The Board of Commissioners of the City of Burk Burnett, Texas, met in a Regular Meeting on Monday, July 19, 2021, at 7:00 p.m. at City Hall-Council Chambers, 501 Sheppard Road, Burk Burnett, Texas. The meeting was open to the public, with notice being given in compliance with the Open Meetings Act. The following Commissioners were present:

Carl Law  Mayor
Cory Brinkley  Commissioner, Place 1
Randy Brewster  Commissioner, Place 2
Mike Tugman  Commissioner, Place 3
John Beard  Commissioner, Place 4
Marguerite Love  Mayor Pro-Tem, Commissioner, Place 5
Bill Lindenborn  Commissioner, Place 6

Others present were Nick Bulaich, Managing Director, Hilltop Securities; Robert Jones, President, Burk Burnett Development Corporation (BDC); Lawrence Cutrone, City Manager; Sarah Culp, Planning Director; Mike Whaley, Director of Public Works; F.C. Tillman, Chief of Police; Harold Watkins, Fire Chief; Mike Guevara, City Attorney; Trish Holley, Director of Administration; and Margie Poole, City Clerk.

ITEM 1. CALL MEETING TO ORDER: MAYOR CARL LAW
Mayor Law called the meeting to order at 7:00 p.m.

ITEM 2. INVOCATION
Reverend Joseph Moreno, St. Jude Thaddeus Catholic Church, gave the invocation.

ITEM 3. PLEDGE OF ALLEGIANCE
Commissioner Brinkley led the Pledge of Allegiance.

ITEM 4. CONSENT AGENDA
Approval of Minutes from the June 21, 2021 Meeting and July 13, 2021, Meeting Retreat
Commissioner Brewster made a motion, seconded by Commissioner Lindenborn, to approve the Consent Agenda. Motion carried unanimously.

ITEM 5. PERSONAL/AUDIENCE COMMENTS
There were no comments.

ITEM 6. THE AMERICAN LEGION LAW ENFORCEMENT OFFICER OF THE YEAR AWARD PRESENTATION
Mayor Law stated that Agenda Item 6 would be postponed until the August Meeting.

ITEM 7. DISCUSS AND TAKE ANY ACTION NECESSARY ON ORDINANCE NUMBER 1004.
AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF BURKBURNETT, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE

Minutes, July 19, 2021
REFUNDING AND IMPROVEMENT BONDS, NEW SERIES 2021; PLEDGING THE NET REVENUES OF THE CITY'S COMBINED WATERWORKS AND SEWER SYSTEM TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS; ENACTING PROVISIONS INCIDENT AND RELATED TO THE ISSUANCE, PAYMENT, SECURITY AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AND PROVIDING AN EFFECTIVE DATE.

After presentations by Mike Whaley, Director of Public Works, and Nick Bulaich, Managing Director, Hilltop Securities, Commissioner Tugman made a motion, seconded by Mayor Pro-Tem Love, to approve Ordinance Number 1004, an Ordinance authorizing the issuance of City of Burkburnett, Texas waterworks and sewer system revenue refunding and improvement bonds. Motion carried unanimously.

ITEM 8. Discuss and take any action necessary on Resolution Number 707. A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS SUPPORTING THE PERFORMANCE STATEMENT AMENDMENT (PSA) 1 TO REDUCE THE WATER AND STREET IMPROVEMENT PROJECT FROM THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT #7219051.

After a presentation by Mike Whaley, Director of Public Works, Commissioner Lindenborn made a motion, seconded by Commissioner Beard, to approve Resolution Number 707. Motion carried unanimously.

ITEM 9. Discuss and take any action necessary on the General Obligation Bond Proposal: Street Reconstruction and Repair.

Mr. Mike Whaley, Director of Public Works, addressed the Mayor and Commissioners, asking them to reconsider what propositions to be placed on the ballot. Discussion ensued regarding the propositions and the costs of a November election versus a May Election.

Main Motion: Commissioner Lindenborn made a motion, seconded by Commissioner Brinkley, to add Propositions C (Kramer and Ameron) and E (Jan Lee Acres) to the November election along with the previously approved Propositions. Motion, as amended by approved Motion to Amend 1 and Motion to Amend 2, carried unanimously.

Motion to Amend 1: Mayor Law made a motion, seconded by Commissioner Tugman, to amend the motion to have the election in May instead of November.

Ayes (4): Mayor Law, Mayor Pro-Tem Love, Commissioner Beard, and Tugman
Nays (3): Commissioners Lindenborn, Brinkley, and Brewster

Motion carried.

