



# City of Colleyville City Council Agenda

City Hall  
100 Main Street  
Colleyville, Texas 76034  
817.503.1000  
www.colleyville.com

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Tuesday, June 7, 2016

City Council Chambers

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## **CITY COUNCIL PORTRAIT SITTING - 4:45 P.M.**

### **PRE COUNCIL MEETING**

#### **EXECUTIVE SESSION**

**5:30 P.M.**

#### **EXECUTIVE CONFERENCE ROOM**

#### **THIRD FLOOR**

### **CALL TO ORDER**

**PC-1** Presentation and discussion of a refunding opportunity of a portion of the City's debt supported by ad valorem taxes and TIRZ revenue

**PC-2** Discussion of Water Rates

**PC-3** Discussion of setting City Council worksession dates

**PC-4** Discussion of the City Council Rules of Procedure

**PC-5** Discussion of the June 7, 2016, City Council regular agenda items

### **1. EXECUTIVE SESSION - In accordance with Texas Government Code, Chapter 551, Subchapter D**

Section 551.071 - Legal - Consultation with attorney on legal issues raised by public hearing or action items on the agenda

Section 551.071 - Legal - Consultation with and legal briefing by the City Attorney regarding the Open Meetings Act

Section 551.071 - Legal - Consultation with attorney on contemplated litigation (Camden Lock LLC)

Section 551.071 - Legal - Consultation with attorney regarding litigation - Lincoln et al v. City of Colleyville

Section 551.071 - Legal - Consultation with attorney regarding litigation - Jane Doe v. City of Colleyville

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.076 - Deliberate security, personnel, devices, and audits

Section 551.087 – Economic Development - Discuss or deliberate regarding commercial or financial information that the City has received from business prospects that the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

**RESUME REGULAR MEETING**

**7:30 P.M.**

**CITY COUNCIL CHAMBERS**

**INVOCATION: Bishop Aaron Amacher  
Church of Jesus Christ of Latter Day Saints - Colleyville**

**PLEDGE OF ALLEGIANCE: City Attorney Matthew Boyle**

**2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-16-3995**

**3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS**

**Announcements of civic and charitable events**

**Presentation of calendar events and updates**

**Announcements of awards and recognition**

Proclamation recognizing the Colleyville Lacrosse Boys Varsity Team - Coach Darrell Barabash, Mayor Richard Newton, and Councilmembers Jody Short and Nancy Coplen

**4. CONSENT: READING AND PUBLIC HEARING- Resolution R-16-3996**

**4a** Approval of the minutes of the Special City Council meeting on May 17, 2016

**4b** Approval of the minutes of the regular City Council meeting on May 17, 2016

**5. ORDINANCE(S): SECOND READING AND PUBLIC HEARING****5a Ordinance O-16-1979**

Approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division, regarding the Company's 2016 Rate Review Mechanism Filing and adopting tariffs that reflect rate adjustments consistent with the negotiated settlement

**6. RESOLUTION(S): READING AND PUBLIC HEARING****6a Resolution R-16-3997**

A resolution appointing a member to the Audit Committee

**6b Resolution R-16-3998**

A resolution appointing Councilmembers to the Colleyville Economic Development Corporation (CEDC) Board of Directors

**6c Resolution R-16-3999**

A resolution appointing members to the Tax Increment Financing (TIF) District Board to fill unexpired terms

**6d Resolution R-16-4000**

Appointing the Mayor and two Colleyville City Councilmembers to the Municipal Judge Review and Selection Committee

**6e Resolution R-16-4001**

Approval of changing the date of the November 2, 2016 regular City Council meeting

**7. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA****8. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR JUNE 7, 2016 - READING AND PUBLIC HEARING - RESOLUTION R-16-4002****9. ADJOURNMENT**

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*I hereby certify this agenda was posted on City Hall bulletin boards Friday, June 3, 2016 by 5:00 p.m.*

Amy Shelley, TRMC  
City Secretary

**A quorum of any Colleyville board, commission, or committee may be present at this meeting.**

*Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion.*

*If you plan to attend this public meeting and have a disability that requires special accommodations, please advise the City Secretary at least 48 hours in advance at 817.503.1133, and reasonable accommodations will be made to assist you.*



# City of Colleyville City Council Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
www.colleyville.com

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**Agenda Number** PC-1

**Agenda Date** 06/07/2016

**Type** Pre Council

**Department** City Manager

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## **Title**

Presentation and discussion of a refunding opportunity of a portion of the City's debt supported by ad valorem taxes and TIRZ revenue

## **Strategy Map Connection**

F1- Protect and preserve the City's top financial ratings

F4- Adhere to the City's financial and budgetary policies

## **Explanation**

This presentation is for discussion and City Council direction regarding implementation of a potential economic refunding of a portion of the City's general obligation debt supported by ad valorem taxes and TIRZ revenue.

There is \$6,345,000 of the City's debt which is refundable for significant economic savings. Municipal interest rates are at the lowest level in 20 years. Implementation of the projected plan of financing would result in savings reducing future debt service that, starting next year, can be built into the fiscal year 2017 budget. The City has \$3,825,000 of callable 2007 General Obligation Bonds and \$2,520,000 Combination Tax and TIRZ Revenue Bonds outstanding at a net interest cost of 3.96 percent, which can be replaced by debt at an estimated all in cost of 1.85 percent. This is projected to reduce future debt service costs by \$626,575 (\$546,877 Debt Service Fund and \$79,698 in the TIRZ).

The refunding bonds will not extend the maturity date and will have the same payment dates. Cash flow savings will be structured upfront to capture savings when needed to lower the aggregate debt service requirements (most savings are allocated in fiscal years 2021 - 2027). The "Bond Buyer General Obligation Bond Index" for the second week of May, 2016 was 3.26 percent which is the 20-Year Low. If the City Council approves the plan of finance, and directs staff to move forward with implementation of the proposed refunding, the City Council will consider an ordinance authorizing the final refunding bond pricing, and authorizing issuance of the refunding bonds at the regularly scheduled City Council meetings on July 12 and 19. After review and approval by the Texas Attorney General, the refunding bonds will close on August 18, enabling the City to build the refunding cash flow savings into the fiscal year 2017 budget.

## **Attachments**

1. City of Colleyville Refunding Opportunity presentation
2. General Obligation Refunding Memo

3. Preliminary financial analysis of bond refunding



## Contact

**Jim Sabonis**  
Managing Director  
1201 Elm Street, Suite 3500  
Dallas, Texas 75270  
Direct: 214.953.4195  
Fax: 214.953.4050  
[jim.sabonis@hilltopsecurities.com](mailto:jim.sabonis@hilltopsecurities.com)

**Andre Ayala**  
Vice President  
1201 Elm Street, Suite 3500  
Dallas, Texas 75270  
Direct: 214.953.4184  
Fax: 214.953.4050  
[andre.ayala@hilltopsecurities.com](mailto:andre.ayala@hilltopsecurities.com)

**Jorge Delgado**  
Associate  
1201 Elm Street, Suite 3500  
Dallas, Texas 75270  
Direct: 214.859.1714  
Fax: 214.953.4050  
[jorge.delgado@hilltopsecurities.com](mailto:jorge.delgado@hilltopsecurities.com)



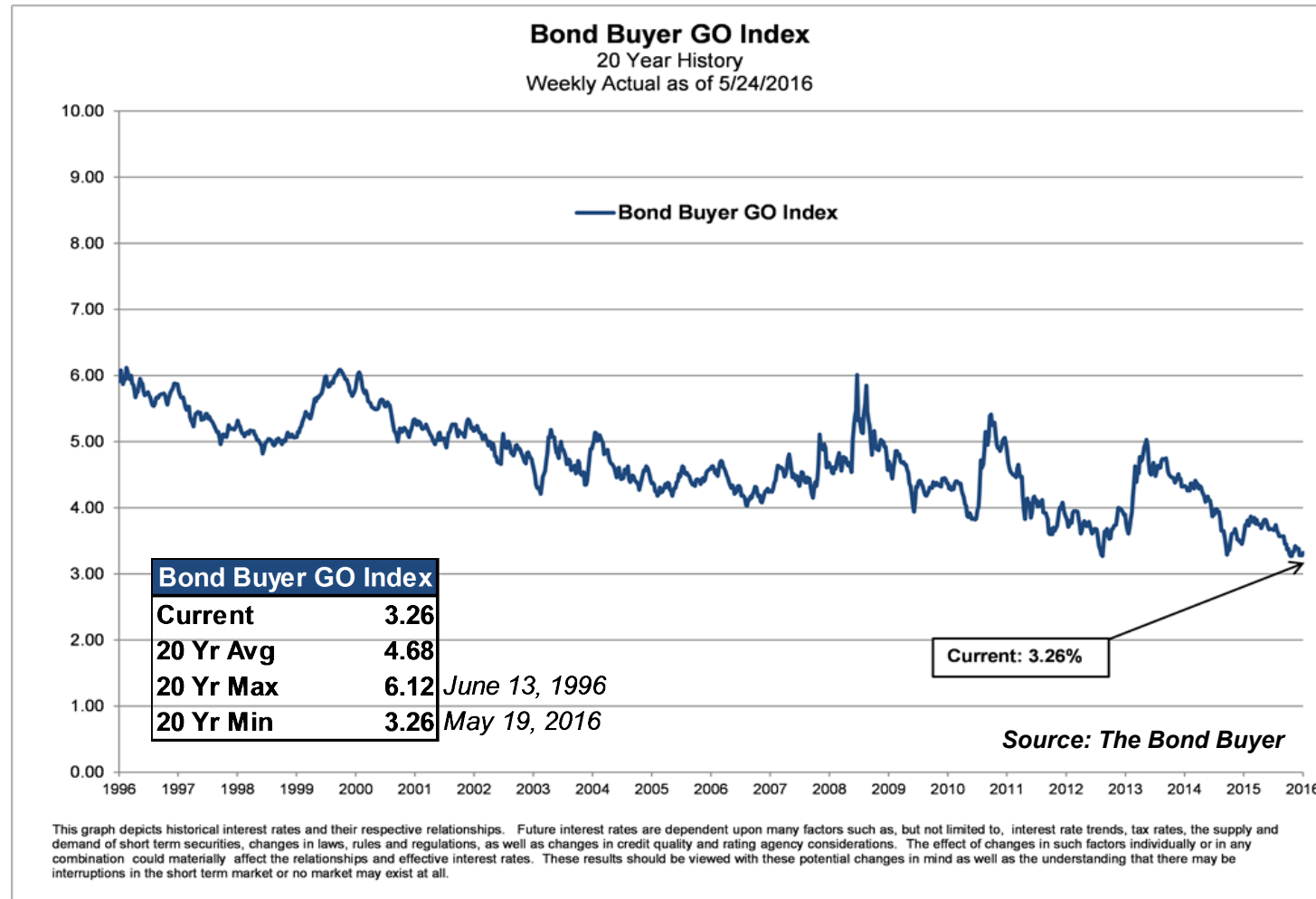
## General Obligation Refunding Bonds, Series 2016

## City of Colleyville, Texas

June 1, 2016

*Preliminary; For Purposes of Discussion Only*

# Market Update (Bond Buyer GO Index)



- Tax-exempt municipal interest rates remain under the 20-year historical averages.
- Fed policy, lack of bonds supply and economic conditions have contributed to recent downward movements in interest rates.
- The GO Bond Buyer Index hit the 20-Year Low of 3.26% on May 19, 2016

## Existing Debt – General Obligation Debt

| Series | Name                                                    | Amount Issued       | Amount Outstanding         | Interest Rates | Call Date                      | Final Maturity |
|--------|---------------------------------------------------------|---------------------|----------------------------|----------------|--------------------------------|----------------|
| 2006   | General Obligation Refunding Bonds                      | \$4,895,000         | \$1,545,000                | 3.64%          | Make Whole Call <sup>(1)</sup> | 2/15/2019      |
| 2007*  | General Obligation Bonds                                | \$4,575,000         | \$3,975,000 <sup>(2)</sup> | 4.00% - 5.00%  | 2/15/2017                      | 2/15/2027      |
| 2011*  | Combination Tax & Tax Increment Revenue Refunding Bonds | \$5,255,000         | \$2,520,000 <sup>(3)</sup> | 2.00% - 4.00%  | Currently Callable             | 2/15/2020      |
| 2011   | General Obligation Refunding Bonds                      | \$2,945,000         | \$630,000                  | 2.00% - 4.00%  | Non Callable                   | 2/15/2020      |
|        |                                                         | <b>\$17,670,000</b> | <b>\$8,670,000</b>         |                |                                |                |

\*Refunding Candidates

### NOTES:

(1) Callable in whole or in part on any date @ par plus a Redemption Premium. The Redemption Premium shall be equal to the greater of (i) zero or (ii) the Mark-to-Market Adjustment as specified in the Ordinance.

(2) \$3,825,000 of the currently outstanding amount are callable bonds.

(3) \$2,520,000 of the currently outstanding amount are callable bonds.

## **Refinancing of Outstanding Debt**



- The City currently has the opportunity to refund \$3,825,000 of the outstanding General Obligation Bonds, Series 2007 and \$2,520,000 of the outstanding Combination Tax & Tax Increment Revenue Refunding Bonds, Series 2011 for debt service savings.
- The City can issue tax-exempt General Obligation Refunding Bonds
- The refunding of the Series 2007 bonds would be an “advance” refunding for IRS purposes if the refunding escrow is funded more than 90 days prior to the 2/15/2017 call date. The Series 2007 bonds are eligible for advance refunding.
- The Series 2011 bonds are currently callable and are eligible to be refunded on a current basis.
- The refunding bonds can be issued as Bank Qualified for lower interest rates (fixed interest rates)

# Refunding of Series 2007 & 2011



| <u>A</u>                  | <u>B</u>                                 | <u>C</u>                                   | <u>D</u>                                | <u>E</u>                                                                                                   | <u>F</u>   | <u>G</u>     | <u>H</u>                      | <u>I</u>                                            |
|---------------------------|------------------------------------------|--------------------------------------------|-----------------------------------------|------------------------------------------------------------------------------------------------------------|------------|--------------|-------------------------------|-----------------------------------------------------|
| Fiscal Year Ending 30-Sep | Existing General Obligation Debt Service | Less: Refunded Debt Service <sup>(1)</sup> | NET NEW General Obligation Debt Service | \$6,140,000 General Obligation Refunding Bonds, Series 2016 <sup>(2)</sup><br>Estimated All-in TIC = 1.85% |            |              | Estimated NEW GO Debt Service | Estimated Gross Debt Service Savings <sup>(3)</sup> |
|                           |                                          |                                            |                                         | Principal                                                                                                  | Interest   | Total D/S    |                               |                                                     |
| 2016                      | \$ 1,703,683                             | \$ -                                       | \$ 1,703,683                            | \$ -                                                                                                       | \$ -       | \$ -         | \$ 1,703,683                  | \$ -                                                |
| 2017                      | 1,697,829                                | 832,650                                    | 865,179                                 | 630,000                                                                                                    | 154,251    | 784,251      | 1,649,430                     | 48,399                                              |
| 2018                      | 1,680,813                                | 976,425                                    | 704,388                                 | 795,000                                                                                                    | 141,350    | 936,350      | 1,640,738                     | 40,075                                              |
| 2019                      | 1,693,228                                | 973,400                                    | 719,828                                 | 805,000                                                                                                    | 125,350    | 930,350      | 1,650,178                     | 43,050                                              |
| 2020                      | 1,139,700                                | 966,300                                    | 173,400                                 | 865,000                                                                                                    | 104,325    | 969,325      | 1,142,725                     | (3,025)                                             |
| 2021                      | 541,700                                  | 541,700                                    | -                                       | 395,000                                                                                                    | 85,425     | 480,425      | 480,425                       | 61,275                                              |
| 2022                      | 544,700                                  | 544,700                                    | -                                       | 410,000                                                                                                    | 73,350     | 483,350      | 483,350                       | 61,350                                              |
| 2023                      | 546,900                                  | 546,900                                    | -                                       | 420,000                                                                                                    | 60,900     | 480,900      | 480,900                       | 66,000                                              |
| 2024                      | 553,200                                  | 553,200                                    | -                                       | 435,000                                                                                                    | 48,075     | 483,075      | 483,075                       | 70,125                                              |
| 2025                      | 558,500                                  | 558,500                                    | -                                       | 450,000                                                                                                    | 34,800     | 484,800      | 484,800                       | 73,700                                              |
| 2026                      | 562,800                                  | 562,800                                    | -                                       | 460,000                                                                                                    | 21,150     | 481,150      | 481,150                       | 81,650                                              |
| 2027                      | 566,100                                  | 566,100                                    | -                                       | 475,000                                                                                                    | 7,125      | 482,125      | 482,125                       | 83,975                                              |
| 2028                      | -                                        | -                                          | -                                       | -                                                                                                          | -          | -            | -                             | -                                                   |
| 2029                      | -                                        | -                                          | -                                       | -                                                                                                          | -          | -            | -                             | -                                                   |
| 2030                      | -                                        | -                                          | -                                       | -                                                                                                          | -          | -            | -                             | -                                                   |
|                           | \$ 11,789,153                            | \$ 7,622,675                               | \$ 4,166,478                            | \$ 6,140,000                                                                                               | \$ 856,101 | \$ 6,996,101 | \$ 11,162,579                 | \$ 626,574                                          |

- 1) Includes General Obligation Bonds, Series 2007 and Combination Tax & Tax Increment Revenue Refunding Bonds, Series 2011.
- 2) Assumes bond issuance in July 2016 and closing on August 18, 2016 for discussion purposes only. Interest cost includes all financing costs and is subject to change at anytime. Bond Pricing Assumes "AAA/AAA" Bank Qualified interest rates.
- 3) Gross Savings are discounted at the All-in true Interest Cost shown above to obtain the Present Value savings which are estimated at \$555,669 or 8.76% of the refunded par amount.

