="checkbox"/> 100% 28th
<input type="checkbox"/> 100% 29th	<input type="checkbox"/> 100% 30th	<input type="checkbox"/> 100% 31st	<input type="checkbox"/> 100% 32nd
<input type="checkbox"/> 100% 33rd	<input type="checkbox"/> 100% 34th	<input type="checkbox"/> 100% 35th	<input type="checkbox"/> 100% 36th
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<input type="checkbox"/> 100% 85th	<input type="checkbox"/> 100% 86th	<input type="checkbox"/> 100% 87th	<input type="checkbox"/> 100% 88th
<input type="checkbox"/> 100% 89th	<input type="checkbox"/> 100% 90th	<input type="checkbox"/> 100% 91st	<input type="checkbox"/> 100% 92nd
<input type="checkbox"/> 100% 93rd	<input type="checkbox"/> 100% 94th	<input type="checkbox"/> 100% 95th	<input type="checkbox"/> 100% 96th
<input type="checkbox"/> 100% 97th	<input type="checkbox"/> 100% 98th	<input type="checkbox"/> 100% 99th	<input type="checkbox"/> 100% 100th

Work Order	393475	Engineer	JAMES E. O. 3034
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[illegible]

SECTION "A" (VERT)

$\mathbf{E} = \mathbf{E}_0$

ENGINEERING REVISIONS

[illegible]

Work Order
393475
Engineer
CARTER, J. D.

[illegible]

DISTRIBUTION OF PRINTS		TOTAL
<input type="checkbox"/> MADRID	<input type="checkbox"/> PIN. INT.	<input type="checkbox"/> FINAL. INT.
<input type="checkbox"/> RICH.	<input type="checkbox"/> CATHOLIC	<input type="checkbox"/> FINAL. ADP.
<input type="checkbox"/> SHOP THE	<input type="checkbox"/> HARRY	<input type="checkbox"/> PICTURES
<input type="checkbox"/> SMALL	<input type="checkbox"/> ASSEMBLY	<input type="checkbox"/> STR. PLOT
<input type="checkbox"/> INITIALS	<input type="checkbox"/> PAPER	<input type="checkbox"/> STR. PLANT
<input type="checkbox"/> CHAIR	<input type="checkbox"/> IN TENTS	<input type="checkbox"/> ADJUST. GROUP
		<input type="checkbox"/> ADJUST. ADCT.

ENGINEERING REVISIONS

SECTION "B" (HORIZ.) **3" = 10'**

REVISION 1

WON 2-28-9	0393475Ar8	Sheet 7 of 21	Client	MESS GREEN / WILKS	Address	210 SHOPS BLVD. WILLOW PARK, TX	Account Fish	REF.	Design	RMS	Date	1-24-17
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Accounting	
Business	
Engineering	
Health	
Liberal Arts	
Sciences	
Specialty	

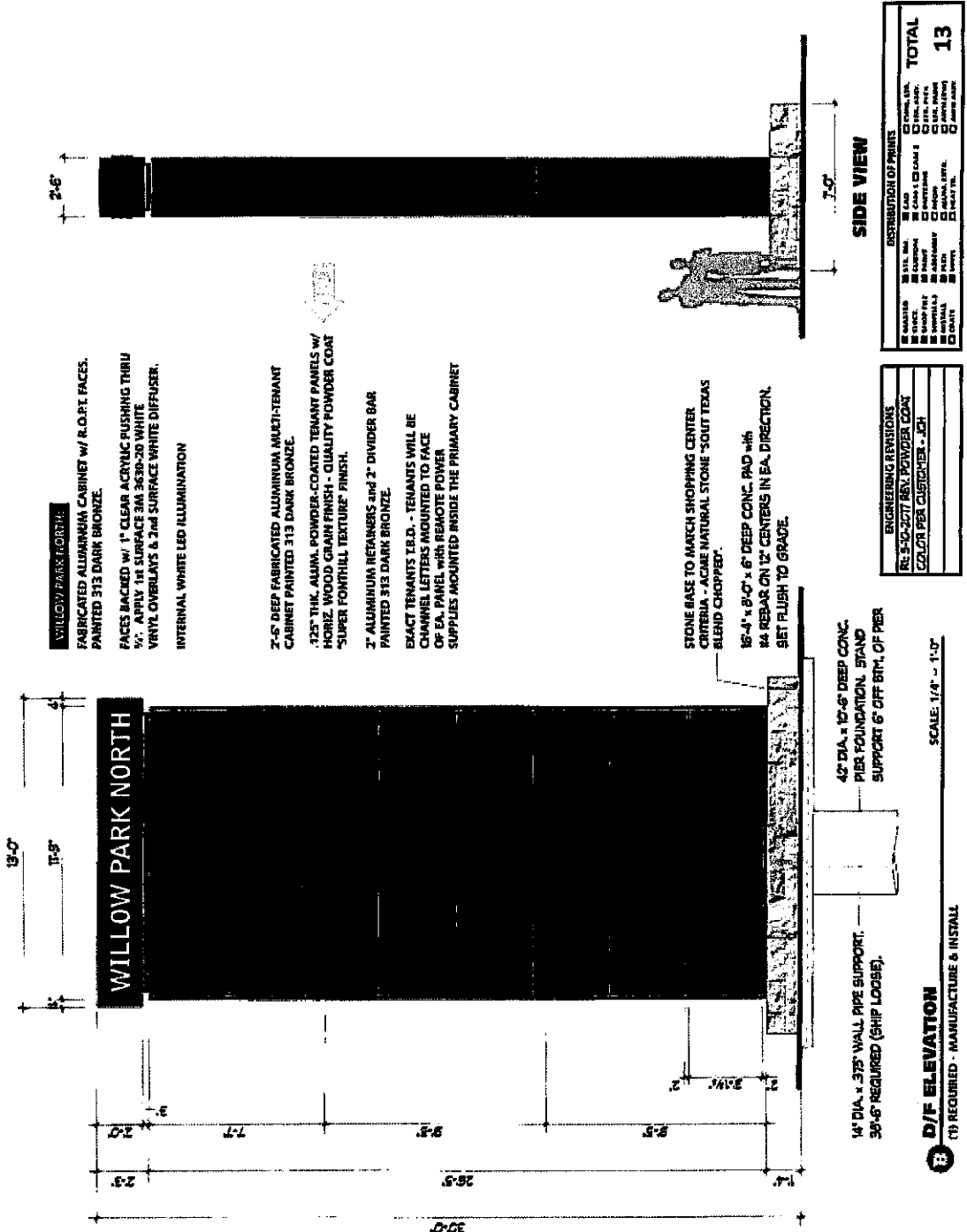
[illegible]

Chandler Signs
Print Maps Signs More

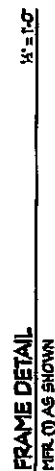
[illegible][illegible]

ITEM #006		DATE	18 MAR 88
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<input type="checkbox"/>	EXTRUSION	4.00	
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<input type="checkbox"/>	SALES	5.00	
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<input type="checkbox"/>	HT. TRANS.	0.00	

Work Order
393475R1
Engineer
JAMIES 5-9-2017



D/F ELEVATION

[illegible]

MATERIAL LIST				
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1	1	SWITCH BOX		1
2	1	SWITCH COVER (M1250)		1
3	1	SWITCH COVER (M1250)		1
4	1	SWITCH COVER (M1250)		1
5	1	SWITCH COVER (M1250)		1
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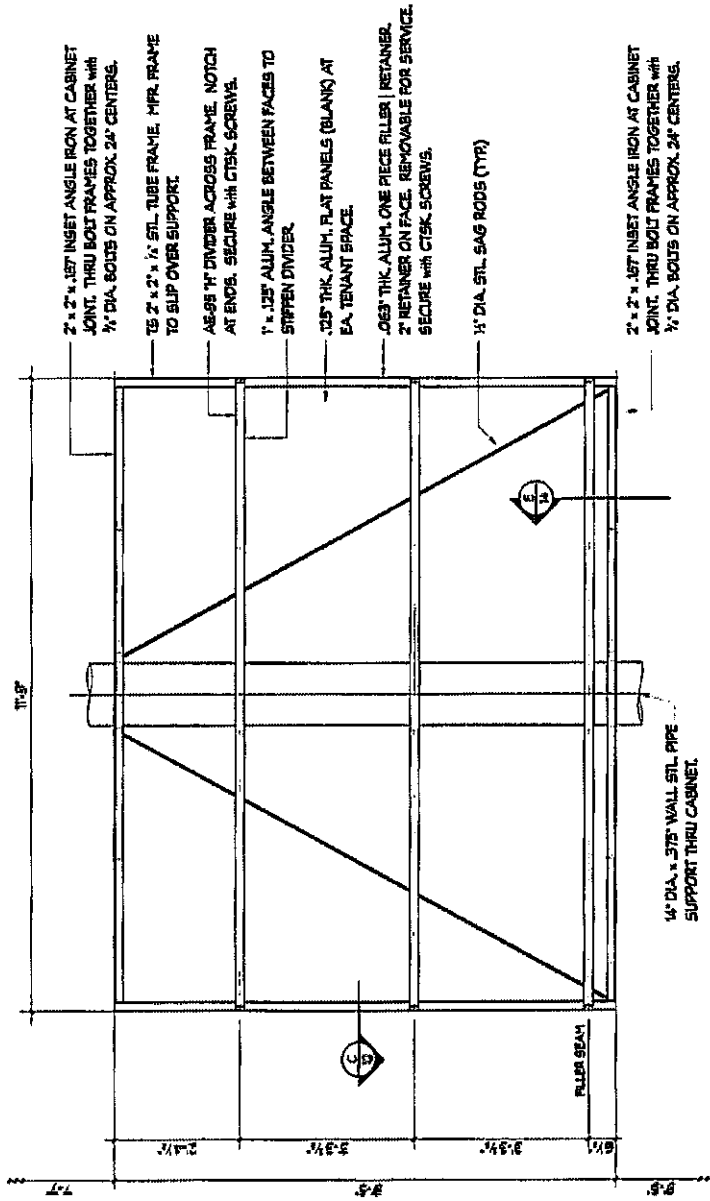
ENGINEERING REVISIONS