Motion to Amend 2: Mayor Pro-Tem Love made a motion, seconded by Commissioner Tugman, to include Proposition B (Meadow Dr, Dell St) in the slate on propositions for the May Election. Motion, as amended, carried unanimously.
ITEM 10. Mayor closed the Regular Meeting and opened the Public Hearing at 7:34 p.m. to discuss:

Final Plat Application 2021-P5: Final Plat for Lots 5A, 5B, 5C, 5D, and 5E Avenue C Crossing Addition (a replat of Lots 5 & 6 Block 20 Original Town Burkburnett).

There were no public comments.

ITEM 11. Mayor closed the Public Hearing and re-opened the Regular Meeting at 7:39 p.m. to discuss and take any action necessary on:

Final Plat Application 2021-P5: Final Plat for Lots 5A, 5B, 5C, 5D, and 5E Avenue C Crossing Addition (a replat of Lots 5 & 6 Block 20 Original Town Burkburnett).

After a staff presentation by Sarah Culp, Planning Director, Commissioner Tugman made a motion, seconded by Commissioner Lindenborn, to approve Final Plat Application 2021-P5. Motion carried unanimously.

ITEM 12. Discuss and take any action necessary on American Rescue Plan Act (ARPA) / Coronavirus Local Fiscal Relief Fund (CLFRF).

After a staff presentation by Harold Watkins, Fire Chief, Commissioner Tugman made a motion, seconded by Commissioner Brewster, to accept the funds of $2.46M. Motion carried unanimously.

ITEM 13. Discuss and take any action necessary to initiate the Request for Proposal process to secure a service provider to manage the American Rescue Plan Act (ARPA) funds.

After a staff presentation by Harold Watkins, Fire Chief, Commissioner Lindenborn made a motion, seconded by Mayor Pro-Tem Love, to initiate the RFP/RFQ process. Motion carried unanimously.

ITEM 14. Discuss and take any action necessary regarding the approval of Mr. Ted Kwas' nomination to participate on the Burkburnett Development Corporation Board as an ex-officio Board Member.

After a presentation by Robert Jones, President of the BDC, Commissioner Lindenborn made a motion, seconded by Commissioner Beard, to approve Mr. Kwas as an ex-officio Board Member. Motion carried unanimously.

ITEM 15. FINAL READING. Discuss and take any action necessary on Resolution Number 706.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AUTHORIZING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE BURKBURNETT DEVELOPMENT CORPORATION AND OWENS & BRUMLEY FUNERAL HOMES OF WICHITA FALLS TX, LTD. PROVIDING FUNDING TO PROMOTE BUSINESS DEVELOPMENT WITHIN BURKBURNETT, TEXAS.

After a presentation by Robert Jones, President of the BDC, Commissioner Lindenborn made a motion, seconded by Commissioner Brinkley, to approve Resolution Number 706. Motion carried unanimously.

ITEM 16. Discuss and take any action necessary on Ordinance Number 1005.

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING THE FISCAL YEAR 2021 GENERAL
Mayor Law stated that Agenda Item 16 would be delayed until after Executive Session.

AFTER RECONVENING FROM EXECUTIVE SESSION:
Commissioner Tugman made a motion, seconded by Mayor Pro-Tem Love, to approve Ordinance Number 1005. Motion carried unanimously.

ITEM 17. EXECUTIVE SESSION
Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the Board of Commissioners may convene in Executive Session regarding the following matters:

SECTION 551.071 - Consult with Attorney about pending or contemplated litigation or settlement of same.
   a. Update on Wichita County election bill for November 3, 2020
   b. Update on pending civil litigation: Mr. Zac Leonard

In a public comment, County Commissioner Fincannon addressed the Mayor and Commissioners regarding how entities throughout the county have paid for elections historically versus a newly proposed election fee calculation.

Mayor Law closed the Regular Meeting and adjourned to Executive Session at 7:57 p.m.

ITEM 18. RECONVENE
Reconvene to regular session and take action, if any, on matters discussed in Executive Session.

Mayor Law reconvened the Regular Meeting at 8:18 p.m.

Action was taken on the Wichita County election bill (see details listed in the minutes under Agenda Item 16).

ITEM 19. CITY MANAGER'S REPORT
Mr. Lawrence Cutrone, City Manager, announced that the TML Region V Quarterly Meeting on Thursday, July 22, 2021, at 6:00 p.m. at The Loft in Vernon.

ITEM 20. COMMISSIONERS' COMMENTS
Commissioner Brinkley thanked Trish and Margie for the good food and fellowship at the retreat.

ITEM 21. ADJOURNMENT
Commissioner Tugman made a motion, seconded by Commissioner Lindenborn, to adjourn. Motion carried unanimously, and the meeting adjourned at 8:20 p.m.

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Carl Law, Mayor

ATTEST:

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Margie Poole, City Clerk

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