**Preliminary; For Purposes of Discussion Only**

CITY OF COLLEYVILLE, TEXAS

# Refunding of Series 2007 & 2011



| Summary Statistics – General Obligation Refunding Bonds, Series 2016 <sup>(1)</sup> |                                                                  |
|-------------------------------------------------------------------------------------|------------------------------------------------------------------|
| Assumed Delivery Date                                                               | August 18, 2016                                                  |
| Series Refunded                                                                     | Series 2011 & Series 2007                                        |
| Par Amount of Refunded Bonds                                                        | \$6,345,000                                                      |
| Refunded Bonds' Call Date                                                           | Series 2011 Callable 2/15/2017<br>Series 2007 Callable 2/15/2016 |
| Average Coupon of Prior Debt                                                        | 3.96%                                                            |
| All-in True Interest Cost                                                           | 1.85%                                                            |
| Total Gross Savings                                                                 | \$626,574                                                        |
| Average Annual Savings                                                              | \$56,961 (FY 2017-2027)                                          |
| Present Value (PV) Savings                                                          | \$555,669                                                        |
| PV Savings as a % of Refunded Bonds                                                 | 8.76%                                                            |
| Negative Arbitrage (Opportunity Cost)                                               | \$17,278                                                         |
| Refunding Efficiency                                                                | 96.98%                                                           |

(1) "AAA/AAA" Bank Qualified Interest Rates. Subject to change at anytime

# Preliminary Schedule of Events<sup>(1)</sup>



| General Obligation Refunding Bonds, Series 2016 |                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| June 7, 2016                                    | <ul style="list-style-type: none"><li>▪ Presentation of Series 2016 Plan of Finance to City Council</li><li>▪ City Council considers Plan of Finance and instructs staff and consultants to proceed with the General Obligation Refunding Bonds, Series 2016 (the "Bonds")</li></ul> |
| June 22, 2016                                   | <ul style="list-style-type: none"><li>▪ Bond Rating conference calls</li></ul>                                                                                                                                                                                                       |
| July 12, 2016                                   | <ul style="list-style-type: none"><li>▪ City Council has first reading of Ordinance authorizing the issuance of the Bonds</li></ul>                                                                                                                                                  |
| July 19, 2016                                   | <ul style="list-style-type: none"><li>▪ Pricing of the Bonds</li><li>▪ City Council approves an Ordinance authorizing the issuance of the Bonds</li></ul>                                                                                                                            |
| August 18, 2016                                 | <ul style="list-style-type: none"><li>▪ Closing of debt issue and delivery of funds to escrow agent</li></ul>                                                                                                                                                                        |
| February 15, 2017 <sup>(2)</sup>                | <ul style="list-style-type: none"><li>▪ Redemption of General Obligation Bonds, Series 2007</li></ul>                                                                                                                                                                                |

(1) Subject to change at anytime.

(2) Combination Tax & Tax Increment Revenue Refunding Bonds, Series 2011 are currently callable and will be redeemed shortly after closing.

# Discussion, Direction and Next Steps

*Questions?*

## Memorandum

**Jim Sabonis**

Managing Director

[jim.sabonis@hilltopsecurities.com](mailto:jim.sabonis@hilltopsecurities.com)

**Andre Ayala**

Vice President

[andre.ayala@hilltopsecurities.com](mailto:andre.ayala@hilltopsecurities.com)

**Date:** June 2, 2016

**To:** Brian Hogan, CPA, CGFO  
CFO/Director of Finance

**Re:** Refunding of Colleyville General Obligation Bonds Series 2007 and Combination Tax & Tax Increment Revenue Refunding Bonds, Series 2011

The City of Colleyville, Texas (the “City”) has the opportunity to refund \$3,825,000 of the outstanding General Obligation Bonds, Series 2007 (the “2007 Bonds”) and \$2,520,000 of the outstanding Combination Tax & Tax Increment Revenue Refunding Bonds, Series 2011 (the “2011 Bonds”) for debt service savings. The 2007 Bonds have a coupon rate of 4.00% and are callable on February 15, 2017 at par. The 2011 Bonds have coupon rates ranging from 3.00% - 4.00% and are currently callable at par. Based on current market conditions, refunding bonds can be issued on a tax-exempt basis at an all in cost of 1.85% which would results in gross debt service savings of approximately \$626 thousand or present value savings of approximately \$555 thousand or 8.76% of the refunded debt. The following tables summarize the projected refunding transaction and financial impact to the City as well as the proposed implementation timeframe and action items:

| Refunding Statistics*                    | General Obligation Refunding Bonds, Series 2016 |
|------------------------------------------|-------------------------------------------------|
| <b>Refunded Par Amount</b>               | \$6,345,000                                     |
| <b>Refunded Maturities</b>               | 2017-2027                                       |
| <b>Gross Savings</b>                     | \$626,574                                       |
| <b>Net Present Value Savings</b>         | \$555,669                                       |
| <b>PV Savings as % of Refunded Bonds</b> | 8.76%                                           |
| <b>Average Annual Savings</b>            | \$56,961 (FY 2017-2027)                         |
| <b>Savings Discount Rate</b>             | 1.85%                                           |
| <b>Average Coupon Rate of New Debt</b>   | 2.88%                                           |

\*Assumes a competitive sale on July 19, 2016. Preliminary; Subject to change at any time.

| Date                                 | Event/Action Item                                                                                                                   |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| <b>Tuesday, June 7, 2016</b>         | <b>City Council Considers Plan of Finance and Directs Staff to proceed with Refunding</b>                                           |
| <b>Tuesday, July 12, 2016</b>        | <b>City Council has first reading of Ordinance authorizing the issuance of the Refunding Bonds</b>                                  |
| <b>Tuesday, July 19, 2016</b>        | Competitive Pricing of Refunding Bonds<br><b>City Council Approves an Ordinance authorizing the issuance of the Refunding Bonds</b> |
| <b>Thursday, August 18, 2016</b>     | Closing and Delivery of funds to Escrow Agent                                                                                       |
| <b>Wednesday, February 15, 2017*</b> | Redemption of Series 2007 Issue                                                                                                     |

\*Series 2011 are currently callable and will be redeemed shortly after closing.

\*\*Bold type indicates Council Action Items.

City of Colleyville, Texas

TIRZ Portion - Level Savings Scenario

DRAFT for discussion purposes only

| <u>A</u>                  | <u>B</u>                             | <u>C</u>                                   | <u>D</u>                            | <u>E</u>                                                                                                             | <u>F</u>   | <u>G</u>     | <u>H</u>                        | <u>I</u>                             |
|---------------------------|--------------------------------------|--------------------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------|------------|--------------|---------------------------------|--------------------------------------|
| Fiscal Year Ending 30-Sep | Existing TIRZ Supported Debt Service | Less: Refunded Debt Service <sup>(1)</sup> | NET NEW TIRZ Supported Debt Service | \$2,510,000<br>General Obligation Refunding Bonds, Series 2016 <sup>(2)</sup><br><i>Estimated All-in TIC = 1.80%</i> |            |              | Estimated NEW TIRZ Debt Service | Estimated Gross Debt Service Savings |
|                           |                                      |                                            |                                     | Principal                                                                                                            | Interest   | Total D/S    |                                 |                                      |
| 2016                      | \$ 682,425                           | \$ -                                       | \$ 682,425                          | \$ -                                                                                                                 | \$ -       | \$ -         | \$ 682,425                      | \$ -                                 |
| 2017                      | 679,650                              | 679,650                                    | -                                   | 610,000                                                                                                              | 50,128     | 660,128      | 660,128                         | 19,523                               |
| 2018                      | 676,425                              | 676,425                                    | -                                   | 615,000                                                                                                              | 38,350     | 653,350      | 653,350                         | 23,075                               |
| 2019                      | 679,400                              | 679,400                                    | -                                   | 635,000                                                                                                              | 25,850     | 660,850      | 660,850                         | 18,550                               |
| 2020                      | 678,300                              | 678,300                                    | -                                   | 650,000                                                                                                              | 9,750      | 659,750      | 659,750                         | 18,550                               |
| 2021                      | -                                    | -                                          | -                                   | -                                                                                                                    | -          | -            | -                               | -                                    |
| 2022                      | -                                    | -                                          | -                                   | -                                                                                                                    | -          | -            | -                               | -                                    |
| 2023                      | -                                    | -                                          | -                                   | -                                                                                                                    | -          | -            | -                               | -                                    |
| 2024                      | -                                    | -                                          | -                                   | -                                                                                                                    | -          | -            | -                               | -                                    |
| 2025                      | -                                    | -                                          | -                                   | -                                                                                                                    | -          | -            | -                               | -                                    |
| 2026                      | -                                    | -                                          | -                                   | -                                                                                                                    | -          | -            | -                               | -                                    |
| 2027                      | -                                    | -                                          | -                                   | -                                                                                                                    | -          | -            | -                               | -                                    |
| 2028                      | -                                    | -                                          | -                                   | -                                                                                                                    | -          | -            | -                               | -                                    |
| 2029                      | -                                    | -                                          | -                                   | -                                                                                                                    | -          | -            | -                               | -                                    |
| 2030                      | -                                    | -                                          | -                                   | -                                                                                                                    | -          | -            | -                               | -                                    |
|                           | \$ 3,396,200                         | \$ 2,713,775                               | \$ 682,425                          | \$ 2,510,000                                                                                                         | \$ 124,078 | \$ 2,634,078 | \$ 3,316,503                    | \$ 79,698                            |

Assumptions:

(1) Includes TIRZ Supported Portion of Combination Tax & Tax Increment Revenue Refunding Bonds, Series 2011.

(2) Assumes bond issuance in July 2016 and closing on August 18, 2016 for discussion purposes only. Interest cost includes all financing costs.

Bond Pricing Assumes "AAA/AAA" Bank Qualified interest rates.

**Preliminary; Subject to change at anytime**

**City of Colleyville, Texas**
**I&S Tax Supported Portion - Structured Savings Scenario**
**DRAFT for discussion purposes only**

| <u>A</u>                  | <u>B</u>                                | <u>C</u>                                   | <u>D</u>                                | <u>E</u>                                                                                                             | <u>F</u>   | <u>G</u>     | <u>H</u>                                 | <u>I</u>                             |
|---------------------------|-----------------------------------------|--------------------------------------------|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------|------------|--------------|------------------------------------------|--------------------------------------|
| Fiscal Year Ending 30-Sep | Existing I&S Tax Supported Debt Service | Less: Refunded Debt Service <sup>(1)</sup> | NET NEW General Obligation Debt Service | \$3,630,000<br>General Obligation Refunding Bonds, Series 2016 <sup>(2)</sup><br><i>Estimated All-in TIC = 1.80%</i> |            |              | Estimated I&S Tax Supported Debt Service | Estimated Gross Debt Service Savings |
|                           |                                         |                                            |                                         | Principal                                                                                                            | Interest   | Total D/S    |                                          |                                      |
| 2016                      | \$ 521,016                              | \$ -                                       | \$ 521,016                              | \$ -                                                                                                                 | \$ -       | \$ -         | \$ 521,016                               | \$ -                                 |
| 2017                      | 514,317                                 | 153,000                                    | 361,317                                 | 20,000                                                                                                               | 104,123    | 124,123      | 485,440                                  | 28,877                               |
| 2018                      | 502,543                                 | 300,000                                    | 202,543                                 | 180,000                                                                                                              | 103,000    | 283,000      | 485,543                                  | 17,000                               |
| 2019                      | 504,728                                 | 294,000                                    | 210,728                                 | 170,000                                                                                                              | 99,500     | 269,500      | 480,228                                  | 24,500                               |
| 2020                      | 461,400                                 | 288,000                                    | 173,400                                 | 215,000                                                                                                              | 94,575     | 309,575      | 482,975                                  | (21,575)                             |
| 2021                      | 541,700                                 | 541,700                                    | -                                       | 395,000                                                                                                              | 85,425     | 480,425      | 480,425                                  | 61,275                               |
| 2022                      | 544,700                                 | 544,700                                    | -                                       | 410,000                                                                                                              | 73,350     | 483,350      | 483,350                                  | 61,350                               |
| 2023                      | 546,900                                 | 546,900                                    | -                                       | 420,000                                                                                                              | 60,900     | 480,900      | 480,900                                  | 66,000                               |
| 2024                      | 553,200                                 | 553,200                                    | -                                       | 435,000                                                                                                              | 48,075     | 483,075      | 483,075                                  | 70,125                               |
| 2025                      | 558,500                                 | 558,500                                    | -                                       | 450,000                                                                                                              | 34,800     | 484,800      | 484,800                                  | 73,700                               |
| 2026                      | 562,800                                 | 562,800                                    | -                                       | 460,000                                                                                                              | 21,150     | 481,150      | 481,150                                  | 81,650                               |
| 2027                      | 566,100                                 | 566,100                                    | -                                       | 475,000                                                                                                              | 7,125      | 482,125      | 482,125                                  | 83,975                               |
| 2028                      | -                                       | -                                          | -                                       | -                                                                                                                    | -          | -            | -                                        | -                                    |
| 2029                      | -                                       | -                                          | -                                       | -                                                                                                                    | -          | -            | -                                        | -                                    |
| 2030                      | -                                       | -                                          | -                                       | -                                                                                                                    | -          | -            | -                                        | -                                    |
|                           | \$ 6,377,904                            | \$ 4,908,900                               | \$ 1,469,004                            | \$ 3,630,000                                                                                                         | \$ 732,023 | \$ 4,362,023 | \$ 5,831,027                             | \$ 546,877                           |

**Assumptions:**

(1) Includes I&amp;S Tax Supported GO Bonds, Series 2007.

(2) Assumes bond issuance in July 2016 and closing on August 18, 2016 for discussion purposes only. Interest cost includes all financing costs.

Bond Pricing Assumes "AAA/AAA" Bank Qualified interest rates.

**Preliminary; Subject to change at anytime**



# City of Colleyville City Council Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

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**Agenda Number**  
**Type** Pre Council  
**Department** Finance

**Agenda Date** 06/07/2016

**Number** PC-2

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## **Title**

Discussion of Water Rates

## **Explanation**

This item has been prepared at the request of Mayor Richard Newton. Staff will provide the attached presentation and answer any questions the City Council may have.

## **Attachments**

1. Presentation & Discussion on Water Rates
2. Utility Fund Background & Supplemental Information



# City of Colleyville City Council Agenda Briefing

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## **Title**

Discussion of Water Rates

## **Strategy Map Connection**

## **Explanation**

This item has been prepared at the request of Mayor Richard Newton. Staff will provide the attached presentation and answer any questions the City Council may have.

## **Attachments**

1. Presentation & Discussion on Water Rates
2. Utility Fund Background & Supplemental Information

# Water Rates Discussion

Pre Council  
June 7, 2016

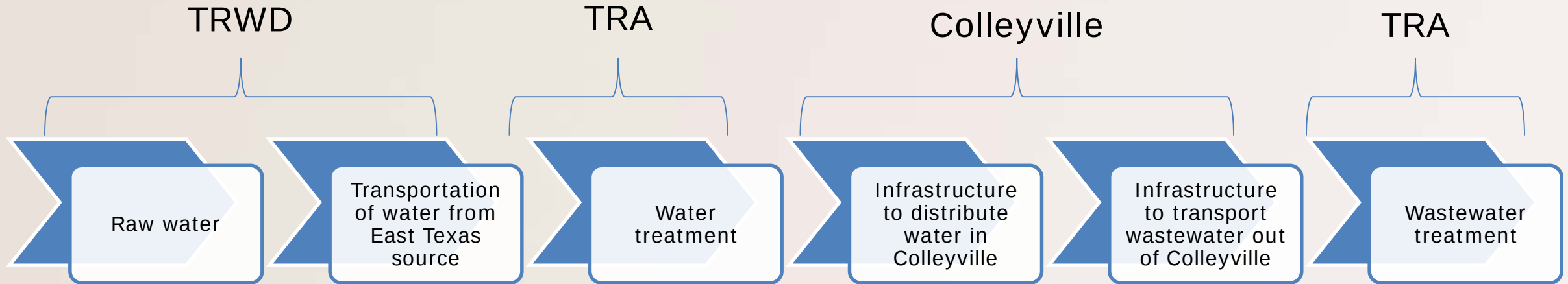


# Presentation Objectives



- Discuss interim/temporary water rate to provide immediate rate relief for Colleyville customers
- Confirm direction for a permanent, comprehensive rate review study by end of 2016
- Review water and wastewater rate structure
- Discuss criteria for utility fund expenditure reductions

# What are you paying for?



➤ TRWD bills TRA

- Based on volume of raw water purchased

➤ TRA bills Colleyville

WATER

- Based on volume of treated water purchased

WASTEWATER

- Based on proportional share of CRWS operational costs

DEBT SERVICE

- Based on Colleyville's proportional share of water use within the Tarrant County Water Supply Project; proportional share of wastewater flows for Central Regional Wastewater System

➤ Colleyville bills customers

WATER

- A base rate to recover a portion of fixed costs and infrastructure maintenance
- A volumetric rate based on volume of water used

WASTEWATER

- A base rate to recover a portion of fixed costs and infrastructure maintenance
- A volumetric rate based on average winter months' water usage

# Prior Water Rates: 2009-2015



|                                              | Pass Through | Pass Through | Pass Through | Pass Through &<br>Implement Tiered Rates | Pass Through | Pass Through | Pass Through & Structure<br>Shift to Greater Fixed Cost<br>Recovery |
|----------------------------------------------|--------------|--------------|--------------|------------------------------------------|--------------|--------------|---------------------------------------------------------------------|
|                                              | Dec-09       | Feb-11       | Dec-11       | Dec-12                                   | Dec-13       | Dec-14       | Dec-15                                                              |
| 0 - 2,000 gallons (minimum bill)*            | \$ 12.10     | \$ 12.10     | \$ 12.52     | \$ 12.52                                 | \$ 12.74     | \$ 13.28     | \$ 13.55                                                            |
| 2,001 - 20,000 gallons (per 1,000 gallons)** | \$ 3.48      | \$ 3.53      | \$ 3.74      | \$ 3.74                                  | \$ 3.85      | \$ 4.12      | \$ 4.30                                                             |
| 20,001 - 30,000 gallons (per 1,000 gallons)  | \$ 3.48      | \$ 3.53      | \$ 3.74      | \$ 4.30                                  | \$ 4.41      | \$ 4.68      | \$ 4.86                                                             |
| 30,001 - 40,000 gallons (per 1,000 gallons)  | \$ 3.48      | \$ 3.53      | \$ 3.74      | \$ 4.86                                  | \$ 4.97      | \$ 5.24      | \$ 5.42                                                             |
| 40,001 - 50,000 gallons (per 1,000 gallons)  | \$ 3.48      | \$ 3.53      | \$ 3.74      | \$ 5.42                                  | \$ 5.53      | \$ 5.80      | \$ 5.98                                                             |
| Over 50,000 gallons (per 1,000 gallons)      | \$ 3.48      | \$ 3.53      | \$ 3.74      | \$ 5.98                                  | \$ 6.09      | \$ 6.36      | \$ 6.54                                                             |

## Notes:

\*As of December 2015, minimum bill includes 0 - 1,500 gallons

\*\*As of December 2015, 1st tier is 1,501 - 20,000 gallons

Pass Through: When the Trinity River Authority (TRA) increases the rates they charge the city for treated water, those rate increases are passed on to customers through the City's rate structure.