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Work Order
393475
Engineer

WILLOW
PARK
NORTH

Project Name	039347548
Sheet	9 of 21
Client	JESS GREEN / WILKS
Address	210 SHOPS BLVD. WILLOW PARK, TX
Account	NEE
Designer	RMS
Date	1-24-17
Project	1-202017000
Drawn	
Checked	
Reviewed	
Approved	
Project Manager	
Project Engineer	
Project Architect	
Project Designer	
Project Drafter	
Project Coordinator	
Project Assistant	
Project Secretary	
Project Receptionist	
Project Cleaner	
Project Janitor	
Project Security	
Project Maintenance	
Project IT Support	
Project Legal	
Project Insurance	
Project Accounting	
Project HR	
Project Training	
Project Safety	
Project Quality	
Project Compliance	
Project Sustainability	
Project Innovation	
Project Research	
Project Development	
Project Testing	
Project Deployment	
Project Support	
Project Feedback	
Project Improvement	
Project Optimization	
Project Scalability	
Project Flexibility	
Project Reliability	
Project Availability	
Project Performance	
Project Efficiency	
Project Effectiveness	
Project Impact	
Project Value	
Project ROI	
Project Profitability	
Project Growth	
Project Expansion	
Project Diversification	
Project Innovation	
Project Research	
Project Development	
Project Testing	
Project Deployment	
Project Support	
Project Feedback	
Project Improvement	
Project Optimization	
Project Scalability	
Project Flexibility	
Project Reliability	
Project Availability	
Project Performance	
Project Efficiency	
Project Effectiveness	
Project Impact	
Project Value	
Project ROI	
Project Profitability	
Project Growth	
Project Expansion	
Project Diversification	



FRAME DETAIL
MFR. @ AS SHOWN 1/2" x 1/2"

ITEM #008

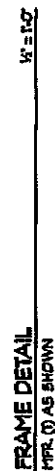
Work Order	393475
Engineer	JAMES S-S-2017

DISTRIBUTION OF PRINTS	
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ENGINEERING REVISIONS	
NO.	DESCRIPTION
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2	REVISION
3	REVISION
4	REVISION
5	REVISION
6	REVISION
7	REVISION
8	REVISION
9	REVISION
10	REVISION
11	REVISION
12	REVISION
13	REVISION

TOTAL	
NO.	DESCRIPTION
1	REVISION
2	REVISION
3	REVISION
4	REVISION
5	REVISION
6	REVISION
7	REVISION
8	REVISION
9	REVISION
10	REVISION
11	REVISION
12	REVISION
13	REVISION

039347548b		039347548b	
Sheet 20 of 21		Sheet 20 of 21	
JESS GREEN / WILLIAMS		JESS GREEN / WILLIAMS	
210 SHOPS BLVD.		210 SHOPS BLVD.	
WILLOW PARK, TX		WILLOW PARK, TX	
Account	RF#	RF#	RF#
Designer	RMS	Designer	RMS
DATE	1-24-17	DATE	1-24-17
APPROVAL / REUSE		APPROVAL / REUSE	
Client		Client	
Project		Project	
Location		Location	
Alt		Alt	
Engineering		Engineering	
Landscaping		Landscaping	
REVISION / DATE		REVISION / DATE	
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ENGINEERING REVISIONS

DISTRIBUTION OF PRINTS

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<input type="checkbox"/> ELECT.	<input type="checkbox"/> CLAYTON	<input type="checkbox"/> GAIN I	<input type="checkbox"/> STN. ASAC
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<input type="checkbox"/> IMPRGY L	<input type="checkbox"/> AMBUSHLY	<input type="checkbox"/> BROWN	<input type="checkbox"/> STN. PRMNT
<input type="checkbox"/> REPTDGN	<input type="checkbox"/> POLY	<input type="checkbox"/> ALUMN, QSTR.	<input type="checkbox"/> STN. ZENR
			<input type="checkbox"/> ARMZ ZENR

TOTAL 13

Work Order
393475
Engineer

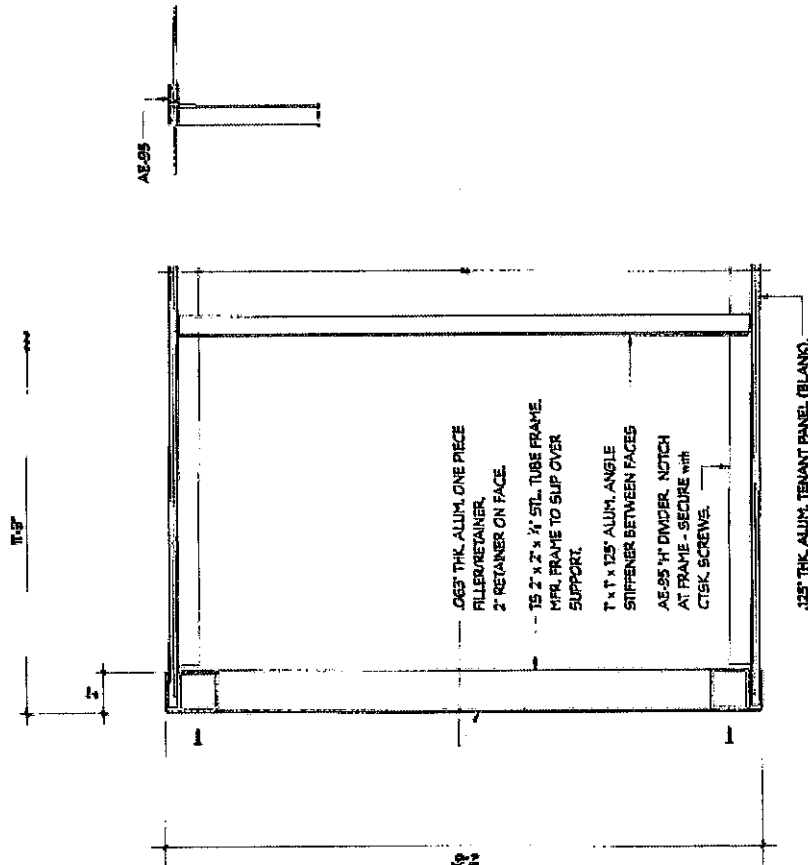
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Work Order	393475	Engineer	JAMES E. JURY
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[illegible]

ENGINEERING REVISIONS

FRAME DETAIL **1/2" = 1'-0"**

[illegible]

SECTION "C" (HORIZ)

ENGINEERING REVISIONS

DISTRIBUTION OF PRINTS

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<input type="checkbox"/> JUMP PIP	<input type="checkbox"/> JOINTY	<input type="checkbox"/> PERFORMS	<input type="checkbox"/> STN. PIER		
<input type="checkbox"/> SHOTFLY L I	<input type="checkbox"/> ADJUT. WART	<input type="checkbox"/> ALONG	<input type="checkbox"/> STC. PLANE		
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Work Order
393475
Engineer
DATE: 11-01-2011

WILLOW PARK NORTH

1001 E 24th St
0993475A/B
Sheet 13 of 24

Client

JESS GREEN / WILKINS

210 SHOPS BLVD.

WILLOW PARK, TN

Account

NAME

Design

DATE

1-24-17

210 SHOPS BLVD.

WILLOW PARK, TN

Account

NAME

Design

DATE

1-24-17

210 SHOPS BLVD.

WILLOW PARK, TN

Account

NAME

Design

DATE

1-24-17

210 SHOPS BLVD.

WILLOW PARK, TN

Account

NAME

Design

DATE

1-24-17

210 SHOPS BLVD.

WILLOW PARK, TN

Account

NAME

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210 SHOPS BLVD.

WILLOW PARK, TN

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Design

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1-24-17

210 SHOPS BLVD.

WILLOW PARK, TN

Account

NAME

Design

DATE

1-24-17

210 SHOPS BLVD.

WILLOW PARK, TN

Account

NAME

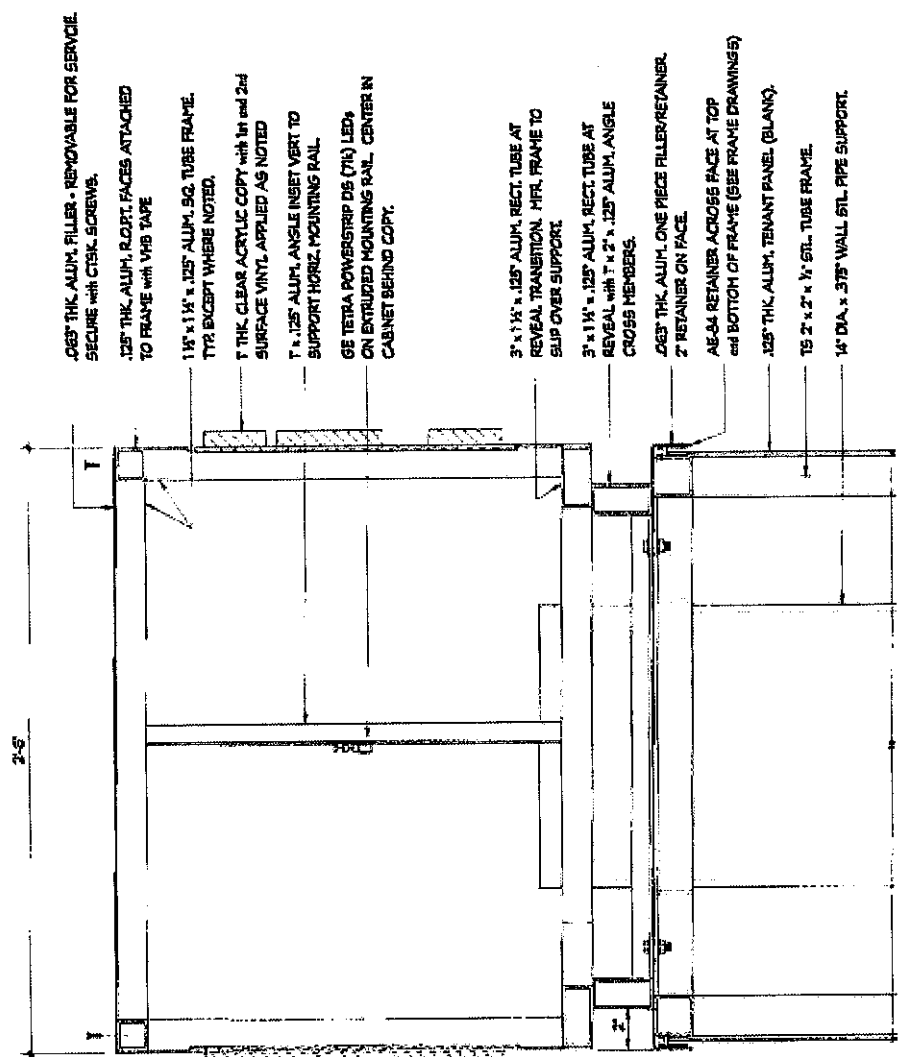
Design

DATE

1-24-17

210 SHOPS BLVD.

WILLOW PARK, TN



- 0.63\"/>
- 1.25\"/>
- 1 1/2\"/>
- TYP EXCEPT WHERE NOTED.
- T 1/4\"/>
- T 1/4\"/>
- 6\"/>
- 3\"/>
- 3\"/>
- 0.63\"/>
- 2\"/>
- AS SHOWN RETAINER ACROSS FACE AT TOP and BOTTOM OF FRAME (SEE FRAME DRAWINGS)
- 1.25\"/>
- T5 2\"/>
- 1/4\" DIA. x 3/8\" WALL STL PIPE SUPPORT.

