

AGENDA

Notice is hereby given of a meeting of the **Board of Commissioners of Burkburnett** to be held on **Monday, August 21, 2023 at 7:00 p.m.** at City Hall-Council Chambers, 501 Sheppard Road, Burkburnett, Texas, to consider the following agenda items. The Board of Commissioners may discuss and take action on any item on this agenda.

RIGHT TO ENTER INTO EXECUTIVE SESSION

The Board of Commissioners for the City of Burkburnett reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any matters listed on this agenda, as authorized by the Texas Government Code Sections 551.071 (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) and 551.087 (Economic Development).

PUBLIC COMMENTS ON AGENDA ITEMS

All persons desiring to address a specific agenda item must submit a *"Public Comments"* form to the City Clerk, Margie Poole, before the reading of the agenda item. Comments will be limited to three (3) minutes with a maximum of a two (2) minute extension following approval by a majority of the Commissioners.

ITEM 1. CALL MEETING TO ORDER: MAYOR LORI KEMP

ITEM 2. INVOCATION

ITEM 3. PLEDGE OF ALLEGIANCE

ITEM 4. PERSONAL/AUDIENCE COMMENTS

The Board of Commissioners invites citizens to speak on any topic. Please fill out a *"Public Comments"* form and submit the form before 7:00 p.m. to the City Clerk. Public comments are limited to five (5) minutes, with a possible two (2) minute extension following the approval by a majority vote of the Commissioners. The Mayor may adjust time limits to accommodate more or fewer speakers. Unless the item is specifically noted on this agenda, the Board of Commissioners is required under the Texas Open Meetings Act to limit its response to a statement of specific factual information or reciting the City's existing policy on that issue.

ITEM 5. CONSENT AGENDA

Approval of Minutes from the July 17, 2023 Workshop Meeting
Approval of Minutes from the July 17, 2023 Regular Meeting
Approval of Minutes from the July 31, 2023 Special-Called Workshop

ITEM 6. Presentation and discussion regarding Cybersecurity by RelevantTec.

ITEM 7. PUBLIC HEARING: Discuss the annexation of the 107.9 acre tract of land with the legal description of 107.9 AC ABST 1 ANDERSON WM H, Wichita County, Texas, commonly known as the River Creek Golf Course.

ITEM 8. Discuss and take any action necessary on Ordinance Number 1041.

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BURKBURNETT; EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE THE HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS; GRANTING TO THE TERRITORY AND TO ALL FUTURE INHABITANTS ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ITEM 9. Discuss and take any action necessary regarding Ordinance Number 1042, Work/Live Unit Allowance for the Downtown District.

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING THE BASIC ZONING ORDINANCE NUMBER 589 BY CREATING A DOWNTOWN DISTRICT OVERLAY DEFINED BY ILLUSTRATION 13; MAKING FINDINGS OF FACT; PROVIDING FOR REPEAL OF PORTIONS OF ORDINANCES IN CONFLICT AND PROVIDING FOR RELATED MATTERS.

ITEM 10. Discuss and take any action necessary regarding Resolution Number 747.

A RESOLUTION OF THE CITY OF BURKBURNETT, TEXAS, FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR AND UPDATE GENERATION RIDERS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

ITEM 11. Discuss and take any action necessary regarding Resolution Number 748.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2023 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

ITEM 12. Discuss and take any action necessary to approve the Water and Wastewater Revenue Sufficiency and Rate Study Proposal from NewGen Strategies & Solutions.

ITEM 13. Discuss and take any action necessary to approve the Memorandum of Understanding with the Burkburnett Independent School District for the use of a fire truck.

ITEM 14. Discussion of the proposal from the Texas Municipal League for roofing repair of City Hall, Library, and Fire Station.

ITEM 15. Discuss and take any action necessary regarding the Hotel/Motel Tax Agreement.

ITEM 16. Discuss and take any action necessary to accept the Texas A&M Forest Service Firefighter Property Program Grant.

ITEM 17. BURKBURNETT DEVELOPMENT CORPORATION REPORT

ITEM 18. CITY MANAGER'S REPORT

ITEM 19. COMMISSIONERS' COMMENTS

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

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutary recognition of a public official, public employee, or another citizen, except that a discussion regarding a change in the status of the person's public office of public employment is not an honorary or salutary recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

ITEM 20. 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 matter:

SECTION 551.072 - Discuss the purchase, exchange, lease, sale, or value of real property, and public discussion of such would not be in the best interests of the City's bargaining position.

SECTION 551.074 - Discuss the appointment, employment, evaluation, reassignment, duties, discipline, dismissal of, or to hear, a complaint against the public officer or employee:

- A. Service Agreement with Scott Anderson, River Creek Golf Course
- B. Melinda Dyer, Assistant Director of Developmental Services
- C. Municipal Court Judge Agreement: Stacy Kosub

SECTION 551.087 - Discuss commercial or financial information received from an existing business or business prospect with which the City is negotiating for the location or retention of a facility, or for incentives the City is willing to extend, or financial information submitted by same.

ITEM 21. RECONVENE

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

ITEM 22. ADJOURNMENT

I, Margie Poole, City Clerk for the City of Burkburnett, Texas, do hereby certify that I posted this agenda on the glass front door of the City Hall, facing the outside at 2:15 pm on August 18, 2023 in compliance with the Open Meetings Act Chapter 551.

Margie Poole

Margie Poole, City Clerk

Posted 8/18/2023 @ 2:15 pm

I certify that the attached notice of the Board of Commissioners' Meeting was removed by me from the glass front door of City Hall on the ____ day of _____ 2023 at _____

Title: _____

This facility is wheelchair-accessible, and accessible parking spaces are available. If any accommodations for a disability are required, please notify the City Clerk's Office at 940.569.2263 at least 72 hours before the meeting date. Concerning any item, the Board of Commissioners may take various actions, including but not limited to rescheduling an item in its entirety or for particular action at a future date or time.