# Prior Wastewater Rates: 2009-2015



|                                       | Pass Through | Pass Through | Pass Through | Pass Through | Pass Through | Pass Through | Pass Through & Structure Shift to Recover Fixed Costs |
|---------------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------------------------------------------------|
|                                       | Dec-09       | Feb-11       | Dec-11       | Dec-12       | Dec-13       | Dec-14       | Dec-15                                                |
| 0 - 2,000 gallons (minimum bill) *    | \$ 8.80      | \$ 8.80      | \$ 8.80      | \$ 9.18      | \$ 9.94      | \$ 10.16     | \$ 10.45                                              |
| 2,001+ gallons (per 1,000 gallons) ** | \$ 2.17      | \$ 2.27      | \$ 2.35      | \$ 2.46      | \$ 2.84      | \$ 2.95      | \$ 3.14                                               |

## Notes:

\* As of December 2015, minimum bill includes 0 - 1,500 gallons

\*\* As of December 2015, 1st tier is 1,501+ gallons

Pass Through: When the Trinity River Authority (TRA) increases the rates they charge the city for treating wastewater, those rate increases are passed on to customers through the City's rate structure.

# Rate Breakdown: Water



\$13.55 Minimum Bill

\$5.88 to TRA for first 1,500 gallons\*  
\$7.67 for Colleyville's operational expenses

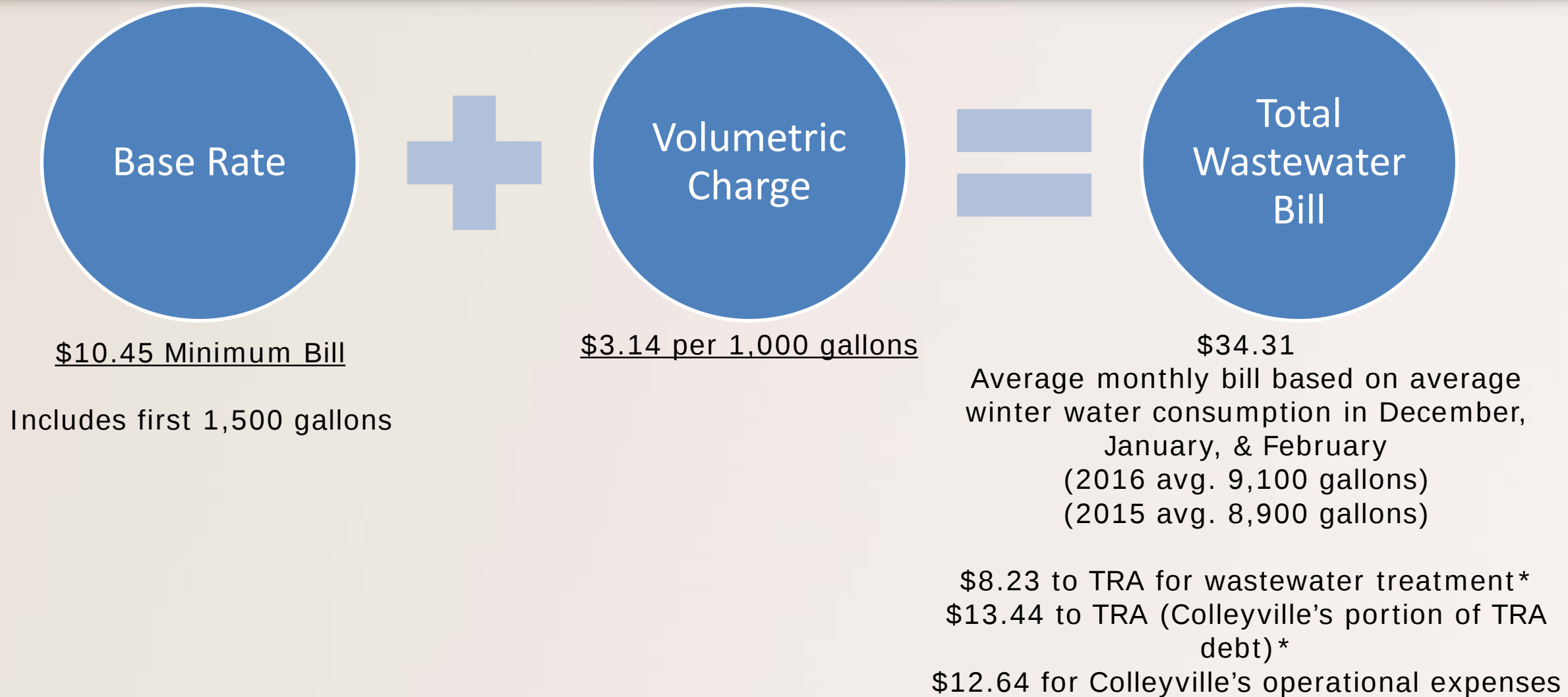
\$4.30 per 1,000 gallons (Tier 1)

\$2.39 to TRA (per 1,000 of treated water)  
\$1.53 to TRA (Colleyville's portion of TRA's debt)\*  
\$0.38 for Colleyville's operational expenses

\*balance left after paying TRA varies by Tier; that balance also funds City expenses

\* Colleyville makes a monthly debt payment to TRA based on Colleyville's proportion of the prior year's consumption. The portion of the minimum bill and volumetric rate dedicated to TRA debt changes annually based on Colleyville's prior year consumption.

# Rate Breakdown: Wastewater



\* TRA bills Colleyville monthly for wastewater based on 1/12 of Colleyville's proportionate share of the Central Regional Wastewater System operating and debt costs (2.14%).

# Water Rate Breakdown: Paid to TRA

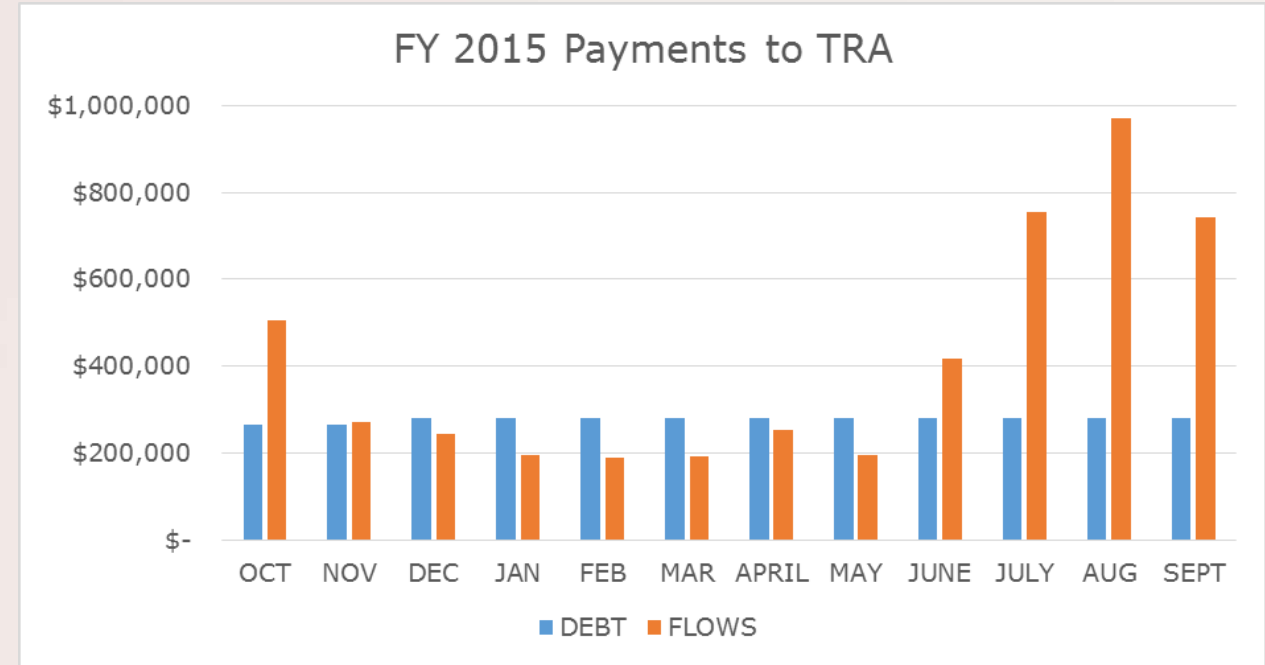


## The City of Colleyville pays TRA two amounts each month:

1. \$2.39 per 1,000 gallons of water
2. \$1.53 per 1,000 gallons (our proportionate share of TRA's debt)

### **TRA Debt:**

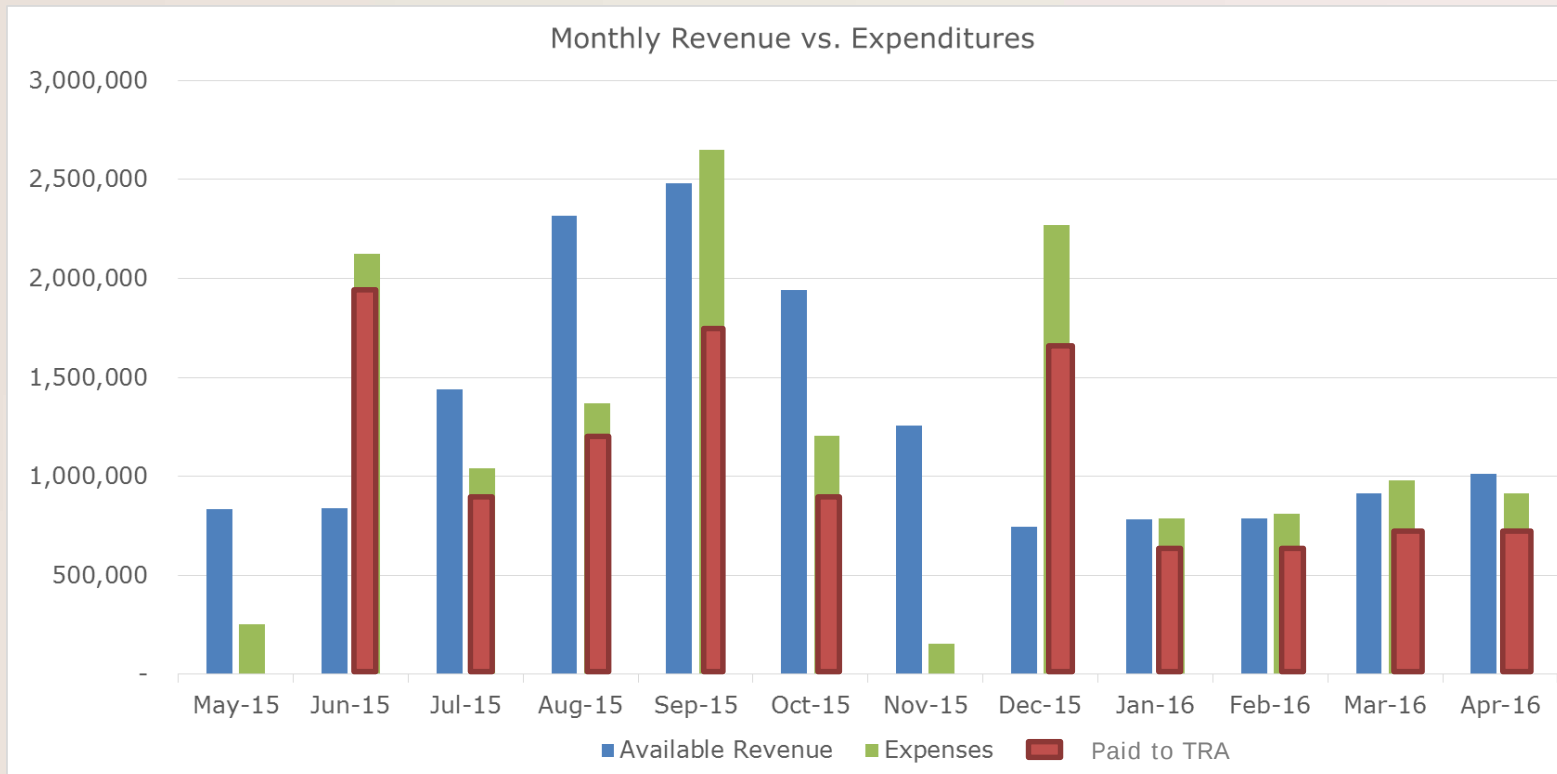
- TRA issues debt to pay for capital improvements involved in treating water and wastewater
- Colleyville pays part of TRA's debt based on Colleyville's proportional share of water use within the Tarrant County Water Supply Project
- The more water Colleyville customers use, the more of TRA's debt Colleyville customers are responsible for



# Rate Breakdown: Colleyville Costs



Question: How does Colleyville fund Water & Wastewater infrastructure projects without debt?  
Answer: The rate structure provides revenue (above operating expenses) to set aside to pay cash for projects.



|                               | Rolling 12 Month Total (May – April) |
|-------------------------------|--------------------------------------|
| Available Revenue             | \$15,349,285                         |
| (-) Expenses                  | \$14,550,535                         |
| <b>= Difference (For CIP)</b> | <b>\$798,750 *</b>                   |

\*This number is an estimate based on historical usage and would vary depending on higher or lower consumption amounts.

# Financial Statement Summaries



**1**

## Statement of Net Position

- Assets: Cash, Investment in water/wastewater system
- Liabilities: Payables

### FY 2015 example:

|                          |                  |
|--------------------------|------------------|
| Total assets             | \$58.5 M         |
| <u>Total liabilities</u> | <u>\$( 2.7)M</u> |
| Total Net Position       | \$55.8 M         |
| Change from prior yr.    | \$ 3.5 M         |

**2**

## Statement of Revenues, Expenses, & Changes In Fund Net Position

- Income statement

### FY 2015 example:

|                         |                 |
|-------------------------|-----------------|
| Operating income        | \$ 15.8 M       |
| Operating expenses      | \$(14.0)M       |
| Developer contrib.      | \$ 2.4 M        |
| Transfers out           | \$( 1.2)M       |
| <u>One-time adjust.</u> | <u>\$ 0.5 M</u> |
| Change in Net Position  | \$ 3.5 M        |

**3**

## Statement of Cash Flows

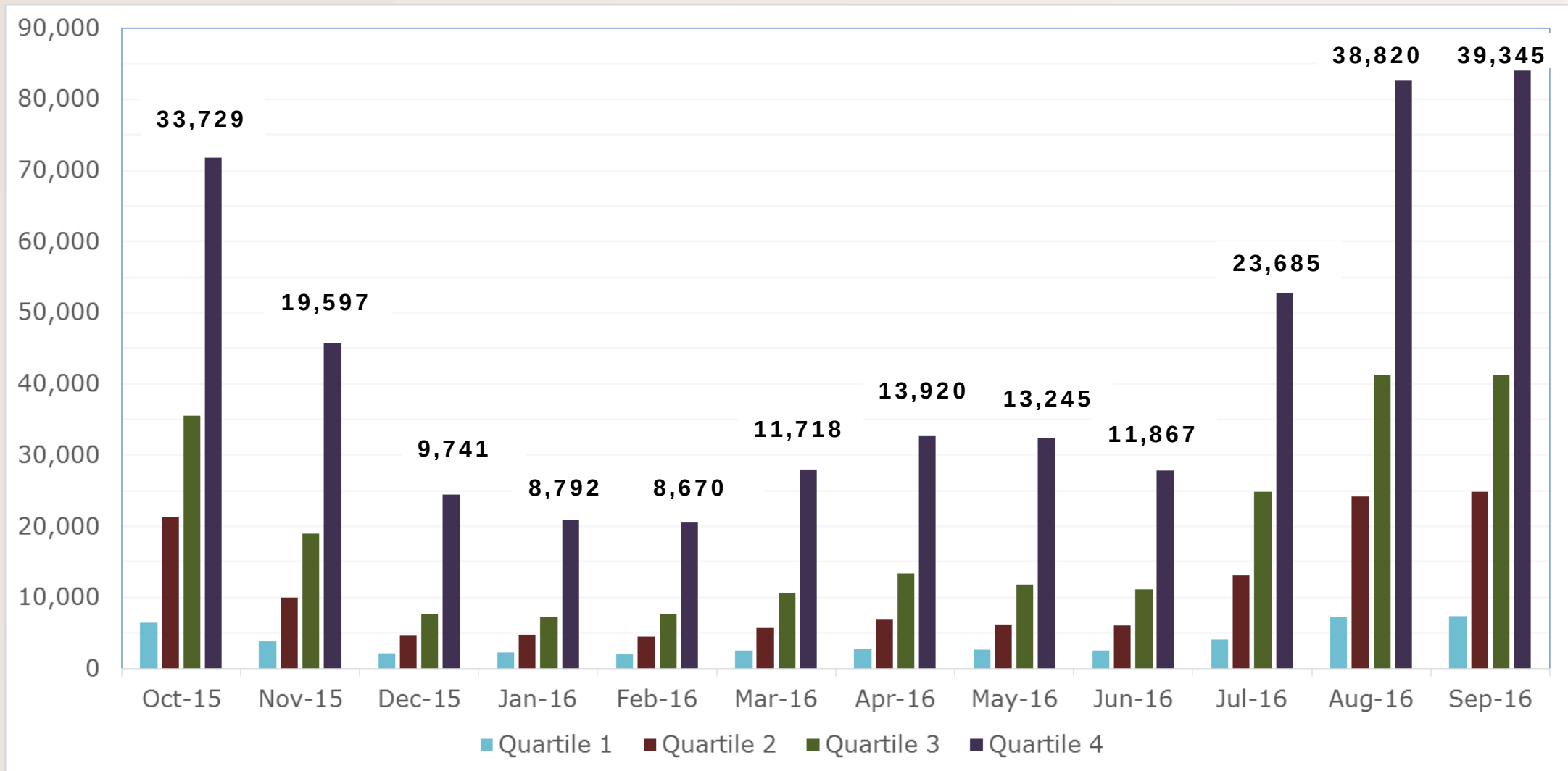
- Explains changes in amount of cash and cash equivalents from prior year