ITEM #006

Work Order	393475
Engineer	JAMES S-B-2017

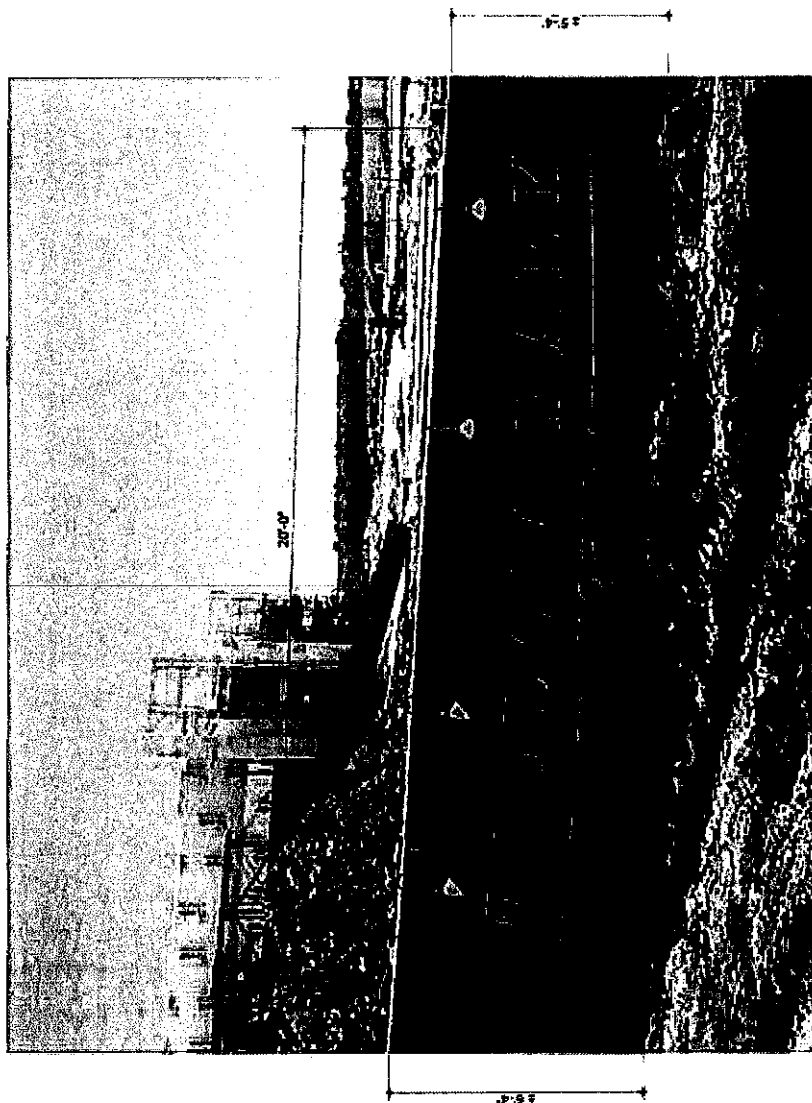
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ENGINEERING REVISIONS	

SECTION 'D', WEST
1/4" = 1'

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RCL WALL LETTERS & FCO LOGO DISPLAY
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DISTRIBUTION OF PRINTS										

FINAL ELECTRICAL CONNECTION BY CUSTOMER

[illegible][illegible]

[illegible]

509 # 3 m!

THE #020

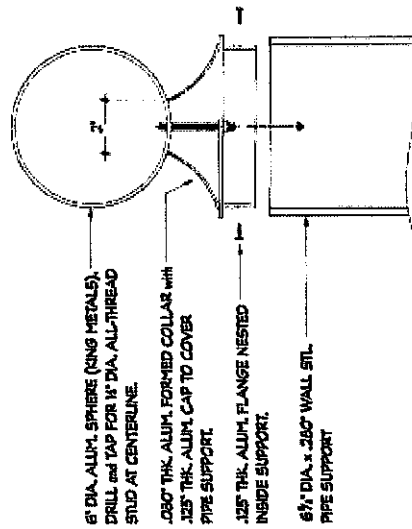
Work Order	393475	Engineer	JAMES E. 2017
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[illegible]

ENGINEERING REVISIONS

WILLOW PARK NORTH

PROJECT #		0393475A/B																															
Sheet	21	of	21																														
DATE		1-24-17																															
PROJECT		JESS GREEN / WILKS																															
ADDRESS		210 SHOPS BVD.																															
CITY		WILLOW PARK, TX																															
Account	Rep.	NEE																															
Design	RMS																																
Date	1-24-17																																
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FINAL DETAIL
TYP (4) PLACES
3" = 1'-0"

ITEM #015		ITEM #020							
Work Order		393475							
Engineer		JAMES S-9-2017							
ENGINEERING REVISIONS		<table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> <tr> <td>1</td> <td>ISSUED FOR CONSTRUCTION</td> <td>1-24-17</td> </tr> </table>		NO.	DESCRIPTION	DATE	1	ISSUED FOR CONSTRUCTION	1-24-17
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DISTRIBUTION OF PRINTS		<table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> <tr> <td>1</td> <td>ISSUED FOR CONSTRUCTION</td> <td>1-24-17</td> </tr> </table>		NO.	DESCRIPTION	DATE	1	ISSUED FOR CONSTRUCTION	1-24-17
NO.	DESCRIPTION	DATE							
1	ISSUED FOR CONSTRUCTION	1-24-17							
TOTAL		10							

FINALE ELECTRICAL CONNECTION BY CUSTOMER	
DATE: 1-24-17	



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 6/13/17	Department: Legislative	Presented By: Scott Wall, City Administrator
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AGENDA ITEM:

To discuss and consider approval of Resolution No. 08-17, providing authorization for the execution of an Interlocal Cooperation Agreement with Parker County, TX for the repair, maintenance and construction of roads, thoroughfares or streets.

BACKGROUND:

Parker County has presented an ILA for limited maintenance services for Willow Park streets, bridges and right-of-ways. No projects have been identified for this ILA at the time of this agenda item.

STAFF/BOARD/COMMISSION RECOMMENDATION:

Approve Resolution No. 08-17.

EXHIBITS:

Resolution No. 08-17.

ADDITIONAL INFO:	FINANCIAL INFO:	
	Cost	\$TBD
	Source of Funding	County 1 st \$1,000

CITY OF WILLOW PARK

RESOLUTION 08-17

A RESOLUTION PROVIDING AUTHORIZATION FOR THE MAYOR TO ENTER INTO AN INTERLOCAL COOPERATION AGREEMENT WITH PARKER COUNTY, TX. TO PROVIDE FOR THE MUNICIPAL PARTICIPATION IN CERTAIN GOVERNMENTAL FUNCTIONS, MORE PARTICULARLY THE REPAIR, MAINTENANCE AND CONSTRUCTION OF ROADS, THOROUGHFARES OR STREETS, AS AGREED TO BY THE PARTIES, IN OR BENEFITING THE CITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Willow Park, Texas (City) is a general law municipality located in Parker County, created in accordance with the Laws of the State of Texas; and

WHEREAS, it is the intent of the City of Willow Park to protect the health, safety and welfare and wellbeing of its citizens; and

WHEREAS, the municipal offices of the City perform certain functions related to the preservation of health, safety and general welfare of its citizens; and

WHEREAS, Parker County and Willow Park are political subdivisions of the State of Texas, and are authorized to enter into agreements with each other for the provision of Government Services pursuant to Chapter 791, TEX. GOV'T CODE; and

WHEREAS, the Interlocal Cooperation Agreement, entered into with Parker County will set forth the rights and responsibilities of the Parties relating to both costs and substantive work product.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK THAT:

SECTION 1. AUTHORIZATION.

The Mayor, or the Mayor's designee, is hereby authorized and directed to implement the applicable provisions of this Resolution.

SECTION 2. INTERLOCAL AGREEMENT.

The governing body hereby authorizes the Mayor to enter into an Interlocal Cooperation Agreement with Parker County for the purpose of providing road repair, construction, or maintenance as generally set forth in the Agreement attached hereto as Exhibit "A" and incorporated herein for all purposes.

SECTION 3. SEVERABILITY.

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Resolution shall be held invalid, it shall not affect any valid provisions of this or any other Resolution or Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 4. REPEALER.

To the extent any other ordinance or resolution is inconsistent with the provisions herein it is hereby repealed and superseded by the provisions herein.

SECTION 5. RECITALS.

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Resolution.

SECTION 6. EFFECTIVE DATE.

This Resolution shall take effect from and after its adoption.

PASSED AND APPROVED this 13th day of June, 2017.

ATTEST:

THE CITY OF WILLOW PARK, TEXAS

Kandice Garrett, Interim City Secretary

Doyle Moss, Mayor

The Willow Park City Council in acting on Resolution No. 08-17, did on the 13th day of June, 2017 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>
Doyle Moss, Mayor	_____	_____	_____
Norman Hogue, Place 1	_____	_____	_____
Amy Fennell, Place 2	_____	_____	_____
Greg Runnebaum, Place 3	_____	_____	_____
John Gholson, Place 4	_____	_____	_____
Marcy Galle, Place 5	_____	_____	_____

THE STATE OF TEXAS

INTERLOCAL AGREEMENT

COUNTY OF PARKER

BACKGROUND

This Interlocal Agreement is between County of PARKER ("COUNTY"), and the City of Willow Park ("CITY");

Sections 791.001 – 791.032 of the Texas Government Code provide legal authority for this Agreement;

During the performance of the governmental functions and the payment for the performance of those governmental functions, the parties will make the performance and payment from current revenues legally available to that party; and

The Commissioners Court of the COUNTY and the City Council of the CITY each find:

- a. This Agreement serves the common interest of both parties;
- b. This Agreement will benefit the public;
- c. The division of costs fairly compensates both parties to this Agreement; and
- d. The CITY and COUNTY have authorized their representative to sign this Agreement.
- e. This agreement does not limit the City's authority to repair or maintain any part of its streets or roads without use of County assistance.

The Parties therefore agree as follows:

TERMS AND CONDITIONS

1. COUNTY RESPONSIBILITY

- 1.1 The County agrees to perform road repair, maintenance and construction. The roads and streets to be repaired, maintained, or constructed and work to be performed, shall be specifically described by an Addendum to this contract, which shall be signed and dated by the City Mayor upon approval of the City Council of the municipality in which the work is to be performed and signed and dated by the County Judge upon approval of the Commissioner's Court. A copy of said Addendum shall be filed with the City Secretary and Commissioner's Court.

- 1.2 County agrees to perform minor repairs without an addendum as long as cumulative actual costs for repairs, equipment, material and labor do not exceed \$1,000.00 for the total project. County will schedule and complete the work in a reasonable time upon receipt of the request.
- 1.3 The County agrees to use County equipment and labor to repair and maintain the aforementioned streets or public roads.
- 1.4 The County may provide materials for repair and maintenance of said roads, if not, then the City may obtain, haul and transport any materials needed for repair and maintenance.
- 1.5 The County agrees to keep accurate record of the equipment and labor, used in repair or maintenance of said roads and present same to City with monthly bills for the cost of use of equipment and labor. Copies of invoices or bills for materials and cost of transportation of same shall be presented monthly for reimbursement to the City Secretary.

2. CITY RESPONSIBILITY

- 2.1 CITY will furnish all materials for the project and pay trucking charges.
- 2.2 CITY will furnish a site for dumping waste materials generated during this project.
- 2.3 CITY will furnish all rights of way, plan specifications and engineering drawings.
- 2.4 CITY will furnish necessary traffic controls including Type A barricades to redirect traffic flow to alternate lanes during the construction phase of the project; and
- 2.5 CITY will provide temporary driving lane markings.
- 2.6 If a Storm Water Pollution Prevention Plan is required, the CITY will be responsible for the design and development of the Plan. CITY will pay for all cost (including subcontractor materials, labor and equipment) associated with the implementation and maintenance of the Plan.
- 2.7 CITY agrees to pay actual cost of equipment and man-hours calculated using the current year FEMA rate schedule. Material cost will be calculated based on the purchase price. Upon completion of work performed by the County, the Department Head responsible for such work shall prepare and deliver an invoice to the County Treasure who will be responsible to send the City a bill. The County and the City Department Head responsible for supervising work under this contract shall complete and file such

work orders on such form as prescribed by the City Secretary. In the event that repairs and maintenance is not done with such regularity as to make monthly billing of the City practicable, then billing shall be done at the conclusion of each job. City shall pay costs of labor, use of equipment and materials and transportation within 45 days of receipt of said bills. The County Treasurer or if none the County Auditor shall be the agent for the County for receipt of said bills.

3. PROCEDURES DURING PROJECT

COUNTY retains the right to inspect and reject all materials provided for this project if provided by the CITY.

If the CITY has a complaint regarding the construction of the project, the CITY must complain in writing to the COUNTY within 30 days of project completion. Upon expiration of 30 days after project completion, the CITY becomes responsible for maintenance of the project.

4. NO WAIVER OF IMMUNITY

This agreement does not waive COUNTY rights under a legal theory of sovereign immunity. This agreement does not waive CITY rights under a legal theory of sovereign immunity.

5. OPTIONAL SERVICES

- 5.1 If requested by CITY, the COUNTY may apply permanent striping;
- 5.2 If necessary, COUNTY may furnish flag persons;
- 5.3 If required, the CITY will pay for engineering services, storm water run-off plans, and continuation of services and plan;
- 5.4 If a Storm Water Prevention Plan is provided by CITY, COUNTY will be responsible for the implementation and maintenance of the Plan during the duration of the project.

6. TIME PERIOD FOR COMPLETION

CITY will give the COUNTY notice to proceed at the appropriate time. However, COUNTY is under no duty to commence construction at any particular time. It is also understood that the County must give priority to its own network of public roads and that this contract does not require the County to divert its resources to maintenance of City streets or roads when such diversion would cause neglect of County road maintenance.

7. THIRD PARTY

The parties do not enter into this agreement to protect any specific third party. The intent of this agreement excludes the idea of a suit by a third party beneficiary. The parties to this agreement do not consent to the waiver of sovereign immunity under Texas law to the extent any party may have immunity under Texas law.

8. JOINT VENTURE & AGENCY

The relationship between the parties to this agreement does not create a partnership or joint venture between the parties. This agreement does not appoint any party as agent for the other party.

9. EFFECTIVE DATE

This agreement becomes effective when signed by the last party whose signature makes the agreement fully executed. This contract shall be renewed annually; however, it may be terminated at any time by either party upon 10 days written notice to the other party. The City Mayor and the County Judge shall be agents of the parties for the receipt of such notice.

COUNTY OF PARKER

CITY OF WILLOW PARK

COUNTY JUDGE

Date: _____

Authorized City Official

Date: _____

COMMISSIONER, PRECINCT FOUR

Attest:

Attest:

APPROVED AS TO FORM*

APPROVED AS TO FORM AND
LEGALITY

COUNTY ATTORNEY

CITY ATTORNEY

By law, the County Attorney's Office may only approve contracts for its clients. We reviewed this document from our client's legal perspective. Other parties may not rely on this approval. Instead those parties should seek contract review from independent counsel.



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 6/13/17	Department: Legislative	Presented By: Larry Graham, Texas Gas
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AGENDA ITEM:

To adopt Ordinance No. 753-17, an Ordinance providing authorization to grant Texas Gas Service Company, a franchise to use the present and future streets, alleys, highways, utility easements, municipal rights of way and public property in consideration of certain compensation; and providing for a term and an effective date.

BACKGROUND:

This is a renewal franchise agreement between the City of Willow Park and Texas Gas Service. The previous agreement expired some time ago. This is a 25 (twenty-five) year agreement.

STAFF/BOARD/COMMISSION RECOMMENDATION:

Approve Ordinance 753-17.

EXHIBITS:

Ordinance 753-17.

ADDITIONAL INFO: <i>There are 161 Texas Gas Customers:</i> <i>Res. 119</i> <i>Comm. 39</i> <i>Ind. 0</i> <i>Public Authority 3</i> <i>Received \$3,240 on average per year for fees over the past 7 yrs.</i>	FINANCIAL INFO:	
	Cost	N/A
	Source of Funding	N/A

6/8/2017

CITY OF WILLOW PARK

ORDINANCE 753-17

AN ORDINANCE GRANTING TO ONE GAS, INC., ACTING BY AND THROUGH ITS TEXAS GAS SERVICE COMPANY DIVISION, AND ITS SUCCESSORS AND ASSIGNS, FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM APPROVAL AND ACCEPTANCE OF THIS ORDINANCE, A NON-EXCLUSIVE FRANCHISE AND RIGHT TO ENTER THE PUBLIC WAYS TO INSTALL, OPERATE AND MAINTAIN A DISTRIBUTION SYSTEM WITHIN, ALONG, ACROSS, OVER AND UNDER THE PUBLIC WAYS OF THE CITY OF WILLOW PARK, TEXAS FOR THE TRANSPORTATION, DISTRIBUTION AND/OR SALE OF GAS TO CUSTOMERS AND THE PUBLIC GENERALLY IN THE CITY; DEFINING THE WORDS AND PHRASES THEREIN; PROVIDING FOR ASSIGNMENT, SALE OR LEASE OF THE FRANCHISE; PROVIDING THAT THE CITY MAY ENACT AN ORDINANCE CHARGING PERSONS TRANSPORTING GAS THROUGH GRANTEE'S DISTRIBUTION SYSTEM A FEE ON THE CALCULATED VALUE OF SUCH TRANSPORTED GAS; PROVIDING FOR USE AND REPAIR OF THE PUBLIC WAYS; PROVIDING FOR REGULATION OF SERVICE; ESTABLISHING DEPTH OF PIPELINES; ESTABLISHING RIGHTS AND DUTIES IN THE MOVEMENT AND ALTERATION OF PIPELINES; PROVIDING FOR INDEMNIFICATION OF THE CITY OF WILLOW PARK; PROVIDING FOR GRANTEE'S RULES AND REGULATIONS; PROVIDING FOR INSPECTION OF GRANTEE'S RECORDS; REQUIRING GRANTEE TO PAY A FRANCHISE FEE; PROVIDING FOR CONDITIONS OF THE FRANCHISE; PROVIDING FOR CONSTRUCTION OF THIS ORDINANCE UPON THE INVALIDITY OF ANY PART THEREOF; PROVIDING FOR ACCEPTANCE OF THIS FRANCHISE BY GRANTEE AND BOTH AN EFFECTIVE AND AN OPERATIVE DATE THEREOF; REPEALING ALL OTHER ORDINANCES DIRECTLY IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

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

SECTION 1. DEFINITIONS

As used in this Ordinance, the following words and phrases shall have the following meanings:

- A. "City" means the City of Willow Park, in Parker County, Texas, a municipal corporation, hereinafter also referred to as "Grantor".
- B. "City Clerk" means the City Clerk of the City or other such officer of the City designated to serve as the filing officer for official documents and records of the City.
- C. "City Council" means the City Council of the City as the governing body of the City.
- D. "City Engineer" means the City Engineer of the City or such other officer of the City designated to approve engineering plans and designs for construction within Public Ways.