### FY 2015 example:

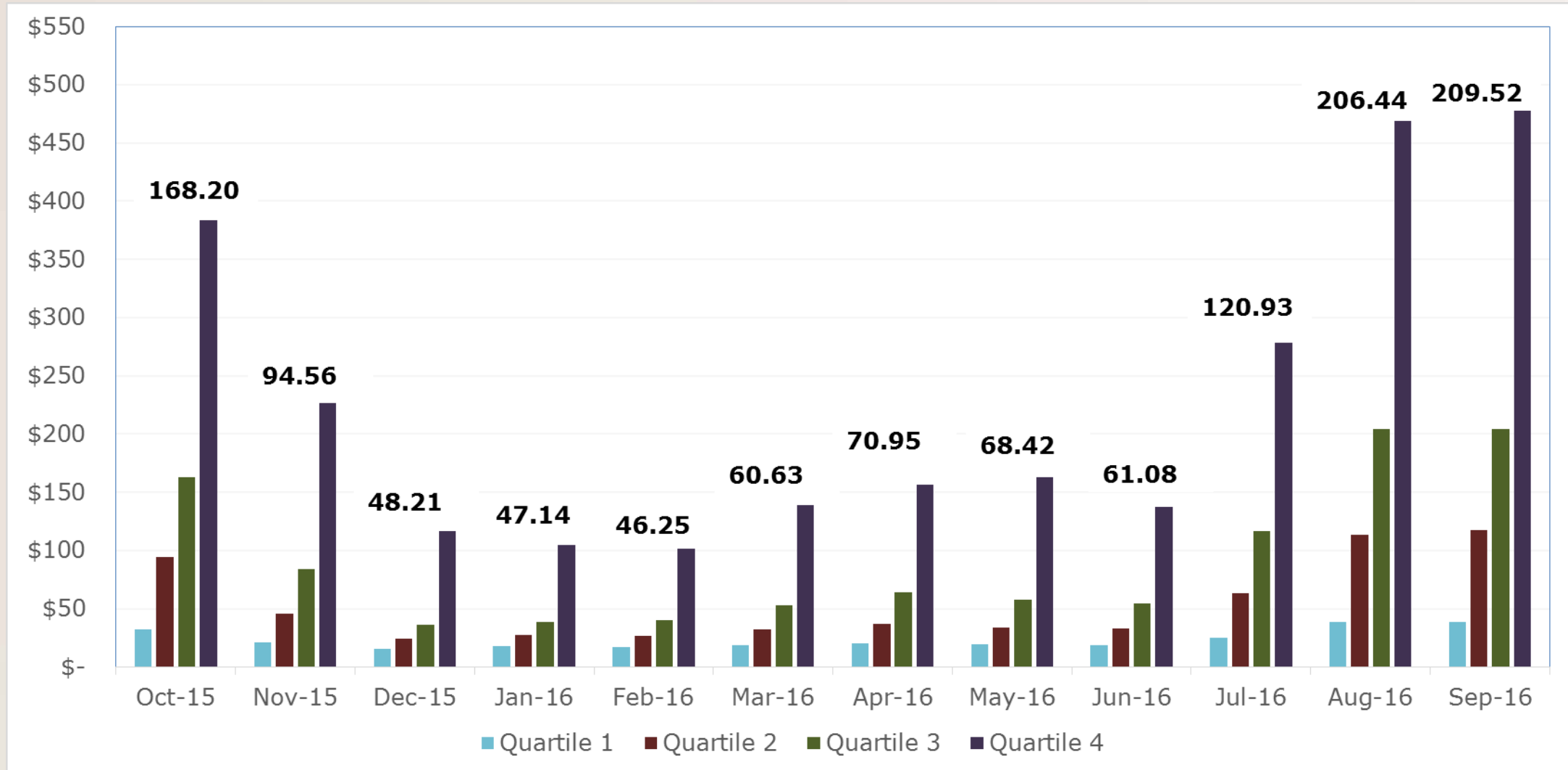
|                            |                 |
|----------------------------|-----------------|
| Net cash in from ops.      | \$ 3.4 M        |
| Transfers out              | \$(1.2)M        |
| Acquire capital assets     | \$(4.5)M        |
| Developer contrib.         | \$ 2.4 M        |
| Debt payments              | \$(0.5)M        |
| <u>Investment/Interest</u> | <u>\$(0.6)M</u> |
| Change in Cash             | \$(1.0) M       |

# **Customer Information**

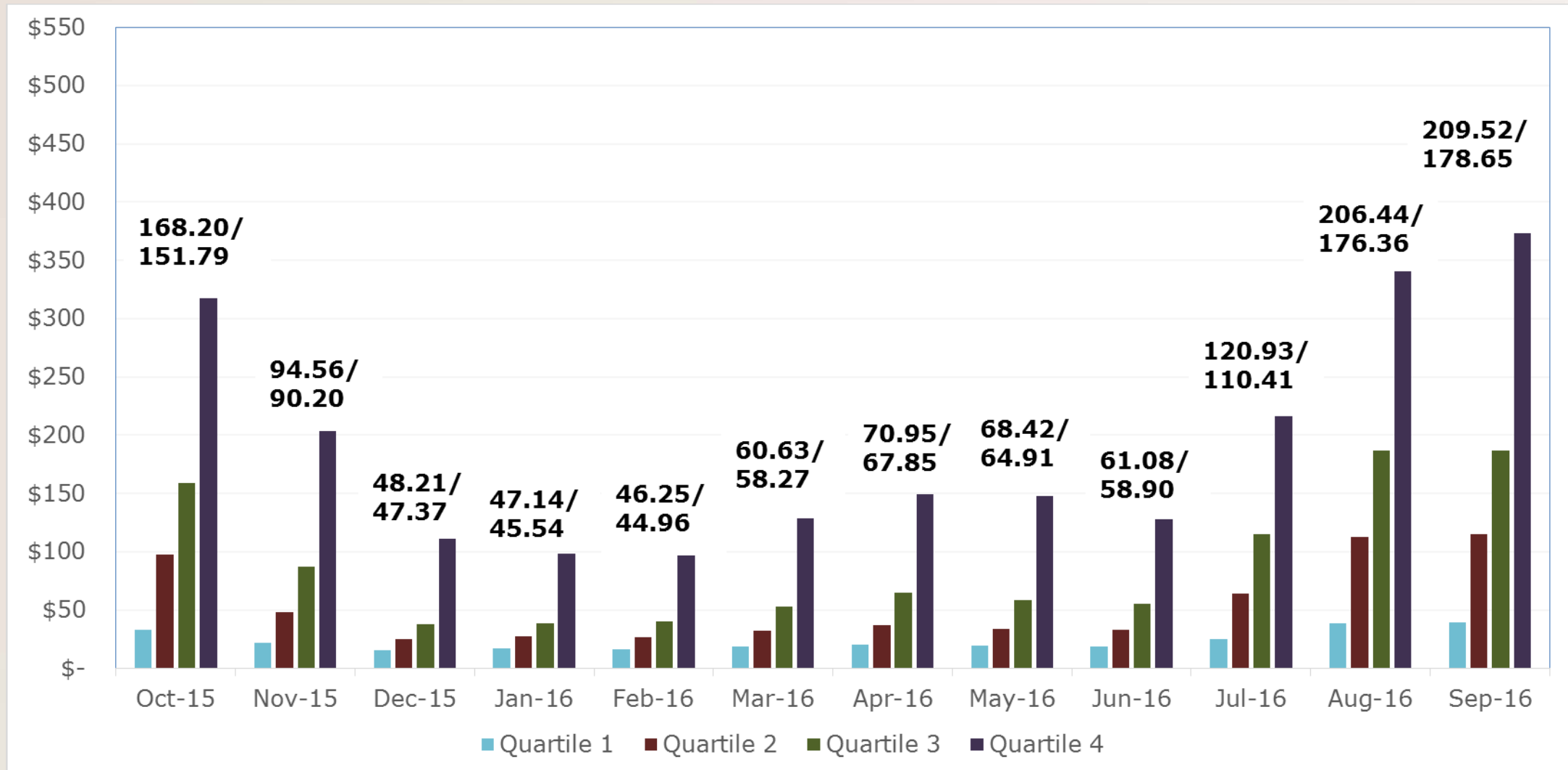
# Consumption by Quartile



# Average Bill by Quartile (current rates)



# Average Bill by Quartile (\$4.36 flat rate)



(average bill current rate / average bill \$4.36 flat rate)

# **Interim Rate Changes**

# Interim Rate Changes



- Option to implement interim changes immediately, until a full analysis for a new rate model can be completed
- Several interim change options have been prepared
  - Revenue changes calculated assuming same usage as July-September 2015
  - Only looking at water rates; wastewater rates are based on winter averages and have already been set for the year

# Interim Options



| Impact to Fund |                                     | Current Rates | Flat Rate - \$4.36 | Difference    |
|----------------|-------------------------------------|---------------|--------------------|---------------|
|                | Water Revenue<br>(July – Sept 2016) | \$5,091,716   | \$4,413,255        | \$(678,461)   |
|                | Water Revenue<br>(Annualized)       | \$11,525,727  | \$10,417,049       | \$(1,108,678) |

| Impact to Customer | Average Customer Bills<br>(Water)<br>(Avg. monthly bill July –<br>Sept 2016 / Avg. monthly<br>bill Oct-Sept) | Current Rates       | Flat Rate - \$4.36  | Difference            |
|--------------------|--------------------------------------------------------------------------------------------------------------|---------------------|---------------------|-----------------------|
|                    | 1 <sup>st</sup> Quartile                                                                                     | \$34.24 / \$23.56   | \$34.52 / \$23.73   | \$0.28 / \$0.17       |
|                    | 2 <sup>nd</sup> Quartile                                                                                     | \$98.09 / \$54.07   | \$97.31 / \$54.45   | \$(0.78) / \$0.38     |
|                    | 3 <sup>rd</sup> Quartile                                                                                     | \$175.20 / \$93.06  | \$163.07 / \$90.34  | \$(12.13) / \$(2.72)  |
|                    | 4 <sup>th</sup> Quartile                                                                                     | \$408.42 / \$230.12 | \$325.71 / \$196.56 | \$(82.71) / \$(33.56) |

# Funding Options



## **FY 2016**

- Utility Fund revenue reduction for FY 2016 can be offset by
  1. Reduce FY 2016 CIP investment
  2. Eliminating the transfer(s) to the General Fund
  3. Using available fund balance (draw down of cash)

## **Annually\***

- Modifying capital improvement plan
- Eliminating the transfer(s) to the General Fund

\*Annual expenditure reductions should be evaluated as part of a new rate model analysis

# 1- Reduce FY 2016 CIP Investment



- Remaining FY 2016 projects could be delayed until next fiscal year
- If a change in direction is anticipated for implementation of the Master Plan, NewGen will need to incorporate this into the revenue requirements for the new rate model
- Further delay of necessary improvement projects is not a long-term solution and could result in compounding maintenance needs (more expenditures needing to occur during a shorter amount of time)

# 2- Transfers to General Fund



- History:
  - Established in 1989: PILOT, G&A Transfer (4%), Franchise Fee (2%)
  - Amended 1994: eliminated PILOT
  - Amended 2007: increased the Franchise Fee to 4% to be consistent with what was charged to other utility providers
- Calculations:
  - Franchise Fee: 4% of Utility Fund revenue (\$557,636)
  - G&A Transfer: 4% of Utility Fund water and wastewater sales (\$557,636)
- Elimination considerations:
  - General Fund credit ratings
  - Revenue shortfall in the General Fund (options to address this on next slide)
  - Utility Fund credit ratings

# 2- Transfers to General Fund



- Immediate implementation of a \$4.36 flat rate reduces Utility Fund revenue by \$678,461 in FY 2016, which could be offset by reducing Utility Fund expenditures by that amount, such as the transfer to the General Fund
- Reducing the transfer to the General Fund by \$678,461 would reduce FY 2016 General Fund revenues by that amount and would need to be offset by General Fund expenditure reductions
  - Options that do not impact the current service level for citizens:
    - Amend the CEDC budget to take on CEDC eligible expenditures (Library, Parks, Colleyville Center) currently budgeted in the General Fund
    - Reverse transfer made from the General Fund to the Capital Projects Fund for facilities projects
    - Draw down General Fund fund balance

# 3- Use of Available Cash



- Cash on hand is intended to help fund CIP costs not funded by the current rate structure
- May have credit rating implications (Revenue Bonds and G.O. Bonds)
- Limited ability to continue funding reduced rates with this method

# Next Steps: Interim Changes



- If direction is received tonight on an interim rate change, earliest approval of an ordinance:
  - First reading: June 21<sup>st</sup>
  - Second reading: July 12<sup>th</sup>
  - Rate changes in effect: August bills (July usage)
- If direction is to eliminate transfers from the Utility Fund to the General Fund, other ordinances will need to be revised/repealed
  - Franchise Fee and G&A Transfer
  - Budget amendments
- FY 2017 budget can be approved based on interim rates, with option to amend upon adoption of new rate model

# Next Steps: New Rate Model



- Revised rate model will take 90-120 days
- A consultant (NewGen) has already been engaged to build a new model and offer several scenarios/options
  - Predicated on revenue requirements to fund existing Master Plan
  - Predicated on cash funding Master Plan projects vs. issuing debt
  - Determine flat rate v. tiered rate structure
- Preliminary Goal: new model adopted by December 2016 for TRA pass through implementation

# Utility Bill: Online Bill Pay



- Project implementation is underway
- Items in production/development
  - consumption history
  - account status
  - eBill set up
- Test the system/customer portal
  - customer setup
  - customer payment application
- Council demonstration – September 2016
- Customer implementation – October 2016

# Questions & Discussion

# **Utility Fund Background & Supplemental Information**

# Utility Fund Basics



- **Utility Fund:** a separate fund in which all revenues and expenditures related to the provision of water and wastewater services are accounted for
- **Net position:** fund assets minus fund liabilities
- **Fund balance / Days of working capital:** calculated based on the number of days of operating expenses you can cover with cash; 90 days minimum per City's financial policies
- **Debt coverage ratio:** bond covenants on existing debt require the City allocate 1.2x the current year's debt payment in the budget

# Background: From Source to Tap



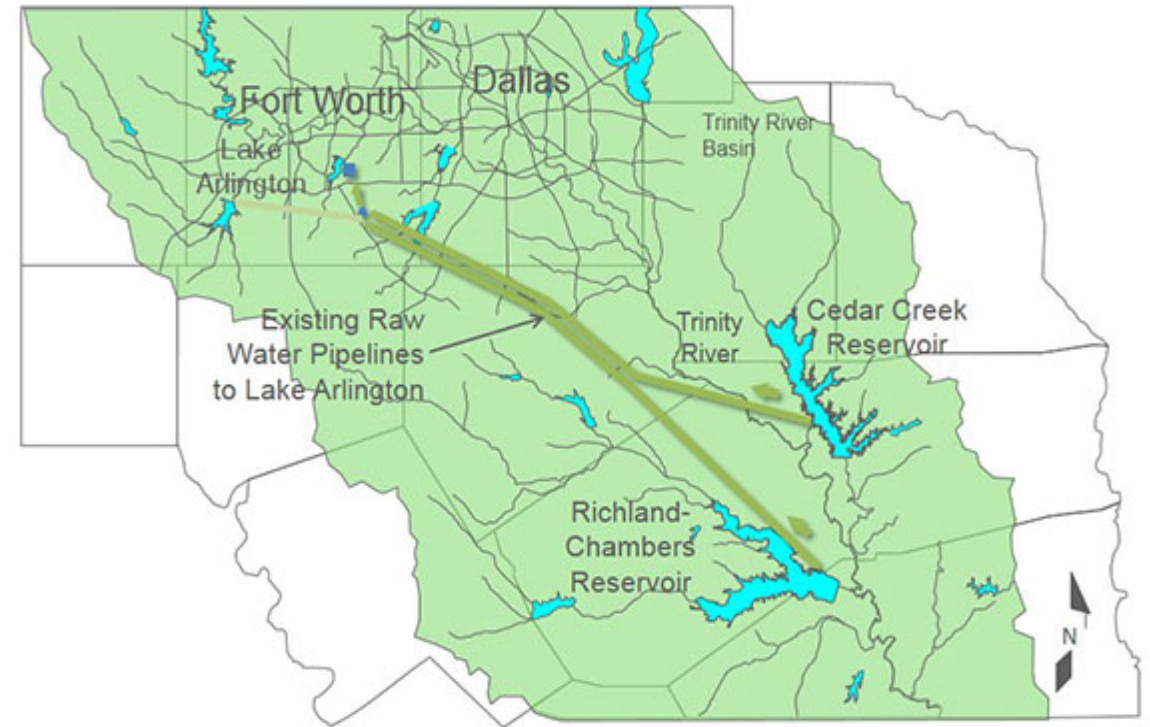
- **Tarrant Regional Water District (TRWD)**

- Provides raw water that originates from two lakes in east Texas, Cedar Creek Reservoir and Richland Chambers Reservoir
- Water from the two lakes is pumped to Lake Arlington, and then on to wholesale customers for treatment and distribution

- **Wholesale customers**

- Some cities like Fort Worth and Arlington are wholesale customers that treat their own water
- Others (like Colleyville) purchase treated water from a wholesaler (TRA)

## TRWD East Texas System



# Background: From Source to Tap

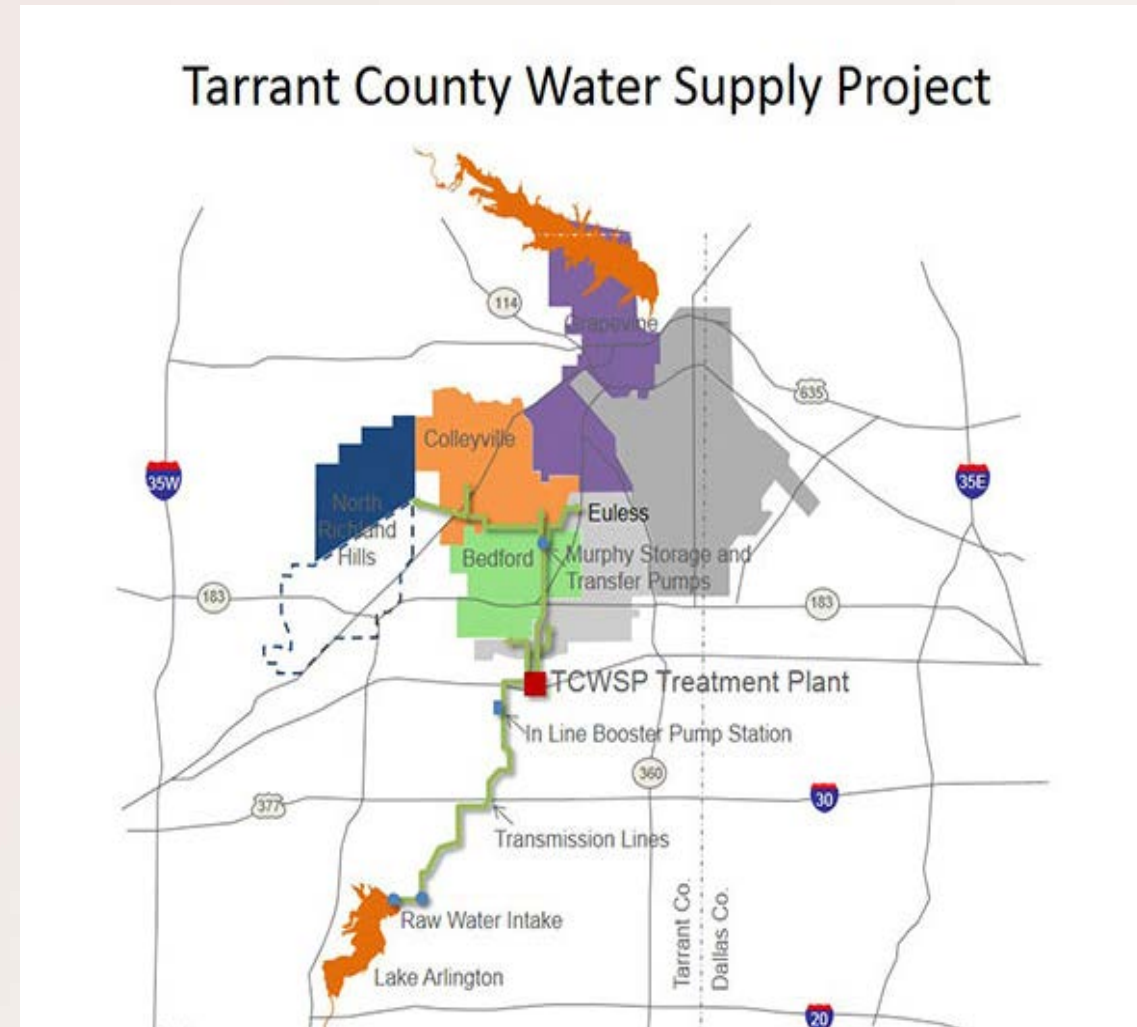


- **Tarrant County Water Supply Project**

- Bedford, Colleyville, Euless, Grapevine and North Richland Hills contract with the Trinity River Authority (TRA) to provide treated water
- TRA acts as a wholesaler that buys raw water from TRWD
- TRA owns and operates the water treatment plant
- 1972 Contract is in effect until all debt has been paid

- **Colleyville**

- Maintains and operates the water distribution system that delivers water to the tap
  - 209.48 miles of water mains
  - 9,931 water meters
  - 1,450 fire hydrants
  - 3 elevated water towers
  - 1 pump station
  - 1 ground storage tank



# Background: Wastewater



- **Colleyville**
  - Maintains and operates the wastewater collection system
    - 173.81 miles of wastewater mains
    - 2,690 manholes
    - 3 lift stations
- **Central Regional Wastewater System**
  - 21 entities contract with TRA to receive wastewater from 1.2 Million users
  - TRA owns and operates the wastewater treatment plant



# Current Water Rates: 2015-2018



|                                                | <b>Dec-15</b> | <b>Dec-16</b> | <b>Dec-17</b> | <b>Dec-18</b> |
|------------------------------------------------|---------------|---------------|---------------|---------------|
| 0 - 1,500 gallons (minimum bill) *             | \$ 13.55      | \$ 13.69      | \$ 13.77      | \$ 13.90      |
| 1,501 - 20,000 gallons (per 1,000 gallons) * * | \$ 4.30       | \$ 4.44       | \$ 4.60       | \$ 4.73       |
| 20,001 - 30,000 gallons (per 1,000 gallons)    | \$ 4.86       | \$ 5.00       | \$ 5.16       | \$ 5.29       |
| 30,001 - 40,000 gallons (per 1,000 gallons)    | \$ 5.42       | \$ 5.56       | \$ 5.72       | \$ 5.85       |
| 40,001 - 50,000 gallons (per 1,000 gallons)    | \$ 5.98       | \$ 6.12       | \$ 6.28       | \$ 6.41       |
| Over 50,000 gallons (per 1,000 gallons)        | \$ 6.54       | \$ 6.68       | \$ 6.84       | \$ 6.97       |

## Notes:

\*As of December 2015, minimum bill includes 0 - 1,500 gallons; drops by 500 gallons per year until 2018 when the minimum bill includes 0 gallons

\*\*As of December 2015, 1st tier is 1,501 - 20,000 gallons; then includes additional 500 gallons each year through 2018

Adopted by Ordinance O-15-1960

- Future increases include anticipated pass through amounts from TRA

# Current Wastewater Rates: 2015-2018



|                                       | <b>Dec-15</b> | <b>Dec-16</b> | <b>Dec-17</b> | <b>Dec-18</b> |
|---------------------------------------|---------------|---------------|---------------|---------------|
| 0 - 1,500 gallons (minimum bill) *    | \$ 10.45      | \$ 10.65      | \$ 10.73      | \$ 10.90      |
| 1,501+ gallons (per 1,000 gallons) ** | \$ 3.14       | \$ 3.34       | \$ 3.50       | \$ 3.63       |

## Notes:

\*As of December 2015, minimum bill includes 0 - 1,500 gallons; drops by 500 gallons per year until 2018 when the minimum bill includes 0 gallons

\*\*As of December 2015, 1st tier is 1,501 - 20,000 gallons; then includes additional 500 gallons each year through 2018

Adopted by Ordinance O-15-1960

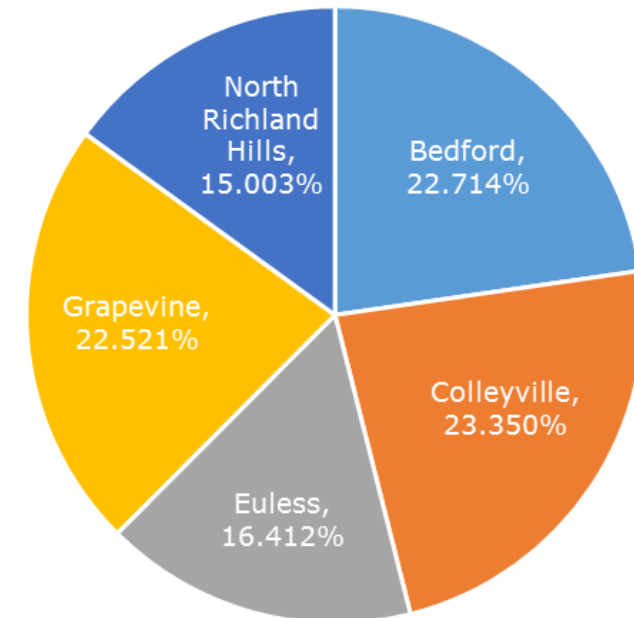
- Future increases include anticipated pass through amounts from TRA

# Water Rate Breakdown: TRA Debt



| Contracting Party    | Population Estimates | % of City's Water from TRA | FY 2015 Actual Average Daily Flow in millions of gallons per day (MGD) | FY 2015 Actual % Share of Debt |
|----------------------|----------------------|----------------------------|------------------------------------------------------------------------|--------------------------------|
| Bedford              | 49,151               | 90%                        | 6.109                                                                  | 22.714%                        |
| Colleyville          | 23,740               | 100%                       | 6.280                                                                  | 23.350%                        |
| Eules                | 54,050               | 90%                        | 4.414                                                                  | 16.412%                        |
| Grapevine            | 49,867               | 70%                        | 6.057                                                                  | 22.521%                        |
| North Richland Hills | 67,300               | 70%                        | 4.035                                                                  | 15.003%                        |
| TOTAL                |                      |                            | 26.895                                                                 | 100.00%                        |

FY 2015 Proportional Share of Debt



Note: Based on TRA's fiscal year of December - January

# Rate Breakdown: Colleyville Infrastructure



- Colleyville must provide utility infrastructure to cover peak usage, which usually occurs during the summer (i.e. high use in July/August dictates the infrastructure that must be in place)
- Water Master and Wastewater Master Plan adopted March 17, 2015
  - Recommended 27 water & 17 wastewater projects over next 20 years (est. \$55 Million)
  - Recommended 12 water & 4 wastewater projects 2016-2020 (Cost \$15,823,175)
- Colleyville's current rate structure allows the city to avoid issuing debt for future capital improvement needs
  - All existing debt for the Utility Fund (\$517,225) will be paid off in February 2018
  - no new debt since 1998

| FY 2016 Utility Fund CIP Projects                                  | Cost        |
|--------------------------------------------------------------------|-------------|
| Upsize & Replace Water Lines in Sunrise Terrace – <i>COMPLETED</i> | \$380,000   |
| Demolish Overland Trail Pump Station and Storage Tank              | 130,000     |
| Rehabilitate Sewer Manholes (poor condition)                       | 186,000     |
| Misc. Repairs to Elevated Storage Tanks                            | 226,600     |
| Install Backup Generator at L.D. Lockett Pump Station              | 140,000     |
| TOTAL                                                              | \$1,062,600 |



# City of Colleyville City Council Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

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**Agenda Number** PC-3

**Agenda Date** 06/07/2016

**Type** Pre Council

**Department** City Manager

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## **Title**

Discussion of setting City Council worksession dates

## **Strategy Map Connection**

B4- Cultivate a culture of transparency and consistent communication

## **Explanation**

At the request of Mayor Richard Newton, staff has added this item to discuss setting City Council worksession dates for the following topics: Comprehensive Plan and the Land Development Code (relative to residential density); the Glade Road project; and, two additional budget worksessions.

In addition, scheduling options for the annual Tax Increment Financing (TIF) Board meeting has been included. Dates provided for City Council consideration are based upon existing staff schedules.

## **Comprehensive Plan and the Land Development Code (relative to residential density):**

### **July**

14  
18  
20  
21  
25  
26  
27

## **Glade Road project:**

| <b><u>June</u></b> | <b><u>July</u></b> |
|--------------------|--------------------|
| 13                 | 7                  |
| 14                 | 18                 |
| 20                 | 20                 |
|                    | 21                 |

**Two additional budget worksessions:**

| <b><u>July</u></b> | <b><u>August</u></b> |
|--------------------|----------------------|
| 18                 | 22                   |
| 20                 | 23                   |
| 21                 | 24                   |
| 25                 | 25                   |

The annual TIF Board meeting is typically held in late July during lunch. If City Council is comfortable with these dates, staff will reach out to the other TIF Board members.

| <b><u>July</u></b> | <b><u>August</u></b> |
|--------------------|----------------------|
| 25                 | 1                    |
| 26                 | 2                    |
|                    | 3                    |

Attached is a calendar with all previously scheduled meetings and/or worksessions.

**Attachments**

1. City Council Calendar - 2016

**June 2016**

| <i><b>Sunday</b></i> | <i><b>Monday</b></i>                                                                                                                                                                                                                                                              | <i><b>Tuesday</b></i>                                                                                                                                                                                       | <i><b>Wednesday</b></i>                                               | <i><b>Thursday</b></i>                                                                      | <i><b>Friday</b></i>                                                                                                      | <i><b>Saturday</b></i> |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|------------------------|
|                      |                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                             | <b>1</b>                                                              | <b>2</b>                                                                                    | <b>3</b><br>Colleyville Library<br>Summer Reading Kickoff<br>"Step Right<br>Up, Read"<br>Colleyville Library<br>6:00 p.m. | <b>4</b>               |
| <b>5</b>             | <b>6</b><br>CCCPD Budget Worksession<br>Executive Conf. Rm.<br>5:30 p.m.<br><br>Colleyville City Council<br>Priority Setting Worksession<br>Executive Conf. Rm.<br>6:30 p.m.                                                                                                      | <b>7</b><br>City Council Portrait<br>Council Chambers<br>4:45 p.m.<br><br>Colleyville City Council<br>Pre Council<br>Executive Conf. Rm.<br>5:30 p.m.<br>City Council Meeting<br>Council Chambers<br>7:30pm | <b>8</b>                                                              | <b>9</b>                                                                                    | <b>10</b>                                                                                                                 | <b>11</b>              |
| <b>12</b>            | <b>13</b><br>Library Board Meeting<br>Colleyville Library<br>2 <sup>nd</sup> Floor<br>6:00 p.m.<br><br>Planning and Zoning<br>Commission<br>Pre Commission<br>Executive Conference Rm.<br>6:15 p.m.<br>Planning and Zoning<br>Commission Meeting<br>Council Chambers<br>7:00 p.m. | <b>14</b>                                                                                                                                                                                                   | <b>15</b>                                                             | <b>16</b><br>City Council<br>Budget Worksession<br>Executive Conference<br>Rm.<br>6:00 p.m. | <b>17</b>                                                                                                                 | <b>18</b>              |
| <b>19</b>            | <b>20</b>                                                                                                                                                                                                                                                                         | <b>21</b><br>CCCPD Board Meeting<br>Council Chambers<br>5:00 p.m.<br>Colleyville City Council<br>Pre Council<br>Executive Conf. Rm.<br>5:30 p.m.<br>City Council Meeting<br>Council Chambers<br>7:30pm      | <b>22</b>                                                             | <b>23</b>                                                                                   | <b>24</b><br>Red, White, & Sousa<br>Colleyville Center<br>6:30 p.m.                                                       | <b>25</b>              |
| <b>26</b>            | <b>27</b>                                                                                                                                                                                                                                                                         | <b>28</b><br>SH26 Business Meeting<br>Colleyville Center<br>6:00 p.m.                                                                                                                                       | <b>29</b><br>SH26 Business Meeting<br>Colleyville Center<br>6:00 p.m. | <b>30</b><br>SH26 Targeted<br>Residential Meeting<br>Colleyville Center<br>6:00 p.m.        |                                                                                                                           |                        |

## July 2016

| <i>Sunday</i> | <i>Monday</i>                                                                                                                                                                    | <i>Tuesday</i>                                                                                                                           | <i>Wednesday</i>                                                             | <i>Thursday</i>                                             | <i>Friday</i> | <i>Saturday</i> |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------|---------------|-----------------|
|               |                                                                                                                                                                                  |                                                                                                                                          |                                                                              |                                                             | 1             | 2               |
| 3             | 4                                                                                                                                                                                | 5                                                                                                                                        | 6                                                                            | 7                                                           | 8             | 9               |
|               | City Offices Closed –<br>4 <sup>th</sup> of July holiday                                                                                                                         |                                                                                                                                          |                                                                              |                                                             |               |                 |
| 10            | 11<br>Planning and Zoning<br>Commission<br>Pre Commission<br>Executive Conference Rm.<br>6:15 p.m.<br>Planning and Zoning<br>Commission Meeting<br>Council Chambers<br>7:00 p.m. | 12<br>Colleyville City Council<br>Pre Council<br>Executive Conf. Rm.<br>5:30 p.m.<br>City Council Meeting<br>Council Chambers<br>7:30pm. | 13<br>Zoning Board of<br>Adjustment Meeting<br>Council Chambers<br>7:00 p.m. | 14                                                          | 15            | 16              |
| 17            | 18<br>Parks Board Meeting<br>Library – 2 <sup>nd</sup> floor<br>6:00 p.m.                                                                                                        | 19<br>Colleyville City Council<br>Pre Council<br>Executive Conf. Rm.<br>5:30 p.m.<br>City Council Meeting<br>Council Chambers<br>7:30pm. | 20                                                                           | 21                                                          | 22            | 23              |
| 24            | 25<br><i>Tarrant Appraisal District<br/>releases certified tax roll</i>                                                                                                          | 26                                                                                                                                       | 27                                                                           | 28                                                          | 29            | 30              |
|               |                                                                                                                                                                                  |                                                                                                                                          |                                                                              | TML Newly Elected City Official's<br>Orientation - Granbury |               |                 |
| 31            |                                                                                                                                                                                  |                                                                                                                                          |                                                                              |                                                             |               |                 |

## August 2016

| <i>Sunday</i> | <i>Monday</i>                                                                                                                                                                   | <i>Tuesday</i>                                                                                                                                                                                                                                          | <i>Wednesday</i> | <i>Thursday</i> | <i>Friday</i>                                                                    | <i>Saturday</i> |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------------|----------------------------------------------------------------------------------|-----------------|
|               | 1                                                                                                                                                                               | 2                                                                                                                                                                                                                                                       | 3                | 4               | 5<br>City Manager's FY<br>2017 proposed<br>budget distributed to<br>City Council | 6               |
| 7             | 8<br>Planning and Zoning<br>Commission<br>Pre Commission<br>Executive Conference Rm.<br>6:15 p.m.<br>Planning and Zoning<br>Commission Meeting<br>Council Chambers<br>7:00 p.m. | 9<br>Special meeting to discuss<br>FY 2017 Tax Rate (if<br>needed) @ 5:30 p.m.<br>Council Chambers<br><br>City Council budget<br>worksession @ 6:00 p.m.<br>Executive Conference Rm.<br><br>CEDC worksession @<br>7:30 p.m.<br>Executive Conference Rm. | 10               | 11              | 12                                                                               | 13              |
| 14            | 15<br>Colleyville Center<br>Advisory Committee<br>Meeting<br>Colleyville Center<br>6:00 p.m.                                                                                    | 16<br>Colleyville City Council<br>Pre Council<br>Executive Conf. Rm.<br>5:30 p.m.<br>City Council Meeting<br>Council Chambers<br>7:30pm                                                                                                                 | 17               | 18              | 19                                                                               | 20              |
| 21            | 22                                                                                                                                                                              | 23<br>CEDC Board meeting @<br>TBD<br><br>City Council @ TBD<br>Public Hearing FY 2017<br>Tax Rate (if needed)                                                                                                                                           | 24               | 25              | 26                                                                               | 27              |
| 28            | 29                                                                                                                                                                              | 30                                                                                                                                                                                                                                                      | 31               |                 |                                                                                  |                 |

## September 2016

| <i>Sunday</i> | <i>Monday</i>                                                                                                                                                                    | <i>Tuesday</i>                                                                                                                           | <i>Wednesday</i> | <i>Thursday</i> | <i>Friday</i> | <i>Saturday</i> |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------------|---------------|-----------------|
|               |                                                                                                                                                                                  |                                                                                                                                          |                  | 1               | 2             | 3               |
| 4             | 5                                                                                                                                                                                | 6<br>Colleyville City Council<br>Pre Council<br>Executive Conf. Rm.<br>5:30 p.m.<br>City Council Meeting<br>Council Chambers<br>7:30pm.  | 7                | 8               | 9             | 10              |
|               | City Offices Closed –<br>Labor Day                                                                                                                                               |                                                                                                                                          |                  |                 |               |                 |
| 11            | 12<br>Planning and Zoning<br>Commission<br>Pre Commission<br>Executive Conference Rm.<br>6:15 p.m.<br>Planning and Zoning<br>Commission Meeting<br>Council Chambers<br>7:00 p.m. | 13                                                                                                                                       | 14               | 15              | 16            | 17              |
| 18            | 19                                                                                                                                                                               | 20<br>Colleyville City Council<br>Pre Council<br>Executive Conf. Rm.<br>5:30 p.m.<br>City Council Meeting<br>Council Chambers<br>7:30pm. | 21               | 22              | 23            | 24              |
| 25            | 26                                                                                                                                                                               | 27                                                                                                                                       | 28               | 29              | 30            |                 |