- E. "City Manager" means the City Manager of the City or such other chief administrative officer of the City designated to hear appeals from the decisions of other City officers.
- F. "Customer" means any individual person, corporation, company, partnership, firm, unincorporated association, trust, municipality, or public or private entity located within the municipal corporate limits of the City and serviced by the Grantee through any use of the Public Ways.
- G. "Franchise Fee" or "Franchise Fees" shall mean the sum of fees to be paid to the City by Grantee under Section 11 of this Ordinance.
- H. "Gas Sales" means the sale of natural gas to Grantee's Customers located within the corporate limits of the City by use of the System.
- I. "Gas Transportation" means the transportation of Transport Gas for redelivery to Customers with re-delivery points located within the corporate limits of the City.
- J. "Grantee" shall mean ONE Gas, Inc., an Oklahoma corporation acting by and through its Texas Gas Service Company division, and its successors and assigns.
- K. "Gross Receipts from Gas Sales" shall constitute and include Grantee's total receipts from the sale, distribution or transportation of gas to Grantee's Customers. Grantee's Gross Receipts from Gas Sales subject to the Franchise Fee shall specifically exclude, without limitation:
 - [1] receipts from gas sales or services to Customers located at delivery points outside the corporate limits of the City;
 - [2] receipts from gas consumed or transported by Grantee for its own use;
 - [3] bad debt or uncollected accounts;
 - [4] receipts collected for gas utility taxes;
 - [5] receipts for any taxes, assessments, charges or fees of any kind charged by a governmental entity and collected by Grantee from the Customer by a pass through charge on the gas bill, except for Franchise Fees and gross receipts taxes;
 - [6] receipts for construction advances or contributions in aid of construction;
 - [7] receipts for maintenance of appliances, machinery or equipment;
 - [8] receipts for compensation for damage to Grantee's property;
 - [9] receipts from sales of materials, appliances or equipment, and

[10] receipts from any non-regulated utility or non-regulated services or products.

L. "Gross Receipts from Gas Transportation" shall constitute and include Grantee's total receipts from its transportation of Transport Gas, consisting of receipts from cost of service. Grantee's Gross Receipts from Gas Transportation subject to the Franchise Fee shall specifically exclude, without limitation:

[1] receipts from gas transportation services to Customers located at delivery points outside the corporate limits of the City;

[2] receipts from gas transported by Grantee for its own use;

[3] bad debt or uncollected accounts;

[4] receipts collected for gas utility taxes;

[5] receipts for any taxes, assessments, charges or fees of any kind charged by a governmental entity and collected by Grantee from the Customer by a pass through charge on the gas bill, except for Franchise Fees and gross receipts taxes;

[6] receipts for construction advances or contributions in aid of construction;

[7] receipts for maintenance of appliances, machinery or equipment;

[8] receipts for compensation for damage to Grantee's property; and

[9] receipts from any non-regulated utility or non-regulated services or products.

M. "Permit" means the authorization to Grantee:

[1] for the opening of the streets, avenues, alleys, other public places or Public Ways shown on maps or plans submitted by Grantee to the City Engineer, showing the streets, avenues, alleys, and other public places and the locations thereon wherein Grantee proposes to construct new mains and pipes,

[2] for the new construction or laying of the new mains and pipes by Grantee as shown on plans, and

[3] to perform all work on existing Grantee facilities or the System within the Public Ways or other City rights-of-way.

N. "Public Ways" means the present and future streets, avenues, boulevards, parkways, lanes, alleys, bridges, sidewalks, parks, easements, highways, and any other public place within the municipal corporate limits of the City, whether dedicated or not.

- O. "System" means Grantee's system of mains, pipelines, conduits, valves, feeders, regulator stations, laterals, service lines, measuring devices, and all other necessary plants, attachments, land, structures, facilities and appurtenances for the purpose of selling, storing, supplying, conveying, transmitting, distributing, and/or transporting natural gas and any gas, including the equivalent substitutes, for all other lawful purposes in, through, upon, under, and along the present and future streets, avenues, alleys, bridges, sidewalks, parks, easements, highways, and any other public place within the municipal corporate limits of the City.
- P. "Transport Gas" means gas owned or controlled by a user or its designee (i.e., gas that is purchased or otherwise acquired by a user from someone other than Grantee) and delivered by such user or its designee to Grantee at a point on Grantee's System, such point of delivery to be defined by Grantee, and carried, delivered or transported through Grantee's System at a point of redelivery within the municipal corporate limits of the City by Grantee to the user for a fee.
- Q. "Utility Regulated Service Charges" shall consist of charges for services (but not for natural gas sales or transportation services) that:

[1] Grantee provides to its Customers located within the corporate limits of the City and

[2] which are or may, from time to time, become subject to the rate regulation of the applicable regulatory authority.

Such Utility Regulated Service Charges shall not include receipts by Grantee from its Customers in the City, if applicable, for appliance sales, appliance light-ups, maintenance of Customer equipment or facilities and any other receipts that are not legally subject to the rate regulation of the applicable regulatory authority.

SECTION 2. GRANT OF FRANCHISE

- A. The Grantor hereby grants to Grantee for the term of twenty-five (25) years from the passage and approval of this Ordinance and the filing of a written acceptance by the Grantee, the right to enter upon the Public Ways to install, operate and maintain a System along, across, over and under the Public Ways for the privilege of transporting, distributing and/or selling gas to Customers and the public generally within the municipal corporate limits of the City, and including any territory that the City may hereafter annex, acquire, purchase; and to distribute, sell, store, supply, transport, carry and/or convey natural gas and any gas through Grantee's System in the City to other cities, towns, communities and areas outside the City and to inhabitants thereof, for the full term of this Franchise Ordinance.
- B. The Ordinance shall have the effect of and shall be a contract between Grantor and Grantee and shall be the measure of the rights and liabilities of Grantor as well as Grantee.

- C. The Franchise granted by this Ordinance shall in no way affect or impair the present or future rights, obligations, or remedies of the City or Grantee under the Texas Gas Utility Regulatory Act, as amended.

SECTION 3. FRANCHISE ASSIGNMENT, SALE OR LEASE

Grantee is expressly given the power and privilege to sell, transfer or assign the franchise granted hereby, or any part of this franchise, to any person, entity or corporation.

SECTION 4. USE AND REPAIR OF THE PUBLIC WAYS

A. Grantee's System shall be erected, placed, and laid or otherwise installed, operated and maintained in such a manner as will, consistent with reasonable necessity, least interfere with other public uses of the Public Ways. This Ordinance shall constitute the Permit to perform all work on existing Grantee facilities or the System within the Public Ways or rights of way.

B. Except in the case of an emergency, within the City's full purpose jurisdiction, when Grantee desires to lay any new mains hereunder, and before commencing its new construction work on mains, it shall submit to the City Engineer, or other proper authority, a map or plan showing the streets, avenues, alleys, and other public places and the locations thereon wherein it proposes to construct such new mains and pipes. The City Engineer, or other proper authority, shall by written notice, either issue or deny the Permit to Grantee. Approval by the City Engineer, or other proper authority, shall constitute the Permit to Grantee for the opening of the streets, avenues, alleys and other public places shown on the map or plan, and for the new construction or laying of the new mains and pipes by Grantee as shown on the plan. If the City Engineer, or other proper authority, does not respond within ten (10) calendar days, the Permit shall be deemed approved.

In the event that the Permit is denied, the City Engineer, or other proper authority, shall advise Grantee of the reasons for the denial and all necessary steps to secure approval of the Permit. Grantee shall have the right to immediately appeal the non-issuance of the Permit to the City Manager, and if not approved within ten (10) calendar days by the City Manager, Grantee may appeal to the City Council and be heard at a public meeting held in compliance with applicable law. If the City Council fails to act on the appeal within ten (10) calendar days, the appeal will be deemed to be denied unless agreed otherwise in writing by Grantee and the City. Appeal of any decision made by the City Council shall be made to the District Court of Travis County, Texas, and an appeal from any decision of the District Court shall be as in all other civil actions.

This Subsection 4 (B) shall also apply to all other facilities and equipment of Grantee to be constructed or installed on public property within the City's full purpose jurisdiction.

- C. It shall not be necessary for Grantee to secure a Permit for the laying of service pipes from the mainline pipes of Grantee to its Customers.
- D. After any excavation or disturbance, Grantee shall, with due diligence and dispatch, place the Public Way in a condition in compliance with the Grantor's reasonable standards and specifications.

SECTION 5. REGULATION OF SERVICE

The System of Grantee shall at all times be installed, operated and maintained in accordance with accepted good practice and in such condition as will enable the Grantee to furnish adequate and continuous service as required by the orders, rules and regulations of the Railroad Commission of Texas or other regulatory authority having jurisdiction. The requirements set forth in this Section shall not relieve Grantee of any other obligations set forth herein.

SECTION 6. DEPTH OF PIPELINES

After the operative date of this franchise, Grantee's main or lateral lines installed or replaced in Public Ways shall be installed or replaced at depths which comply with all applicable state and federal rules and regulations establishing minimum safety standards for the design, construction, maintenance and operation of pipelines. Depth shall be measured from the lower of existing grade or proposed future grade as set forth on plans or other specifications existing at the time such lines are installed or replaced.

SECTION 7. DUTY TO MOVE OR ALTER LINES

A. Grantor reserves the right to lay or permit to be laid cables, electric conduits, water, sewer, gas or other pipelines and to do or permit to be done any underground work deemed necessary and proper by the Grantor, along, across, over or under the Public Ways. In permitting such work to be done, the Grantor shall be liable to the Grantee for any damage to Grantee's pipelines and facilities caused by Grantor or its agents' or contractors' negligence.

B. When Grantee is required by Grantor to remove or relocate its mains, laterals, and other facilities to accommodate construction of streets and alleys by the Grantor, and Grantee is eligible under federal, state, county, local or other programs for reimbursement of costs and expenses incurred by Grantee as a result of such removal or relocation, and such reimbursement is required to be handled through Grantor, then Grantee's costs and expenses shall be included in any application by Grantor for reimbursement. Grantee will provide the Grantor its appropriate cost and expense documentation prior to the filing of the application.