# October 2016

| <i>Sunday</i> | <i>Monday</i>                                                                                                                           | <i>Tuesday</i>                                                                                                                           | <i>Wednesday</i> | <i>Thursday</i> | <i>Friday</i> | <i>Saturday</i> |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------------|---------------|-----------------|
|               |                                                                                                                                         |                                                                                                                                          |                  |                 |               | 1               |
| 2             | 3<br>Colleyville City Council<br>Pre Council<br>Executive Conf. Rm.<br>5:30 p.m.<br>City Council Meeting<br>Council Chambers<br>7:30pm. | 4<br>Texas National Night Out                                                                                                            | 5                | 6               | 7             | 8               |
|               |                                                                                                                                         | TML Annual Conference – Austin<br>October 4-7, 2016                                                                                      |                  |                 |               |                 |
| 9             | 10                                                                                                                                      | 11                                                                                                                                       | 12               | 13              | 14            | 15              |
| 16            | 17                                                                                                                                      | 18<br>Colleyville City Council<br>Pre Council<br>Executive Conf. Rm.<br>5:30 p.m.<br>City Council Meeting<br>Council Chambers<br>7:30pm. | 19               | 20              | 21            | 22              |
| 23            | 24                                                                                                                                      | 25                                                                                                                                       | 26               | 27              | 28            | 29              |
| 30            | 31                                                                                                                                      |                                                                                                                                          |                  |                 |               |                 |

## November 2016

| <i>Sunday</i> | <i>Monday</i> | <i>Tuesday</i>                                                                                                                                                                                       | <i>Wednesday</i> | <i>Thursday</i>                                 | <i>Friday</i> | <i>Saturday</i> |
|---------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------------------|---------------|-----------------|
|               |               | <b>1</b><br>Colleyville City Council<br>Pre Council<br>Executive Conf. Rm.<br>5:30 p.m.<br>City Council Meeting<br>Council Chambers<br>7:30pm.<br>(being moved back to this<br>date, on this agenda) | 2                | 3                                               | 4             | 5               |
| 6             | 7             | <b>8</b><br>Presidential Election Day                                                                                                                                                                | 9                | 10                                              | 11            | 12              |
| 13            | 14            | <b>15</b><br>Colleyville City Council<br>Pre Council<br>Executive Conf. Rm.<br>5:30 p.m.<br>City Council Meeting<br>Council Chambers<br>7:30pm.                                                      | 16               | 17                                              | 18            | 19              |
| 20            | 21            | 22                                                                                                                                                                                                   | 23               | 24                                              | 25            | 26              |
|               |               |                                                                                                                                                                                                      |                  | City Offices Closed for Thanksgiving<br>Holiday |               |                 |
| 27            | 28            | 29                                                                                                                                                                                                   | 30               |                                                 |               |                 |

# December 2016

| <i>Sunday</i> | <i>Monday</i>                              | <i>Tuesday</i>                                                                                                                           | <i>Wednesday</i> | <i>Thursday</i> | <i>Friday</i>                              | <i>Saturday</i> |
|---------------|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------------|--------------------------------------------|-----------------|
|               |                                            |                                                                                                                                          |                  | 1               | 2                                          | 3               |
| 4             | 5                                          | 6<br>Colleyville City Council<br>Pre Council<br>Executive Conf. Rm.<br>5:30 p.m.<br>City Council Meeting<br>Council Chambers<br>7:30pm.  | 7                | 8               | 9                                          | 10              |
| 11            | 12                                         | 13                                                                                                                                       | 14               | 15              | 16                                         | 17              |
| 18            | 19                                         | 20<br>Colleyville City Council<br>Pre Council<br>Executive Conf. Rm.<br>5:30 p.m.<br>City Council Meeting<br>Council Chambers<br>7:30pm. | 21               | 22              | 23<br>City Offices Closed<br>for Christmas | 24              |
| 25            | 26<br>City Offices Closed for<br>Christmas | 27                                                                                                                                       | 28               | 29              | 30                                         | 31              |



# City of Colleyville City Council Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

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**Agenda Number** PC-4

**Agenda Date** 06/07/2016

**Type** Pre Council

**Department** City Secretary

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## **Title**

Discussion of the City Council Rules of Procedure

## **Strategy Map Connection**

B4- Cultivate a culture of transparency and consistent communication

## **Explanation**

Section 3.09 of the City Charter states City Council *"shall determine its own rules and order of business"*; therefore, this item provides an opportunity for City Council to review and discuss the Rules of Procedure and identify possible modifications.

Staff has reviewed the City Council Rules of Procedure, and would propose the following additions: cover sheet, table of contents, history of adoption and amendments, and a section for annual review or amendments. In addition to the Rules of Procedure, staff requests that City Council review the "Welcome to the City of Colleyville City Council Meeting" brochure.

Pending City Council direction, an item will be placed on a future City Council regular agenda for consideration of any proposed changes.

Staff has included an excerpt of the City Charter, the current City Council Rules of Procedure, and the welcome brochure, to this agenda briefing.

## **Attachments**

1. City Charter Excerpt
2. Current Rules of Procedure
3. Welcome to the City of Colleyville City Council Meeting brochure

## **City Charter Excerpt**

### **Section 3.09 Meetings and Rules of Procedure:**

(A) Meetings of City Council. City Council meetings shall be held at the City Hall or such place within the City of Colleyville that the City Council shall direct. The City Council shall meet regularly at least twice (2) in every month at such times as a City Council may prescribe by rule. In the event of a lack of a quorum at a regularly scheduled meeting, the meeting shall be opened and the roll call taken, recorded and adjourned until the regular or called special meeting. Special meetings may be held on the call of the Mayor or four (4) members of the City Council at the place within the City of Colleyville designated in the public notice. All meetings shall be held and public notice thereof given as required by State law. (Amended May 7, 2005)

(B) Minutes and Rules. The City Council shall determine its own rules and order of business, and shall provide for keeping minutes of its proceedings and post copy on the City Bulletin Board until the next meeting. The minutes shall be a public record.

(C) Quorum and Voting. Four (4) voting members of the City Council shall constitute a quorum. Voting, except on procedural motions, shall be by roll call and the "ayes" and "nays" shall be recorded in the minutes. The Mayor and every City Council Person shall vote on all issues unless there is a declared and recorded statutory conflict of interest. If because of a statutory conflict of interest a member steps down and remains in the Chamber to return after the item is resolved, then a quorum will be considered in attendance even though only three (3) City Council Persons are left to vote. However, no action shall be approved with less than four (4) affirmative votes. If during the course of a meeting a quorum ceases to exist, the meeting shall be deemed adjourned and no further business shall be conducted. (Amended May 7, 2005)

**CITY OF COLLEYVILLE  
CITY COUNCIL  
RULES OF PROCEDURE**

SECTION I.

AUTHORITY

1.1 Section 3.09B of the Charter of the City of Colleyville provides that "the Council shall determine its own rules and order of business...". Further, Section 2.01 of the Charter provides that the City Council shall have the powers, functions, rights, privileges and immunities of every name and nature, that are now or hereafter, may be granted to a Home Rule City by the Constitution and State law, together with all implied powers necessary to carry into execution all such powers granted". In order to provide the framework for the execution of these powers and authority, the following set of rules shall be in effect upon their adoption by the City Council and until such times as they are amended or new rules adopted in the manner provided for by these rules.

SECTION II.

GENERAL RULES

2.1 Meetings to be Public. All meetings of the City Council shall be open to the public, with the exception of Executive Session.

2.2 City Council. For purposes of these rules, the collective membership of the Mayor and City Councilmembers shall be known as the City Council. Individually, each shall be referred to as Mayor, Mayor Pro Tem, or Councilmember.

2.3 Quorum. Four (4) voting members of the City Council shall constitute a quorum.

2.4 Minutes of Meetings. An account of all proceedings of the City Council shall be kept by the City Secretary and shall be entered in a book constituting the official record of the City Council. The Official City Council Minutes are action minutes and provide the action taken by the City Council and a summary of subjects discussed.

2.5 Questions to Contain One Subject. All questions submitted for a vote shall contain only one subject. If two or more points are involved, any Councilmember may require a division, if the question reasonably admits of a division. Division shall be required only on the affirmative vote of three (3) Councilmembers. If no division is so requested and approved, or the questions do not reasonably admit of a division, the question shall be submitted as originally framed.

2.6 City Manager. The City Manager shall attend all City Council meetings unless expressly excused. The City Manager may make recommendations to the City Council and take part in all discussions of the City Council, but shall have no vote.

2.7 City Attorney. The City Attorney shall attend all regular meetings of the City Council unless expressly excused and, shall upon request give an opinion, either written or oral, on questions of law during the meeting. The City Attorney shall act as the City Council's Parliamentarian. The City Attorney shall give an opinion, either written or oral, on questions of law to the City Manager or designated representative, during the course of daily affairs of the City. The City Attorney may make recommendations to the City Council and take part in all discussions of the City Council, but shall have no vote. The City Attorney shall confer and discuss with a Councilmember or the Mayor regarding a question of law pertaining to the affairs of the City. In such event, the City Attorney shall advise the City Manager of the question posed and information provided. The City Manager shall forward the information to the full City Council as soon as reasonably practical.

2.8 City Secretary. The City Secretary shall attend all meetings of the City Council unless expressly excused, and shall keep the official minutes and perform such other duties as may be requested by the City Council.

2.9 Employees. Any employee of the City, when requested by the City Manager, shall attend any meeting of the City Council and, if requested to do so by the City Manager, such employee may present information relating to matters before the City Council. The City Manager will determine the staff spokesperson for providing information, for a particular agenda item, at the City Council meeting.

2.10 Suspension of Rules. Any provisions of these rules not governed by State law, the City Charter, or City Code may be temporarily suspended by a majority vote of all Councilmembers present and eligible to vote.

2.11 Executive Session. All matters discussed in Executive Session, as authorized by the Texas Open Meetings Act, may be deemed confidential and by law, participants authorized to attend Executive Sessions are not required to make public disclosure concerning the matters discussed in Executive Session. It shall be the policy of the City Council, that the Mayor, individual Councilmembers, the City Manager, City Attorney, City Secretary and others who are authorized to attend Executive Sessions shall not make selective disclosure of confidential matters, where the disclosure of the information has not been released to the

general public and/or where such disclosure provides an unfair advantage to the recipient or would be detrimental to the City and its citizens. For the opening and closing of an Executive Session, the Mayor shall do such at the location as noted on the official agenda notice posted in compliance with the Texas Open Meetings Act. For purposes of regular agenda meeting postings, the opening and closing of an Executive Session shall be done in the Executive Conference Room of City Hall.

### SECTION III.

#### TYPES OF MEETINGS

3.1 Regular Meetings. The City Council shall meet in the City Hall on the first and third Tuesday of each month at 5:30 p.m. unless otherwise officially established by the City Council. The City Council shall take a vote at 12:00 a.m. on whether or not to continue a meeting for additional time if further items are on the agenda and have not been considered. The call for and conduct of all meetings of the City Council, both regular and special as provided in Section 3.2 hereof, shall be in accordance with State law.

3.2 Special Meetings. Special meetings may be held on the call of the Mayor or four (4) members of the City Council at the place within the City of Colleyville designated in the public notice. In accordance with State law, the notice to the public of an emergency meeting must be posted at least two hours before the meeting is scheduled to begin. An emergency meeting exists only if immediate action is required of a governmental body because of an "imminent threat to public health and safety" or a "reasonably unforeseeable situation".

3.3 Recessed Meetings. Any meeting of the City Council may be recessed to a later time provided that no recess shall be for a longer period than until the next regularly scheduled City Council meeting.

3.4 Worksession Meetings. Worksession meetings may be called by the Mayor, any three (3) Councilmembers or the City Manager for the purpose of discussing in depth, investigating or exploring matters of interest to the City, without formal action being taken thereon by the City Council. The time, place, and purpose of such worksession meeting shall be stated in a notice complying with the Texas Open Meetings Act. Such worksession meetings may be held in any appropriate location outside the City Hall upon concurrence by any three (3) Councilmembers or as determined by the City Manager. Such worksession meetings may include, but shall not be limited to, meetings with neighboring governmental bodies or

agencies, meetings with one of the City's appointed boards, commissions or committees, meeting with civic organizations or a meeting for Councilmembers to research, evaluate, explore, investigate or discuss any matter of interest or possible action affecting the City, subject to compliance with the provisions of the Texas Open Meetings Act.

The City Council may establish regular worksession meetings immediately prior to regular City Council meetings. In conjunction with the regularly scheduled City Council meeting, a Pre City Council worksession shall be held at 5:30 p.m. unless otherwise officially established by the City Council. The agenda for the Pre City Council meeting shall include, among other items: routine reports, information related to the regular agenda items and issues for which the City Manager seeks direction or clarification.

No official action shall be taken at any worksession meeting, unless a regular or special meeting is called as provided for in these Rules.

#### SECTION IV.

##### CONDUCT OF MEETINGS

4.1 Presiding Officer. The Mayor, if present, shall preside at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both Mayor and Mayor Pro Tem, the City Council shall elect a Councilmember to preside.

4.2 Call to Order. The meetings of the City Council shall be called to order by the Mayor, or in the Mayor's absence, by the Mayor Pro Tem. In the absence of both the Mayor and Mayor Pro Tem, the meeting shall be called to order by the City Secretary.

4.3 Preservation of Order. The Mayor shall preserve order and decorum, prevent clash of personalities or the impugning of Councilmembers' motives to occur and confine Councilmembers in debate to the question under discussion.

4.4 Points of Order. The Mayor shall determine all points of order, subject to the right of any Councilmember to appeal to the City Council. If any appeal is taken, the question shall be "Shall the decision of the Mayor be sustained?"

4.5 Questions to be Stated. The Mayor shall state all questions submitted for a vote and announce the result.

4.6 Substitution for Mayor. The Mayor may call the Mayor Pro Tem, or in the Mayor Pro Tem's absence, any other Councilmember to take the Mayor's place in the chair, such substitutions not to continue beyond adjournment.

4.7 Amendment to the Minutes. Amendments to the Minutes are made by a motion during the item to consider approval of the minutes. The Minutes are action minutes and provide the action taken by City Council and a summary of subjects discussed. If a Councilmember desires that certain information be included in the minutes, the Councilmember shall state prior to the information, "For the record". If it is a lengthy statement, a written copy shall be provided to the City Secretary.

4.8 Written Correspondence. A citizen's request in the reading of a statement into the public record as part of a City Council agenda item is at the sole discretion of any member or all of the governing body. The City Council is not obligated to provide for a reading of correspondence into the public record on behalf of an absent individual as part of a City Council public hearing. The City Council, any or all Councilmembers, may elect to provide for a reading of the correspondence, make reference indicating the general position of the correspondence, or pass over the correspondence. The correspondence is provided to City Council and is included in the City Council agenda packet.

## SECTION V.

### AGENDA

#### 5.1 Preparation of Agenda.

- A. The order of business of each meeting shall be as contained in the City Council agenda prepared by the City Manager. The agenda shall be a listing by topic of subjects to be considered by the City Council, and, in the case of regular meetings, shall be delivered to the City Council not less than 72 hours proceeding the Tuesday evening meeting to which it pertains.
- B. Any member of the City Council desiring to present a subject for City Council consideration shall advise in writing to the City Manager of the fact not later than 4:30 p.m. on Wednesday preceding regular City Council meetings.

Subject matter will be accompanied by a summary regarding the purpose for the inclusion of this subject on the agenda.

- C. Items Omitted from Agenda. Any item not appearing on the agenda shall not be taken up for discussion as a matter of City Council business during a regular meeting unless it is of an emergency nature and comes to the City's attention too late to appear on the agenda. Such special, urgent or emergency issues shall be posted in compliance with the Texas Open Meetings Act and the City Charter and may be added as a supplemental item to the regular agenda.

The regular agenda items shall be considered in the following order:

1. Pre Council - 5:30 p.m. - Executive Conference Room
2. Executive Session - 5:30 p.m. - Executive Conference Room
3. Call to Order - 7:30 p.m. - Council Chambers
4. Invocation
5. Pledge of Allegiance
6. Resolution or Ordinance taking action on Executive Session items
7. Announcements, Proclamations and Presentations
8. Consent Items
9. Public Hearings
10. Citizen Comments/Presentations regarding items not on the agenda
11. Reports of Boards, Commissions, and Committees
12. Resolution approving City Council action not otherwise approved
13. Adjournment

- D. The general order of a Public Hearing shall be:

- a. Staff presentation
- b. Open Public Hearing
- c. Applicant introductory presentation - five minutes
- d. Citizen comments - five minutes each (Large groups supporting the same position may be asked to select a representative to speak for the group)
- e. Applicant
- f. Close Public Hearing
- g. City Council discussion and vote
- h. In the alternative, the item may be continued to a future meeting of the City Council.

1. If the City Council wishes to consider additional public testimony, the public hearing shall be reopened and the public hearing and item shall be continued to a date certain.
  2. If the Public Hearing is not reopened and continued to a date certain, the City Council may only conduct an additional public hearing upon publication of notice in accordance with Chapter 211 of the Local Government Code.
- E. The City Manager shall provide the City Council with a written analysis of and recommendation of items to be acted on by the City Council at its meetings. These communications shall be generally referred to as agenda packets. The agenda packets for all regular meetings shall be delivered to the City Council by the Friday preceding the Tuesday regular meeting to which it pertains, unless an emergency condition makes it necessary to deliver the communication on a subsequent day.
- F. The City Secretary shall post notices of all City Council meetings in order to afford compliance with the Texas Open Meetings Act.

5.2 Consent Agenda. In preparing the agenda, the City Manager shall give consideration to the number and degree of complexity of items to be considered by the City Council for the purpose of conserving the City Council's time in meetings. Items which are anticipated to be routine and require little or no discussion by the City Council shall be listed under the agenda category styled "Consent Items". Prior to taking up the Consent Agenda, the Mayor shall determine if there are any items thereon which should be removed from the Consent Agenda for discussion. Any Councilmember may, upon request, remove any item from the Consent Agenda for discussion and separate action. Thereafter, all remaining Consent Agenda items may be acted upon by a single motion approving the Consent Agenda. Items removed from the Consent Agenda shall be considered on the ending Resolution, which is for action not otherwise approved.

5.3 Oral Presentations by City Manager. Matters requiring the City Council's attention or action which may have developed since the deadline for delivery of the agenda packets may, upon approval of the City Council, and after satisfying the requirements of the Texas Open Meetings Act, be presented orally by the City Manager, or designated staff.

#### 5.4 Citizen Participation at Meetings.

- A. Presentations by citizens must be confined to the agenda item being considered and any questions will be directed to the Mayor. Citizens wishing to speak shall be allowed to speak, provided prior to the consideration of the item; said person completes and delivers to the City Secretary a Speaker's Card providing name, address and topic. A person who has not completed the Speaker's Card prior to discussion of the item on the agenda shall not be allowed to speak. Presentation by citizens shall be limited to a time period of not more than five (5) minutes with two (2) additional minutes to conclude, at the option of the Mayor or the consent of the City Council, for each speaker. Any time spent by the City Council will not be counted against the citizen's time allotment. No person shall speak more than the time limits provided herein on any subject. That privilege shall not be accorded unless there is an exception supported by a majority of those eligible to vote. The Mayor shall not be obligated to recognize a speaker for a second comment on a subject until all others have spoken and there is unused time available.
- B. Following a request by a Councilmember, the Mayor may request that the City Council suspend the rules to allow citizens to speak after the public hearing has been closed.
- C. To maintain decorum, the Mayor shall recognize persons who have completed Speaker's Cards indicating a desire to address the City Council.
- D. As a general rule, citizens may not participate in discussions of the City Council except when recognized by the Mayor and during citizen presentations, public hearings and as otherwise provided for in these Rules.
- E. Citizens may speak on items not on the agenda under the item "Citizen Comments/Presentations Regarding Items Not On The Agenda". The presentation time period is as listed herein Section 5.4 A.

### SECTION VI.

#### DECORUM AND DEBATE

##### 6.1 Decorum and Debate.

- A. These rules are intended to serve as a statement of intent as to how this City Council endeavors to conduct itself during City Council meetings. It is the intent of the City Council that all members shall act based on a consistent level of information, with the goal being to act fully informed on

all matters. Accordingly, if and when a Councilmember obtains material relevant to a matter before the City Council which has not otherwise been disclosed to the City Council, such Councilmember shall promptly provide such material to the city manager for dissemination to the City Council. All such information will be disseminated and disclosed to the full City Council, prior to the case being presented.

- B. When a measure is presented for consideration to the City Council, the Mayor shall recognize the appropriate Councilmember to present the case, as needed. When two or more Councilmembers wish to speak, the presiding officer shall name the Councilmember who is to speak first. No member of the City Council shall interrupt another while speaking except to make a point of order or to make a point of personal privilege.
- C. The Mayor shall not be obligated to recognize any Councilmember for a second comment on the subject or amendment until every Councilmember wishing to speak has been allowed a first comment.
- D. Questions from speakers to the City Council with request for an immediate answer, except the applicants and persons representing applicants on platting or zoning cases, shall be prohibited. A Councilmember's questions to speakers should be to specific individuals and the Mayor should explain to those individuals beforehand that they may come to the podium and answer if they choose to; but, they cannot offer additional unsolicited input or engage in question and answer sessions with Councilmembers.
- E. Any Councilmember desiring to speak shall be recognized by the Mayor, and shall confine remarks to the subject under discussion or to be discussed. No Councilmember shall be allowed to speak more than once on any one subject until every Councilmember wishing to speak shall have spoken.
- F. No Councilmember shall be permitted to indulge in personalities, use language personally offensive, impugn motives of Councilmembers, charge deliberate misrepresentation, or use language tending to hold a member of the City Council, the public or City staff up to contempt.
- G. The Mayor shall not permit unrecognized speaker's comments or allow a member of the audience to indulge in personalities, use language tending to hold the City Council, the public or City staff up to contempt.

- H. If a Councilmember is speaking or otherwise transgressing the rules of the City Council, the Mayor shall or any Councilmember may call him/her to order in which case he/she shall immediately be quiet unless permitted to explain. The City Council shall, if appealed to, decide the case without debate. If the decision is in favor of the Councilmember called to order, he/she shall be at liberty to proceed, but not otherwise, and if the case occurs, he/she shall be liable to censure or such punishment as the City Council deems proper, consistent with City Ordinances, Resolutions and Charter.
- I. Any individual of the public who shall disrupt the City Council proceedings or disregard the Mayor shall first be warned of such offense and be requested that they refrain from disrupting the proceedings and/or disregarding the instructions of the Mayor. Any individual of the public failing to honor the first warning of the Mayor for order, shall receive a second and final warning prior to expulsion and/or citation for disturbing a public meeting pursuant to State law. When the Mayor fails to maintain order and decorum, the Councilmembers may compel the Mayor to enforce this provision following due parliamentary procedure, which affirms such compulsion by a majority vote of the City Council.

## SECTION VII.

### PROCEDURES FOR CITY COUNCIL APPOINTMENTS

7.1 Procedures for City Council Appointments. The following procedures are for making appointments to boards, committees and commissions established by ordinance or resolution. Appointments to ad hoc committees and task forces established by resolution should not necessarily be bound by the same procedures, but may be done in a manner appropriate to the situation as deemed proper by the City Council. The City Council shall set the quorum for a committee. The City Council shall vote whether the committee selection will be handled by the rules of procedures or by slate.

- A. Announce the position(s) to be filled. In the announcement, define the duties of the position(s), define the term of the position and request that applications be formally submitted to the City Council by a specific deadline. This announcement should be made at least 30 days prior to the deadline for submission of applications and should be placed in the local newspaper, posted at City Hall, on the website and placed in the *City e-news* (if timely).

Upon review of the Applications for Appointment, City Council will determine if interviews shall be conducted. If Council desires, interviews will be conducted prior to a City Council meeting, which may be subject to the Texas Open Meetings Act or be conducted in Executive Session. If no applications are received or fewer applications than open positions are received, the City Council may fill positions from the floor or request the City Secretary to advertise the open position(s). In the event of a vacancy other than an expiring term, the City Council may fill the position by a majority vote of the City Council without advertising. The appointee shall serve the unexpired term.

- B. The candidates will be selected to fill the open positions no later than the second City Council meeting after the deadline for application submission, in the following manner:
  - a. If more than one position is to be filled, consider the appointment for each position individually in the order selected by the Mayor, as follows:
  - b. The Mayor shall open the floor for nominations and if there are no nominations, the Mayor will call on each Councilmember for a nomination.

- c. Councilmembers or the Mayor may decline to make a nomination if previous nominations are acceptable.
- d. After each Councilmember has had an opportunity to make a nomination or defer to make a nomination, the Mayor will take a vote on the slate of nominees by asking each Councilmember to state the name of the nominee that the Councilmember votes to appoint to the position under consideration.
- e. Return to Step b and repeat the process for the next position to be filled until all positions are filled.

## SECTION VIII.

### MEMORIALS

8.1 Memorials. The following procedures are for honoring deceased current or former City elected officials, sitting board, commission or committee members and community volunteers.

- A. Recognition of the death of a current or former City elected official. When the City is notified of the death of a current or former elected official, flowers or a plant will be sent to the memorial service, or a donation to an organization specified by the family (in an amount not to exceed \$50.00), and a sympathy card will be sent to the family. A Memorial Proclamation, honoring the official, will be sent to the memorial service or to the family. The City Manager's Office will coordinate the donation of a book, in which the official's name is inscribed on a bookplate inside of the book, to the Colleyville Public Library, in an amount not to exceed \$50.00. A letter from the Library Director will notify the family of the book donation.
- B. At the family's request and with City Manager approval, members of the Colleyville Police and Fire Department Honor Guard may attend the funeral of a current or former City elected official as representatives of the City.
- C. Recognition of the death of a sitting board, commission or committee member. When the City is notified of the death of a sitting board, commission or committee member, the City Manager's Office will forward a sympathy card to the family.
- D. Recognition of the death of community volunteers. Due to the significant number of community volunteers assisting a multitude of organizations

across the City of Colleyville, it will not be the practice of the City to recognize these individuals in a formal capacity. During a City Council meeting, elected officials may, at their discretion, verbally recognize the efforts of these individuals and their service to Colleyville during the agenda item for Announcements, Proclamations and Presentations.

8.2 Recognition by lowering of the United States Flag. The City is not at liberty to proclaim the Flag of the United States be flown at half-staff in recognition of a City official. Per the United States Code, only the President of the United States or the State Governor can order the flag lowered to half-staff.

8.3 Use of City equipment and personnel. At no time will City equipment be used to carry the casket or participate in the funeral procession of a deceased, current or former City elected official, board, commission, committee member or community volunteer. Exceptions to this rule may include City equipment earmarked for use by community groups, such as the Citizen Fire Academy Alumni Association Rehab Team and the Citizen Police Academy Alumni Association Citizens on Patrol, where equipment use for a group member's funeral may be authorized by the Department Director.

## Addressing City Council

Citizens may address the City Council during any public hearing agenda item by completing a speaker card and presenting it to the City Secretary. There is time for the public to address the City Council on any subject. However, in accordance with the Texas Open Meetings Act, the City Council cannot discuss issues raised or make any decisions at this time since the topic is not a posted agenda item. Issues raised may be referred to City staff for research and possible future action.

Each citizen presentation will be limited to five minutes. Delegations or groups are asked to select one spokesperson for the group to speak for five minutes. When addressing City Council, the presentation should be thorough, concise, and complete. No additional information may be given following your presentation, unless specific questions are asked by Councilmembers.

The Mayor will recognize each citizen appearing before the City Council. After recognition, speakers should move to the podium, state their name and address for the public record. If the speaker is representing an organization or group, the group should be identified before the presentation. Presentations and discussions should be directed to the City Council and all questions to the Mayor.

During staff presentations and City Council deliberation, there will be no citizen participation, except to answer questions by City Council. These procedures shall remain flexible and in compliance with the City Charter.

### **Tips for making successful presentations to the City Council**

- ❖ Short and to the point presentations are most effective.
- ❖ All public comments should be addressed through the Mayor.
- ❖ If your point has been expressed by previous speakers, you may wish to inform the Mayor that you choose not to speak as your position has already been articulated.
- ❖ Persons wishing to address the City Council on a specific public hearing item or an item not on the agenda under "Citizen Comments" must complete a "Speaker Card."
- ❖ Be courteous. Profanity, abusive language or general disruption will not be tolerated.

### **WEBCASTS AND BROADCAST SCHEDULE**

Meeting webcasts are available at: [www.colleyville.com/webcasts](http://www.colleyville.com/webcasts). Meetings are televised live on Verizon Cable Channel 16 and Time Warner Cable Channel 15 and rebroadcast at 6:00 p.m. Thursday and Sunday of the same week.



## **WELCOME TO THE CITY OF COLLEYVILLE CITY COUNCIL MEETING**

The Colleyville City Council welcomes all citizens to attend public meetings. Citizens wishing to address the City Council should become familiar with the procedures listed in this brochure. The City Council is interested in ideas and constructive comments provided by citizens.

The City of Colleyville operates under the laws of the State of Texas and within the framework of a Home Rule Charter adopted by the citizens in 1977 and amended twice. The City Council prepared this brochure to assist in understanding how local government functions, including conduct of the City Council meetings.

### **Please silence all communication devices during the City Council Meeting**

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**For more information,  
please contact the**  
Office of the City Secretary  
100 Main Street  
Colleyville, Texas 76034  
817.503.1130  
[ashelley@colleyville.com](mailto:ashelley@colleyville.com) or  
[cloven@colleyville.com](mailto:cloven@colleyville.com)

## **City Government**

The Colleyville City Council is composed of seven members; six City Councilmembers elected by place number and a Mayor. All members are elected from the City at-large. Under the provisions of the City Charter, and subject only to the limitations imposed by State law, the City Council enacts local legislation, adopts the annual operating budget, and sets policy in the Council-Manager form of government. The City Manager carries out policy and administers the day-to-day operation of the City, while the Mayor is recognized as the head of the City government for all ceremonial purposes, and has the responsibility of presiding over all meetings of the City Council.

### **Guidelines for City Council Meetings**

All City Council meetings are open to the public. Public notices of City Council meetings are posted 72 hours in advance of the meeting at City Hall, and on the City's web site. A meeting agenda is available at all meetings. The City Council, on occasion, will call a special meeting or a worksession, as necessary, and reserves the right to change the meeting place and date.

### **The Meeting Agenda**

When an item on the posted agenda is considered by the City Council, staff presentations will be heard first followed by citizen presentations. The item will then go to the City Council for deliberation and action.

During staff presentations and City Council deliberation, there will be no citizen participation except to answer questions by Councilmembers. These procedures shall remain flexible and in compliance with the City Charter.

### **Pre Council Meeting**

The City Council conducts a Pre Council

meeting to discuss and receive information regarding the agenda. Items that are not ready for a City Council vote, but which City Council desires to discuss, may also be placed on the Pre Council agenda. The Pre Council meeting begins at 5:30 p.m., on the first and third Tuesday of each month, prior to the Regular Meeting, in the Executive Conference Room on the third floor of City Hall.

### **Executive Session**

Executive Sessions may be conducted immediately following the Pre Council meeting and prior to, or following, the Regular Meeting. Executive Sessions are closed meetings and are permitted for the discussion of the following items that legitimately fall within the exceptions as stated in the Texas Open Meetings Act. No action is taken during Executive Session.

- ❖ Consultation with the City Attorney to seek advice about pending or contemplated litigation, settlement offer, or other matter as permitted
- ❖ Deliberations regarding the purchase, lease, exchange or value of real property
- ❖ Deliberations regarding personnel matters
- ❖ Deliberations regarding economic development negotiations

### **Regular City Council Meeting**

Regular City Council meetings are scheduled in the City Council Chamber at City Hall, 100 Main Street, at 7:30 p.m., on the first and third Tuesday of each month.

### **Consent Agenda Items**

Consent Agenda items are routine in nature and deemed to require little or no deliberation by the City Council. To save time, these items are considered collectively.

## **Ordinances**

All ordinances exclusive of emergency ordinances as defined by the City Charter, shall be read in an open meeting at two (2) consecutive regular City Council meetings. No final vote of approval or disapproval shall be taken by City Council until after the second reading and public hearing on each ordinance.

## **Resolutions**

Any official action of the City Council not authorized by ordinance shall be authorized by resolution. All resolutions shall be read in an open meeting of the City Council and shall be followed by public hearing.

## **CITY COUNCIL MEETING PROTOCOL**

While City Council is in session, we request the following protocol be followed:

- ❖ All persons shall remove hats and refrain from private conversations in the City Council Chambers. No handguns or other weapons are allowed to be carried openly.
- ❖ Citizens attending City Council meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the City Council. Any person making personal, impertinent, and slanderous remarks, or who becomes boisterous while addressing the City Council or attending the City Council meeting, will be asked to leave City Hall by the Mayor.
- ❖ No placards, banners, or signs of any kind will be permitted in the City Council Chambers. However, exhibits, displays, and visual aids used in connection with the presentations to the City Council are permitted.



# City of Colleyville City Council Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

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**Agenda Number** PC-5

**Agenda Date** 06/07/2016

**Type** Pre Council

**Department** City Secretary

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## **Title**

Discussion of the June 7, 2016, City Council regular agenda items



# City of Colleyville City Council Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

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**Agenda Number 1**

**Agenda Date** 06/07/2016

**Type** Executive Session

**Department** City Secretary

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## **Title**

Section 551.071 - Legal - Consultation with attorney on legal issues raised by public hearing or action items on the agenda

Section 551.071 - Legal - Consultation with and legal briefing by the City Attorney regarding the Open Meetings Act

Section 551.071 - Legal - Consultation with attorney on contemplated litigation (Camden Lock LLC)

Section 551.071 - Legal - Consultation with attorney regarding litigation - Lincoln et al v. City of Colleyville

Section 551.071 - Legal - Consultation with attorney regarding litigation - Jane Doe v. City of Colleyville

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.076 - Deliberate security, personnel, devices, and audits

Section 551.087 - Economic Development - Discuss or deliberate regarding commercial or financial information that the City has received from business prospects that the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

## **Attachments**

**RESOLUTION R-16-3995**

**A RESOLUTION APPROVING COUNCIL ACTION REGARDING  
EXECUTIVE SESSION ITEMS AT THE  
REGULAR CITY COUNCIL MEETING OF JUNE 7, 2016**

**WHEREAS**, following discussion in Executive Session, and in full accordance with the requirements of the Open Meetings Act, the City Council determines that the following action is in the best interests of the health, safety, and welfare of the public.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:**

Sec. 1.        THAT

**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF \_\_\_\_ AYES, \_\_\_\_ NAYS, AND \_\_\_\_ ABSTENTIONS ON THIS THE 7<sup>TH</sup> DAY OF JUNE 2016.

|                          |       |                            |       |
|--------------------------|-------|----------------------------|-------|
| Mayor Richard Newton     | _____ | Mayor Pro Tem Chris Putnam | _____ |
| Place 1, Tammy Nakamura  | _____ | Place 5, Nancy Coplen      | _____ |
| Place 2, Bobby Lindamood | _____ | Place 6, Mike Taylor       | _____ |
| Place 4, Jody Short      | _____ |                            |       |

**ATTEST:**

**CITY OF COLLEYVILLE**

Amy Shelley, TRMC  
City Secretary

Richard Newton  
Mayor



# City of Colleyville City Council Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

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**Agenda Number** 3

**Agenda Date** 06/07/2016

**Type** Announcements, Proclamations, and Presentations

**Department** City Secretary

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## **Title**

Proclamation recognizing the Colleyville Lacrosse Boys Varsity Team - Coach Darrell Barabash, Mayor Richard Newton, and Councilmembers Jody Short and Nancy Coplen

## **Attachments**

1. Proclamation

# Proclamation

CITY OF

Colleyville,  
Texas

**WHEREAS:** Colleyville Lacrosse was formed in 2001 by Darrell Barabash, Chris Babb, and 30 students of Colleyville Heritage High School; and incorporated in 2009 as a 501(c)(3) corporation established to promote the game of lacrosse in a fun, safe and sportsmanlike environment to all school aged boys and girls whilst instilling the values of sportsmanship, respect, teamwork, fair play and a love of the sport for teammates, coaches and officials; and

**WHEREAS,** the Colleyville Lacrosse Association Boys Varsity Lacrosse Team finished their 2016 season with an overall record of 13-0-0, for a Texas High School Lacrosse League Division II State Championship finish, and the second straight State tournament appearance; and

**WHEREAS,** the Championship team consisted of Trevor Brown, Cameron Burke, Jack Carbonari, Brennon Davis, Luke Dorshorst, Cale Dow, Drake Dozier, Grayson Gradke, Griffin Gradke, Isaac Griffin, Cameron Hamway, Matthew Herrera, Nicholas Leslie, Zach Maserang, Madux Middaugh, Clay Mills, Michael Miotic, Clayton Moore, Wyatt Morgan, Eric Norr, Hayden Parker, Will Parker, Malcolm Shimkus, Tanner Wallace, Cole Wuestenberg; and coached by Gary Dennington, Darrell Barabash, Ryan Gradke, and James Kaleigh; and

**WHEREAS,** Trevor Brown was named All-State Midfield/FOGO; Jack Carbonari was named All-State Midfield; Luke Dorshorst and Tanner Wallace were named All-State Defense; Madux Middaugh was named All-State Attack; Brennon Davis was named All-District Midfield; Griffin Gradke was named All-District Attack; and Clay Mills was named All-District Goalie.