C. When Grantee is required to remove or relocate its mains, laterals or other facilities to accommodate construction of streets or alleys by the Grantor without reimbursement, Grantee shall have the right to seek a surcharge to recover relocation costs pursuant to Section 104.112 of the Texas Utilities Code or any other applicable law or regulations.

D. If Grantor shall require the Grantee to adapt or conform its System or in any way to alter, relocate or change its property to enable any other person, firm, corporation or entity (whether public or private), other than the Grantor, to use the Public Ways, the Grantee shall be reimbursed by the person, firm corporation or entity desiring or occasioning such change for any and all loss, cost or expense occasioned thereby.

SECTION 8. INDEMNIFICATION

Grantee shall indemnify, save and hold City harmless from and against any and all claims for damages for which the City shall or might become liable to the extent caused by any negligent act or omission of Grantee, its agents or contractors in the construction and operation of the System; provided, however, that in the event of such claim or claims being prosecuted against the City, Grantee shall have the right to defend against the same, and to settle or discharge same in such manner as it may see fit, and the City shall give prompt written notice to Grantee of the presentation or prosecution of such claims. The indemnity provided for in this paragraph shall not apply to any claim or liability resulting from the acts, omissions, or negligence of the City, its employees, agents or contractors.

Grantee's undertakings shall be subject to its ability, by use of due diligence and normal business methods, to obtain and place in service the necessary materials and facilities. Moreover, Grantee shall be excused from failure or delay in performing such obligations if and to the extent occasioned by an act of nature or "act of God," fire, explosion, flood, act of a public enemy, contagion or contamination hazardous to human life or health, legal restraints, labor difficulties, material shortages, interruption or deficiency of gas supply not attributable to default of Grantee or, without limitation, any other cause or combination of causes not reasonably within Grantee's ability to anticipate or control. The Company shall notify the City promptly and in no case less than thirty days of its intent to utilize this provision of this Ordinance.

SECTION 9. GRANTEE'S RULES AND REGULATIONS

The Grantee shall have the right to make and enforce such reasonable rules and regulations as it may deem necessary for the extension of its facilities, the sale of its gas and the conduct of its business, provided that such rules and regulations shall neither be in conflict with the laws of the State of Texas, with the orders, rules or regulations of the Railroad Commission of Texas or other regulatory authority having jurisdiction, nor with the ordinances and regulations of the Grantor insofar as they are consistent with the jurisdiction of the Railroad Commission of Texas or such other regulatory authority. Grantee shall supply natural gas and provide regulated services at the rates and under the terms and conditions specified by such rules, its tariffs filed with the City, and as provided herein.

SECTION 10. INSPECTION OF RECORDS

Grantee shall permit Grantor or its agents to inspect, during regular business hours, the books, papers and records kept by Grantee in the ordinary course of business and pertaining to the natural gas business carried on by it in the City, such as plats, maps and atlases identifying Grantee's pipelines in the City, and the books and records necessary to verify the franchise fee payment provided for in Section 11 hereof. Notwithstanding the obligation herein, Grantee shall have the right to the reasonable protection of proprietary information and to provide redacted documents or require Grantor or its agents to enter into such agreements pertaining to confidentiality as may reasonably protect the proprietary information of Grantee but which do not unreasonably frustrate the purposes of this Section. Grantor shall promptly notify Grantee in writing of areas newly annexed into or de-annexed from the corporate limits of Grantor, and Grantee shall update its

records for the purpose of payment of franchise fees as soon as reasonably practicable after receiving such notice.

SECTION 11. CONSIDERATION FOR FRANCHISE: FRANCHISE FEE

A. As full consideration for the rights and privileges conferred by this Ordinance, Grantee agrees to pay Grantor as follows:

- (1) Grantee shall collect the Franchise Fee from its Customers and shall pay Grantor a Franchise Fee the sum of which is equal to two Percent (2%) of the Gross Receipts received by Grantee, per billing period, from the transportation, distribution, and sale of natural gas for consumption within the municipal corporate limits of the City. The Franchise Fee shall include only Gross Receipts from Gas Sales to Customers located in the City; Gross Receipts from Gas Transportation to Transport Gas Customers with re-delivery points located in the City; plus, Gross Receipts from Utility Regulated Service Charges. All sums due from Grantee shall be in lieu of all other franchise fees, licenses, or occupational taxes, which may be levied or attempted to be levied on Grantee by the City.
- (2) Grantee shall pay such Franchise Fee collected from its Customers to the Grantor under the terms of this Ordinance, based upon meters read on or after the effective date of this Ordinance. During the term of this Ordinance, Grantee shall collect from its Customers and pay the City in January and July for the preceding six months. Grantee shall include with the Franchise Fee payment a statement showing its collections of Gross Receipts from Gas Sales and Gas Transportation in the City, and Utility Regulated Service Charges in the City, including the calculation of the Franchise Fee for the subject time period. Collection and payment of Franchise Fee shall be final as to both parties unless questioned by written notice provided by one party to the other within one year after payment thereof has been made.

It is expressly agreed that the Franchise Fee payments shall be in lieu of any payments for the right to use the Public Ways or other public rights-of-way of the City, including expressly the charge permitted to be levied by the Texas Tax Code Sections 182.021-182.026 and 182.081-182.082, or any successor statute permitting such a charge, however designated. The Franchise Fee shall be in lieu of and accepted as payment of all of Grantee's obligations to pay all other franchise fees, licenses, easement or occupation taxes, levies, exactions, rentals, street-cut fees, inspection fees, right of way inspection fees, permit fees, franchise fees, easement taxes, or charges of any kind whatsoever which may be levied or attempted to be levied in general by the City for the use of City's Public Ways and other rights-of-way, with the sole exception of sales taxes, ad valorem taxes and special assessments which are made without reference to or dependence upon Grantee's franchise or occupancy of the streets and public right of way, e.g., special assessment paving liens.

The rights, privileges, and franchises granted by this Ordinance are not to be considered exclusive, and City hereby expressly reserves the right to grant, at any time as it may see fit, like privileges, rights, and franchises to any other person or corporation for the purpose of furnishing gas in the City. In the event any entity (other than Grantee) providing gas sales or gas transportation service

to Customers within the City is subject to a lesser franchise fee than is required to be collected and paid by Grantee in this Ordinance, then with respect to such gas sales or transportation service to those Customers, Grantee's Franchise Fee obligation on sales or transportation service to those Customers will be reduced to a rate equal to the franchise fee rate required to be paid by such other entity.

Unless expressly set forth herein, or otherwise provided by law, by accepting this Ordinance, Grantee does not agree to be responsible for the payment of franchise fees other than as expressly set forth herein, or for the payment of franchise fees owed to the City by any other entity, corporation or firm.

SECTION 12. CONDITIONS OF FRANCHISE

This contract, franchise, grant and privilege is granted and accepted under and subject to all applicable laws and under and subject to all of the orders, rules, and regulations now or hereafter adopted by governmental bodies now or hereafter having jurisdiction.

To the extent that all or any other existing ordinance shall conflict with any provision of this Ordinance, this Ordinance shall prevail upon passage, adopting and acceptance of this Ordinance.

SECTION 13. INVALIDITY OF ORDINANCE

If any clause, sentence, or section of this Ordinance shall be held to be invalid, it shall not affect the remaining portions of this Ordinance, which shall remain valid and effective as if such invalid provision did not exist, although the parties shall be entitled to a judicial interpretation or construction of this Ordinance to address the validation of such provision by minimal amendment thereof. Further, should any governmental body now or hereafter having jurisdiction determine that Grantee shall not be permitted to collect in whole or in part the compensation due Grantor by others for Transport Gas as set forth in Paragraph (2) of Subsection A of Section 11 of this Ordinance, Grantee shall thereafter have no obligation to make such payment to Grantor and Paragraph (2) of Subsection A of Section 11 shall be of no force and effect with regard to the sale of Transport Gas.

SECTION 14. EFFECTIVE DATE AND TERM

This Ordinance shall take effect and be in full force from and after its final passage and approval by the City Council and the acceptance hereof in writing by Grantee as herein provided. This Franchise Ordinance shall continue and remain in full force and effect for a period of twenty-five years from the effective date.

SECTION 15. ACCEPTANCE BY GRANTEE

Grantee shall have sixty days from the execution of this Ordinance within which to file in the office of the City Clerk its consent to and written acceptance of provisions and conditions of this Franchise Ordinance.

SECTION 16. REPEALER

Each and every other ordinance or part thereof which is directly in conflict with any provision herein as to the grant of a franchise for natural gas services and the regulation thereof is hereby repealed.

SECTION 17. SEVERABILITY

The provisions of this Ordinance are severable, and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

READ, PASSED, ADOPTED AND APPROVED by the City Council of the City of Willow Park, Texas, this ____ day of _____, 2017.

Doyle Moss
Mayor

ATTEST:

Kandice Garrett
Interim City Secretary

The above and forgoing Franchise Ordinance and the grants, franchise, powers, rights and privileges thereto were accepted by Grantee this _____, 2017.

TEXAS GAS SERVICE COMPANY

A division of ONE Gas, Inc.

By: _____

Greg Phillips

Vice President, Commercial Natural Gas Distribution,
ONE Gas, Inc.



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 6/13/17	Department: Legislative	Presented By: Scott Wall, City Administrator
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AGENDA ITEM:

To discuss and consider approval of Ordinance No. 754-17, an Ordinance to adopt the new Code of Ordinances as presented by Franklin Legal Publishing.

BACKGROUND:

Provisions of the Code of Ordinances are amended from time to time by the City Council. The last adoption took place in 1993.

In June, 2014 the City executed a professional services agreement with Franklin Legal Publishing.

In February, 2016 the City and Council received the Memorandum of Understanding from FLP.

We are now in receipt of the draft copy of the Code of Ordinances with an addendum to the Memorandum of Understanding which outlines a few additional changes made to the code after the MOU was approved by the city or items believed require further review and amendment by ordinance.

STAFF/BOARD/COMMISSION RECOMMENDATION:

Approve Ordinance 754-17.

EXHIBITS:

Ordinance 754-17, Cover letter from Franklin Legal, Addendum to the MOU.

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

CITY OF WILLOW PARK

ORDINANCE 754-17

AN ORDINANCE OF THE CITY OF WILLOW PARK, TEXAS, ADOPTING AND ENACTING A NEW CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF NOT EXCEEDING \$500 GENERALLY OR EXCEEDING \$2,000 FOR VIOLATIONS RELATING TO FIRE SAFETY, ZONING OR PUBLIC HEALTH AND SANITATION; PROVIDING FOR THE AMENDMENT OF SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

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

SECTION 1. That the Code of Ordinances of the City of Willow Park, Texas, consisting of Chapters 1 through 14, each inclusive, and Appendices, is hereby adopted and enacted which shall supersede all other general and permanent ordinances of the City passed on or before April 11, 2017.

SECTION 2. All ordinances of a general and permanent nature enacted on or before April 11, 2017, and not included in the Code or recognized and continued in force by reference therein, are repealed.

SECTION 3. The codification consists of all ordinances as codified therein and as may be revised pursuant to the ordinance codification process and as evidenced by the memorandum of understanding dated, 2017, provided as a part of said process.

SECTION 4. The repeal provided for in Section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

SECTION 5. Unless a differing penalty is expressly provided for within the Code, every person convicted of a general violation of any provision of the Code or any rule, ordinance, or police regulation of the City shall be punished by a fine not to exceed \$2,000.00 for violations of all such rules, ordinances and police regulations that govern fire safety, zoning, or public health and sanitation, including dumping of refuse, and not exceeding \$500.00 for all other violations. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

SECTION 6. Additions or amendments to the Code when passed in such form as to indicate the intention of the City Council to make same a part of the Code shall be deemed to be incorporated into the Code, so that reference to the Code includes the additions and amendments.

SECTION 7. Ordinances adopted after April 11, 2017 that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

SECTION 8. This ordinance and the Code adopted hereby shall become effective upon final passage of this ordinance.

PASSED AND APPROVED this 13th day of June, 2017.

ATTEST:

THE CITY OF WILLOW PARK, TEXAS

Kandice Garrett, Interim City Secretary

Doyle Moss, Mayor

The Willow Park City Council in acting on Ordinance No. 754-17, did on the 13th day of June, 2017 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>
Doyle Moss, Mayor	_____	_____	_____
Norman Hogue, Place 1	_____	_____	_____
Amy Fennell, Place 2	_____	_____	_____
Greg Runnebaum, Place 3	_____	_____	_____
John Gholson, Place 4	_____	_____	_____
Marcy Galle, Place 5	_____	_____	_____



May 15, 2017

Kandice Garrett, Exec. Assistant to the City Administrator
City of Willow Park
516 Ranch House Road
Willow Park, Texas 76087

Dear Kandice:

Transmitted herewith is the draft copy of the Code of Ordinances of the City of Willow Park, along with an ordinance to adopt the new code. Upon adoption of this ordinance, please assign a number to it and forward an executed copy to me. Please note that since the ordinance contains a penalty provision, it will be necessary to follow publication requirements established by law. The index will be sent along with the remaining copies of the code after adoption.

There is also enclosed an addendum to the memorandum of understanding which outlines a few additional changes made to the code after the memorandum of understanding was approved by the city or items we believe require further review and amendment by ordinance.

In approximately thirty (30) days from the date of adoption of the new Code of Ordinances, I will be forwarding the remaining number of copies of your new Code. Also at that time, we will complete preparation of the electronic version of the code and will also place the code on the Internet. Finally, I will include one additional index for insertion in this draft copy.

If you have any questions or concerns, please do not hesitate to give me a call.

Sincerely,

A handwritten signature in cursive script that reads 'R. Kirk Franklin'.

R. Kirk Franklin, President/Attorney at Law

CODE OF ORDINANCES OF THE CITY OF WILLOW PARK

ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING

This addendum contains additions, amendments and omissions from the memorandum of understanding previously approved by the city and was compiled after correspondence with the city attorney and city staff.

CHAPTER 1 GENERAL PROVISIONS

1. Sec. 1.02.003, Statement and oath of elected or appointed officer. At the request of the city, Ordinance 442-99 as codified in this section was omitted from the code.

CHAPTER 4 BUSINESS REGULATIONS

2. 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. At the request of the city attorney, this article is be retained as provided in the preliminary draft.

CHAPTER 5 FIRE PREVENTION AND PROTECTION

3. Sec. 5.01.001, Arson reward. At the direction of the city, this section will be retained but will be revised to state that the council may give this reward, when deemed appropriate.

CHAPTER 7 MUNICIPAL COURT

4. 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 pertaining to the technology fund will not be included in the code.

CHAPTER 8 OFFENSES AND NUISANCES

5. Article 8.07, Abandoned or Junked Vehicles. There are also provisions regarding abandoned vehicles in section 12.04.004. Upon further review, it was determined this section will be retained during the codification process and the city will review and amend by ordinance as needed.

CHAPTER 10 SUBDIVISION REGULATION

6. 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.) A note with the applicable state law will be included in the code.

CHAPTER 13 UTILITIES

7. 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, both of these sections will be retained as provided in the preliminary draft.

8. 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. In addition, division 3 of this article will be omitted.

CHAPTER 14 ZONING

9. The city should review and revise section 14.02.001 to correct the number of districts referenced as well as those listed. The R-5 and TH district were added in brackets to the list during the codification process.

FEES

As requested, the fees removed from the code are set forth below. The fee schedule referenced is the one provided in appendix A in the preliminary draft sent to the city.

Specific fee amounts that are set out in code sections and are not listed in the fee schedule:

Sec. 2.02.004(b) - Administrative appeal filing fee for appeal of determination that animal is dangerous/vicious (\$25.00)

The first sentence of subsection (b) refers to "an administrative appeal filing fee as set forth in the fee schedule" (but there is no such fee listed in the fee schedule.) The second sentence of subsection (b) refers to a \$25.00 administrative appeal filing fee.

Sec. 2.02.006(1)(A) - Annual license fee for vicious/dangerous animal (\$50.00)

Sec. 8.03.008(e) - Fee for permit to exceed noise limitations (\$75.00)

Sec. 13.08.003 - Impact fee schedule

Sec. 14.07.002(c) - Signs requiring permits (\$25.00 for signs up to forty (40) square feet, and \$50.00 for signs larger than forty (40) square feet)

Sec. 14.07.002(e) - Signs requiring permits/portable signs (\$25.00)

Sec. 14.07.002(e) - Signs temporary permit (\$15.00)

Sec. 14.07.003 - Sign seizure fee (\$5.00)

Sec. 14.07.018 - Existing sign registration (The owner must pay a fee of twenty-five dollars (\$25.00) for signs up to forty (40) square feet and fifty dollars (\$50.00) for signs larger than forty (40) square feet)

Sec. 14.07.021(h)(2) - Fee for seizure of weekend directional signs (\$5.00 per sign)

Sec. 14.20.001(d)(1)-(6) - Zoning changes, applications, etc.

- (1) For residential zoning change request: \$150.00.
- (2) For nonresidential zoning change request: \$150.00.
- (3) For an application to the board of adjustment:
 - (A) Commercial applications: \$150.00;
 - (B) Residential applications: \$150.00.
- (4) PD district site plan: \$150.00.
- (5) Specific use permit: \$150.00.
- (6) Professional reviews (as required): Cost of professional service.
- (7) If any of the above requests, for any reason, require a specially called meeting, the fee for such will be \$300.00.

Fees mentioned in code sections that are not listed in the fee schedule previously provided in appendix A to the code in the preliminary draft:

Sec. 3.04.001(c) - Contractor registration fee and annual renewal fee

Sec. 3.08.002(a) - Fee for street cutting permit

Sec. 4.08.031 - Fee for special event permit

Sec. 5.02.009 - Fee for plan review or inspection by fire marshal
(states: "The city council by ordinance may authorize a fee ..." - does the city currently charge such fee?)

Sec. 6.03.002(b)(4) - Permit fee for food service establishments and retail food stores

Sec. 6.04.009 - Fee for work or improvements by city to correct or remove prohibited condition on lot

Sec. 12.04.006(b) and (c) - Fee for city handicapped parking permits

Fee amounts in code sections that are also listed in the fee schedule previously provided in appendix A to the code in the preliminary draft.

Sec. 4.01.001(b) - Admission fee for licensed racetracks

Sec. 13.03.049(c)(2) - Water service: tampering, equipment damage or bypassing meter

Sec. 13.04.049(c)(2) - Sewer service: tampering, equipment damage or bypassing meter



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 6/13/17	Department: Public Works	Presented By: Scott Wall, City Administrator Ramon Johnson, Director of Public Works
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AGENDA ITEM:

Discuss and consider accepting recommendation to declare public works equipment as surplus and selling by public auction.

BACKGROUND:

Several Council members have suggested that we sell equipment that we do not use including the paving equipment purchased in 2016. We also have some rolling stock that is not used or is in inoperable condition that needs to be legally disposed by public auction. We use on line auction provider Rene Bates to legally dispose of surplus equipment.

STAFF/BOARD/COMMISSION RECOMMENDATION:

Declare the recommended list of Public Works equipment surplus and sell by public auction.

EXHIBITS:

ADDITIONAL INFO: <i>Rene Bates Auctioneers, Inc.</i> https://www.renebates.com/	FINANCIAL INFO: All funds	
	Cost	\$TBD
	Source of Funding	\$TBD



City of Willow Park
516 Ranch House Rd.
Willow Park, Texas 76087
Phone: (817) 441-7108 · Fax: (817) 441-6900

Surplus Vehicles & Equipment

1. 2001 Chevrolet 2500HD
 - a. 182,317 miles
 - b. Taken out of service 2015
 - c. Has short in dash cluster
2. 2006 Dodge Ram 2500
 - a. 123,986 miles
 - b. Taken out of service 2015
 - c. Has blown motor
3. 2003 Ford F250
 - a. 142,241 miles
 - b. Taken out of service 2015
 - c. Motor turns over but will not start
4. 1990 Chevrolet Kodiak Dump Truck
 - a. 113,820 miles
 - b. Taken out of service 2016
 - c. Has brake issues
 - d. Poor condition
5. 1989 GMC 3500 Fire Brush Truck
 - a. 17,286 miles
 - b. Taken out of service 2016
 - c. Truck runs
6. 1982 Ford Tractor 7710
 - a. Taken out of service 2008
 - b. Tractor is in pieces
 - c. Transmission is bad
7. Boom Mower Attachment
 - a. Year unknown
 - b. In pieces, poor condition
8. 2015 Infrared Asphalt Recycler
 - a. 9 hours
 - b. Taken out of service 2016.
9. 2015 Asphalt Hot Box
 - a. Taken out of service 2016
10. Asphalt Milling Machine
 - a. 1095 Hours
 - b. Taken out of service 2016
11. Asphalt Laydown Machine
 - a. Hours 48



City of Willow Park
516 Ranch House Rd.
Willow Park, Texas 76087
Phone: (817) 441-7108 · Fax: (817) 441-6900

b. Taken out of service 2016

12. 1970 Huber Road Grader
 - a. Motor runs
13. Yellow Steel Wheel Roller
 - a. Year unknown
 - b. Does not run
14. Ingersoll Rand Steel Wheel Roller
 - a. Year unknown
 - b. Does not run
15. Pull Behind Rubber Tire Roller
 - a. Year unknown
 - b. Poor condition



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 6/13/17	Department: Legislative	Presented By: Scott Wall, City Administrator
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AGENDA ITEM:

To discuss and consider appointment of Kandice Garrett as City Secretary.

BACKGROUND:

Sec. 9.02.065 Appointment and tenure

The city secretary shall be employed by a majority vote by the city council with no stated term of office, and shall only be removed from office in accordance with Texas Local Government Code section 22.077. (Ordinance 320-92, sec. I(F), adopted 4/21/92; 1993 Code, sec. 8.205; Ordinance 486-02, sec. 3, adopted 8/20/02).

STAFF/BOARD/COMMISSION RECOMMENDATION:

Ms. Garrett started as a contract employee and after six months of good performance she was offered employment as a WP employee. She has shown the ability and willingness to serve as WP City Secretary. She has also agreed to complete the Texas Municipal Clerks Certification program that will assist in her development for the position she serves. It is recommended that the Council appoint Ms. Garrett as City Secretary as specified in the WP City Code of Ordinances.

EXHIBITS:

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



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date:

06/13/17

Department:

Finance

Presented By:

Candy Scott, City Accountant

AGENDA ITEM:

To discuss and consider approval of the FY 2017/18 Budget Calendar.

BACKGROUND:

To set the budget calendar for FY 2017-2018 as a guideline for preparing the FY 2017-2018 Budget.

STAFF/BOARD/COMMISSION RECOMMENDATION:

To accept and approve the FY 2017- 2018 Budget Calendar.

To accept and approve the FY 2017- 2018 Budget Calendar and identify the date for Saturday Workshop.

To set the date for a workshop between the City Council and the City Staff for preparing the FY 2017-2018 Budget.

Recommended dates by staff are:

Saturday, July 15, 2017 from 9:00 am to 5:00 pm.

Saturday, August 5, 2017 from 9:00 am to 5:00 pm.

EXHIBITS:

FY 2017-2018 Budget Calendar.

ADDITIONAL INFO:**FINANCIAL INFO:****Cost**

N/A

Source of Funding

N/A

**City of Willow Park
Proposed Budget Calendar
FY 2017-2018**

Week	Notes	Budget Project
June 1 - June 9		Training on STW Budget Preparation Module
June 12 - June 16	Reg CC Meeting 06/13	Approve Budget Calendar & set Council Goals for FY 17-18
		Set Budget Workshop on either - Saturday, July 15th (9-5)
		or Saturday, August 5th (9-5) CC & Staff
June 19 - June 23		CIP & Debt Service Calculations
June 26 - June 30		Revenue, Expense Projections, Round 1
July 3 - July 7	July 4 (Tuesday)	Preliminary Budget Submitted by Dept Heads
July 10 - July 14	Reg CC Meeting 07/11	
July 17- July 21		
July 24 - July 28		Draft Budget Memo
July 31 - Aug 4		Revenue, Expense Projections, Round 2 (Certified Tax Roll)
Aug 7 - Aug 11	Reg CC Meeting 08/8	Draft Budget Submitted to City Secretary
Aug 14 - Aug 18		Set Public Hearing - Aug 23rd (earlist)
Aug 21 - Aug 25		Legal Notices (not earlier than the 30th day nor later than
Aug 28 - Sept 1		the 10th day before the Public Hearing)
Sept 4 - Sept 8	Labor Day (Monday 4th)	
Sept 11 - Sept 15	Reg CC Meeting 09/12	Hold Public Hearing on Budget, Adopt Budget & Set Tax Rate
Sept 18 - Sept 22		Publication/Website

City Council Goals for FY 2017-2018

Tax Rate Increase

Utility Rate Increase

COLA (Cost of Living Adjustment)

Capital Improvements



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 6/13/17	Department: Administrative	Presented By: Scott Wall, City Administrator
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AGENDA ITEM:

To discuss and consider prioritizing the FY 2017/18 Budget Goals.

BACKGROUND:

Give direction to City staff to help prepare the proposed budget.

STAFF/BOARD/COMMISSION RECOMMENDATION:

Build a preliminary consensus of budget priorities to build a proposed budget.

EXHIBITS:

Memo from S. Wall to Mayor and Council regarding budget priorities.

ADDITIONAL INFO:	FINANCIAL INFO: All Funds	
	Cost	\$TBD
	Source of Funding	\$TBD



City of Willow Park

516 Ranch House Road
Willow Park, Texas 76087

Phone: (817) 441-7108 · Fax: (817) 441-6900

To: Honorable Mayor Moss and members of the Willow Park City Council

From: Scott Wall, City Administrator

Date: June 10, 2017

Item Number: June 13, 2017 – Item #13

Subject: FY 2017/18 Budget Goals

Detail Memo

To provide direction to the City staff we need the Council to set guidelines to help us prepare the proposed budget. Below are the primary items we will need prior to getting a balance budget prepared for the Council to review and adjust:

1. Should we use the effective tax rate or use the current tax rate of 0.054?
2. Should we build the Utility Budgets based on the consultants recommended increases of \$0 for water and \$3.97 for wastewater? (Scenario 2B)
3. Is there support for a 3% raise for employees in the fiscal year?
4. Is there support for funding an Impact Fee Analysis in the new fiscal year? The funding can come from the Impact Fund in the amount of \$20K.
5. Is there support for funding a Parks Master Plan Study?
6. What capital improvement projects should be funded?
 - a. Funding for concrete construction of Ranch House Road?
 - b. Funding for the asphalt parking project for the Episcopal Church?
 - c. Funding for street paving through an inter-local agreement with Parker County?
 - d. Funding for private gated neighborhood street repairs?
 - e. Other items?



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date:

6/13/17

Department:

Legislature

Presented By:

Mayor Pro-Tem John Gholson

AGENDA ITEM:

To discuss and consider assigning a team to investigate alternatives for wastewater utility operations.

BACKGROUND:

The future site of a wastewater treatment plant has yet to be determined.

STAFF/BOARD/COMMISSION RECOMMENDATION:

Defer to Council preference.

EXHIBITS:

None.

ADDITIONAL INFO:	FINANCIAL INFO: TBD	
	Cost	\$TBD
	Source of Funding	\$TBD

6/8/2017



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 6/13/17	Department: Legislature	Presented By: Councilmembers Marcy Galle and Amy Fennell
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AGENDA ITEM:

To discuss and consider setting a date for a special meeting for the purpose of discussing future wastewater treatment plant site.

BACKGROUND:

The future site of a wastewater treatment plant has yet to be determined.

STAFF/BOARD/COMMISSION RECOMMENDATION:

Defer to Council preference.

EXHIBITS:

None.

ADDITIONAL INFO:	FINANCIAL INFO: TBD	
	Cost	\$TBD
	Source of Funding	\$TBD



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 6/13/17	Department: Legislative	Presented By: Councilmember Marcy Galle
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AGENDA ITEM:

To approve Ordinance No. 751-17 changing the appointment and supervision of the City Attorney.

BACKGROUND:

The City Attorney by Ordinance is appointed and supervised by City Administrator. Mrs. Galle has asked that the Council change the responsibility for appointment and supervision of the City Attorney to the City Council.

STAFF/BOARD/COMMISSION RECOMMENDATION:**EXHIBITS:**

Proposed Ordinance No. 751-17.

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

6/8/2017

CITY OF WILLOW PARK

ORDINANCE 751-17

AN ORDINANCE OF THE CITY OF WILLOW PARK, TEXAS, AMENDING CHAPTER 8, PERSONNEL OF THE CODE OF ORDINANCES, BY AMENDING ARTICLES 8.601, CHANGING THE APPOINTMENT AND SUPERVISION OF THE CITY ATTORNEY; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that the City Attorney should be appointed by and report to the City Council;

WHEREAS, the City Council has determined that the City Administrator should be the Chief Administrative Officer of the City;

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

Chapter 8, Section 8.601 of the Code of Ordinances shall be amended to read as follow:

“Article 8.600 OFFICE OF CITY ATTORNEY

Article 8.601. Creation of Office.

The Office of City Attorney is hereby established. The head of the office shall be the City Attorney, who shall be appointed by the City Administrator and hold office at the pleasure of the City Administrator. The City Attorney shall receive such compensation as may be fixed by the City Administrator and the City Attorney shall not be an elected official...”

SECTION 3. SEVERABILITY

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 4. EFFECTIVE DATE

This Ordinance shall take effect from and after the date of its passage.

PASSED AND APPROVED this 13th day of June, 2017.

ATTEST:

THE CITY OF WILLOW PARK, TEXAS

Kandice Garrett, Interim City Secretary

Doyle Moss, Mayor

The Willow Park City Council in acting on Ordinance No. 751-17, did on the 13th day of June, 2017 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>
Doyle Moss, Mayor	_____	_____	_____
Norman Hogue, Place 1	_____	_____	_____
Amy Fennell, Place 2	_____	_____	_____
Greg Runnebaum, Place 3	_____	_____	_____
John Gholson, Place 4	_____	_____	_____
Marcy Galle, Place 5	_____	_____	_____