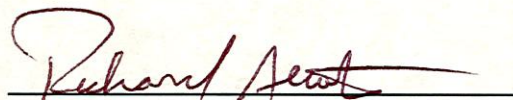
**NOW, THEREFORE, I, RICHARD NEWTON, MAYOR OF THE CITY OF COLLEYVILLE, TEXAS,** on behalf of the City Council and the citizens of Colleyville, do hereby extend congratulations to the

## **COLLEYVILLE LACROSSE BOYS VARSITY TEAM**

for their outstanding athletic performance and representation of the State of Texas, and further applaud and recognize their academic achievements.

**IN WITNESS WHEREOF,** I do hereby set my hand and seal of the City of Colleyville, Texas, affixed this 7<sup>th</sup> day of June 2016.



  
Mayor



**RESOLUTION R-16-3996**

**A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER  
CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF  
JUNE 7, 2016**

**WHEREAS**, City Council has taken action on certain items on the agenda under Consent Items.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF COLLEYVILLE, TEXAS:**

Sec. 1. THAT the agenda decisions approved by City Council action under Consent Items as follows are hereby adopted:

- a. Approval of the minutes of the Special City Council meeting on May 17, 2016
- b. Approval of the minutes of the regular City Council meeting on May 17, 2016

**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF \_\_\_\_ AYES, \_\_\_\_ NAYS, AND \_\_\_\_ ABSTENTIONS  
ON THIS THE 7<sup>TH</sup> DAY OF JUNE 2016.

|                          |       |                            |       |
|--------------------------|-------|----------------------------|-------|
| Mayor Richard Newton     | _____ | Mayor Pro Tem Chris Putnam | _____ |
| Place 1, Tammy Nakamura  | _____ | Place 5, Nancy Coplen      | _____ |
| Place 2, Bobby Lindamood | _____ | Place 6, Mike Taylor       | _____ |
| Place 4, Jody Short      | _____ |                            |       |

**ATTEST:**

**CITY OF COLLEYVILLE**

Amy Shelley, TRMC  
City Secretary

Richard Newton  
Mayor



# City of Colleyville Special Meeting of the City Council Minutes - Draft

City Hall  
100 Main Street  
Colleyville, Texas 76034  
817. 503.1000  
www.colleyville.com

Tuesday, May 17, 2016  
5:15 p.m.

City Council Chambers  
Third Floor, City Hall

Mayor David Kelly called the Special Meeting of the City Council to order on May 17, 2016, at 5:15 p.m.

**ROLL CALL:** Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Carol Wollin, Chuck Mogged, Chris Putnam, Jody Short, and Nancy Coplen

City Manager Jennifer Fadden, Deputy City Manager Chris Fuller, Assistant City Manager/Director of Public Safety Mike Holder, Fire Chief Brian Riley, Assistant Police Chief Robert Hinton, Communications and Marketing Director Mona Gandy, Chief Financial Officer Brian Hogan, Human Resources Director Rachel Huitt, Public Works Director Jeremy Hutt, City Engineer Cheryl Taylor, Community Development Director Abra Nusser, Principal Planner Shane Pace, Recreation and Library Director Mary Rodne, Economic Development Director Marty Wieder, Colleyville Center Manager Leslie Hill, Accounting Manager Karen Hines, Parks Manager Heather Dowell, SH26 Coordinator James Hubbard, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, City Attorney Matthew Boyle, and City Secretary Amy Shelley

## 2. RESOLUTION(S): READING AND PUBLIC HEARING

### 2a Resolution R-16-3990

Canvassing the results of the City of Colleyville General Election for Mayor and Councilmembers Place 1 and Place 2, held on May 7, 2016

Mayor Kelly Resolution R-16-3990 in its entirety.

Mayor Kelly opened the public meeting at 5:17 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 5:17 p.m.

Mayor Pro Tem Taylor made a motion to approve Resolution R-16-3990. Mayor Kelly seconded the motion.

The motion to approve carried by the following vote:

**Aye: - Mayor David Kelly, Mayor Pro Tem Taylor, and Councilmembers Carol Wollin, Chuck Mogged, Chris Putnam, Jody Short, and Nancy Coplen**

### **3.      PRESENTATIONS**

#### **3a      Presentation of service vases**

Mayor Pro Tem Taylor thanked Mayor David Kelly and Councilmembers Carol Wollin and Chuck Mogged for their commitment, dedication, and service to the citizens of Colleyville and presented each with a crystal vase as a token of appreciation.

### **4.      ADJOURNMENT**

There being no further business before the City Council, Mayor Kelly adjourned the Special Meeting at 5:21 p.m. and directed everyone to the reception being held immediately following.

### **5.      IMMEDIATELY FOLLOWING ADJOURNMENT - RECEPTION FOR OUTGOING CITY COUNCILMEMBERS**

*APPROVED BY A VOTE OF \_ AYES, \_ NAYS, AND \_ ABSTENTIONS ON THIS THE 7<sup>TH</sup> DAY OF JUNE 2016.*

*Minutes taken and prepared by:*

*Amy Shelley, TRMC  
City Secretary*



# City of Colleyville City Council Minutes - Draft

City Hall  
100 Main Street  
Colleyville, Texas 76034  
817. 503.1000  
www.colleyville.com

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Tuesday, May 17, 2016

City Council Chambers

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Mayor David Kelly called the Pre Council meeting of the Colleyville City Council to order on May 17, 2016, at 5:34 p.m.

**ROLL CALL:** Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chris Putnam, Jody Short, and Nancy Coplen

**Absent:** Councilmembers Carol Wollin and Chuck Mogged

Mayor Kelly invited the Mayor-elect Richard Newton and Councilmembers-elects Tammy Nakamura and Bobby Lindamood to the Pre Council discussion.

City Manager Jennifer Fadden, Deputy City Manager Chris Fuller, Assistant City Manager/Director of Public Safety Mike Holder, Fire Chief Brian Riley, Assistant Police Chief Robert Hinton, Communications and Marketing Director Mona Gandy, Chief Financial Officer Brian Hogan, Human Resources Director Rachel Huitt, Public Works Director Jeremy Hutt, City Engineer Cheryl Taylor, Community Development Director Abra Nusser, Principal Planner Shane Pace, Recreation and Library Director Mary Rodne, Economic Development Director Marty Wieder, Colleyville Center Manager Leslie Hill, Accounting Manager Karen Hines, Parks Manager Heather Dowell, SH26 Coordinator James Hubbard, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, City Attorney Matthew Boyle, and City Secretary Amy Shelley

## **PC-1** Discussion of Fiscal Year 2017 (FY 2017) Insurance Renewal

Human Resources Director Rachel Huitt presented this item and briefed the City Council. Amber Shaddox, Holmes Murphy and Associates, also presented this item and briefed the City Council.

Mayor Pro Tem Taylor asked staff if the 15 percent administrative fee is based on premiums collected, not the claims paid out. Director Huitt replied correct.

Mayor-elect Richard Newton asked staff about what running at 90 percent loss ratio actually means. Director Huitt replied that is the number of dollars paid out to hospitals, doctors, and pharmaceuticals to pay for care; it is the claims relative to premiums.

Mayor Pro Tem Taylor asked staff if there are any other incentives given under the Affordable Care Act on top of premiums collected. Director Huitt replied comparisons are being made with claims being made versus premiums being paid.

She added the healthcare reform, with private employers, do not offer incentives. She stated there may be some on the marketplace side, there are incentives for employees but not if you have a minimum essential coverage and affordable plan.

Mayor Pro Tem Taylor asked staff if the premiums are all that is extracted from the employees. Director Huitt replied yes, and with the City's contribution.

Mayor-elect Richard Newton asked staff if the insurance companies had to suffer the cost of the trends in that pay-out, built into the percent claim. Director Huitt replied yes.

Councilmember Putnam asked staff if the insurance companies build the loss from the preceding year into the renewal rate. Director Huitt replied yes.

Councilmember Putnam asked Ms. Shaddox if there are costs for switching insurance vendors. Ms. Shaddox replied yes, to a degree, and sometimes there are actual costs and hidden expenses.

Councilmember Putnam asked Ms. Shaddox how other cities are seeing the take rate on the high deductible health plan. Ms. Shaddox replied the take rate for a first year high deductible health plan, with no seed money, in other words an employer is not putting money into the account, is about five percent. She stated with seed money, it is 10 percent or less year one, and it grows from there via education.

Councilmember-elect Tammy Nakamura asked Ms. Shaddox how the Exclusive Provider Organization (EPO) (In-Network only plan) works if you are out of the state and need medical attention. Ms. Shaddox replied that you truly have no coverage out-of-network, unless you have a life threatening emergency, you would pay out-of-pocket.

Councilmember Putnam asked Ms. Shaddox if Blue Cross Blue Shield's network will pay out-of-network if you are out of state. Ms. Shaddox replied it would, but only if you were certain you were going out of network. She added there is some employee education necessary.

Mayor Pro Tem Taylor asked Ms. Shaddox if you are only out-of-pocket until you get back in the network. Ms. Shaddox replied the network will pay, if you have no choice in the matter, the carrier will pay it as if it is in the network.

Mayor Pro Tem Taylor asked Ms. Shaddox if the network will mitigate the damage, until the person gets back in-network. Ms. Shaddox replied if it is a life threatening emergency, beyond their control, then yes.

Mayor-elect Richard Newton asked Ms. Shaddox if Blue Cross Blue Shield's network has been shrinking. Ms. Shaddox replied Blue Cross has multiple

networks, and added all insurance carriers have been evaluating narrow networks.

Councilmember-elect Bobby Lindamood asked Ms. Shaddox, besides the premium savings for employees, are there any incentives for employees who make no claims throughout the year. Ms. Shaddox replied employees cannot be disincentivized to not utilize the plan. Director Huitt added Colleyville is a fully insured plan, and we do not have the employee's full detail, we only have summary data.

Councilmember-elect Bobby Lindamood asked staff if there are premium savings across the board, not individual premium savings. Director Huitt replied correct, and with health screenings, they get the best rate with meeting four out of five parameters, which in turn incentivizes the healthy behavior.

Councilmember-elect Tammy Nakamura asked Ms. Shaddox if the health savings account (HSA) is an incentive program. Ms. Shaddox replied we want to be careful in the presentation of the message to the employees because we want the employees to have access to care, to help them offset the out-of-pocket expenses.

Councilmember Short asked Ms. Shaddox if the HSA covers some preventive care. Ms. Shaddox replied 100 percent is covered as long as age appropriate, so all screenings and annual screenings, and it does not count against them financially.

### **PC-2** Discussion of the Quarterly Performance Management Report

Strategic Services Manager Adrienne Lothery presented this item and briefed the City Council.

Councilmember Putnam asked staff if the measures are based on a calendar year or fiscal year. Manager Lothery replied fiscal year.

### **PC-3** Discussion of the May 17, 2016, City Council regular agenda items

There was no discussion of this item.

Mayor Kelly adjourned the Pre Council meeting at 6:36 p.m.

The regular meeting of the Colleyville City Council was called to order by Mayor Kelly at 7:30 p.m.

**ROLL CALL:** Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chris Putnam, Jody Short, and Nancy Coplen

**Absent:** Councilmembers Carol Wollin and Chuck Mogged

City Manager Jennifer Fadden, Deputy City Manager Chris Fuller, Assistant City Manager/Director of Public Safety Mike Holder, Fire Chief Brian Riley, Assistant Police Chief Robert Hinton, Communications and Marketing Director Mona Gandy, Chief Financial Officer Brian Hogan, Human Resources Director Rachel Huitt, Public Works Director Jeremy Hutt, City Engineer Cheryl Taylor, Community Development Director Abra Nusser, Principal Planner Shane Pace, Recreation and Library Director Mary Rodne, Economic Development Director Marty Wieder, Colleyville Center Manager Leslie Hill, Accounting Manager Karen Hines, Parks Manager Heather Dowell, SH26 Coordinator James Hubbard, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, City Attorney Matthew Boyle, and City Secretary Amy Shelley

**1. EXECUTIVE SESSION - In accordance with Texas Government Code, Chapter 551, Subchapter D**

Section 551.071 - Legal - Consultation with attorney on legal issues raised by public hearing or action items on the agenda

Section 551.071 - Legal - Consultation with attorney on contemplated litigation (Camden Lock LLC)

Section 551.071 - Legal - Consultation with attorney regarding litigation - Lincoln et al v. City of Colleyville

Section 551.071 - Legal - Consultation with attorney regarding litigation - Jane Doe v. City of Colleyville

Section 551.071 - Legal - Consultation with attorney regarding litigation - Billy McCullough v. City of Colleyville

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.087 - Economic Development - Discuss or deliberate regarding commercial or financial information that the City has received from business prospects that the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

Mayor Kelly explained the Executive Session had been called in accordance with the Texas Government Code, Chapter 551, Subchapter D, Section 551.071, Legal, Section 551.072, Real Estate, and Section 551.087, Economic Development. He further explained there would be no decisions made or action taken during this time. The meeting was recessed at 6:36 p.m.

**INVOCATION: Associate Pastor Preston Reedy**

**Colleyville Assembly of God****PLEDGE OF ALLEGIANCE: Matthew Boyle, City Attorney****2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-16-3991**

This resolution was not needed.

**3. OATH OF OFFICE**

City Secretary Amy Shelley administered the Oath of Office to Mayor Richard Newton, Place 1 Councilmember Tammy Nakamura, and Place 2 Councilmember Bobby Lindamood.

**ROLL CALL:** Mayor Richard Newton, Mayor Pro Tem Mike Taylor, and Councilmembers Tammy Nakamura, Bobby Lindamood, Chris Putnam, Jody Short, and Nancy Coplen

Mayor Newton expressed his appreciation to the service of Mayor Kelly and Councilmembers Carol Wollin and Chuck Mogged. Mayor Newton and Councilmembers Tammy Nakamura and Bobby Lindamood expressed their appreciation to the family and friends for their support during the election. Mayor Newton stated he looks forward to working with the citizens and City Council.

**4. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS**

**Announcements of civic and charitable events**

**Presentation of calendar events and updates**

**Announcements of awards and recognition**

**Proclamation recognizing the Grapevine High School Girls Soccer Team - Coach Steven McBride, Mayor Richard Newton, and Councilmember Jody Short**

Mayor Newton and Councilmember Jody Short presented the Grapevine High School Girls Soccer Team and Coach Steven McBride with a proclamation recognizing their District 6-5A Champions status and recognized Coach McBride as Coach of the Year and Coach Bustillos, as Region 1 Assistant Coach of the Year.

**Proclamation recognizing the Grapevine High School Boys Soccer Team - Coach Heath Bullard, Mayor Richard Newton, and Councilmember Jody Short**

Mayor Newton and Councilmember Jody Short presented the Grapevine High School Boys Soccer Team with a proclamation recognizing their record as the

District, Bi-District, Area, Regional Qualifier Champs, and Regional Semi-Finalists and recognized retiring Head Coach Heath Bullard who was named Coach of the Year, District Coach of the Year, *Fort Worth Star-Telegram* Coach of the Year, *Dallas Morning News* Coach of the Year, and National Soccer Coaches Association Region Coach of the Year.

**Presentation of the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award - Mayor Richard Newton and Strategic Services Manager Adrienne Lothery**

Mayor Newton presented Strategic Services Manager Adrienne Lothery with the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award.

**In recognition of Colleyville's featured business - Palio's Pizza Cafe, Tom Schott, Owner, 5712 Colleyville Boulevard, Suite 130 - Mayor Richard Newton and Economic Development Director Marty Wieder**

Mayor Richard Newton and Economic Development Director Marty Wieder recognized Tom Schott, owner of Palio's Pizza Café as the featured business.

**5. RECEPTION FOR INCOMING COUNCILMEMBERS**

Mayor Newton recessed the regular City Council meeting at 7:58 p.m. for the incoming Councilmembers' reception.

Mayor Newton reconvened the regular City Council meeting at 8:20 p.m.

**6. ELECTION OF A MAYOR PRO TEM**

Mayor Newton stated in accordance with the City Charter, a Mayor Pro Tem is elected annually to serve for one year. Mayor Newton opened the floor for nominations.

Councilmember Nakamura nominated Councilmember Putnam. Councilmember Lindamood nominated Councilmember Putnam. Councilmember Putnam accepted their nominations. Mayor Newton nominated Councilmember Putnam. Councilmember Short nominated Councilmember Taylor. Councilmember Coplen had no nomination. Councilmember Taylor nominated Councilmember Putnam.

Mayor Newton moved to elect Councilmember Putnam as Mayor Pro Tem. Councilmember Coplen seconded the motion.

**The motion carried with the following vote:**

**Aye: 7 – Mayor Richard Newton, Mayor Pro Tem Chris Putnam, and Councilmembers Tammy Nakamura, Bobby Lindamood, Jody Short, Nancy Coplen and Mike Taylor**

Mayor Newton expressed his congratulations to Mayor Pro Tem Chris Putnam and thanked Councilmember Mike Taylor for his service as Mayor Pro Tem.

**7. CONSENT: READING AND PUBLIC HEARING – RESOLUTION R-16-3992**

- 7a** Approval of the minutes of the regular City Council meeting of May 3, 2016
- 7b** Appointment of a Contracting Party Representative and Alternate Contracting Party Representative to the Advisory Committee of the Trinity River Authority's Central Regional Wastewater System
- 7c** Appointment of a Contracting Party Representative and Alternate Contracting Party Representative to represent the City of Colleyville at the Trinity River Authority's Tarrant County Water Supply Project Customer City meetings

Mayor Newton read Resolution R-16-3992 in its entirety.

Chief Financial Officer Brian Hogan presented items 7b and 7c and briefed the City Council.

Mayor Newton asked staff if they will be the primary representative, and will also bring back any concerns they may have to City Council. Chief Financial Officer Brian Hogan replied yes, and he will also take forward any concerns or questions of the City Council as well.

Councilmember Taylor asked staff if item 7c is different from the first. Chief Financial Officer Brian Hogan replied yes, the wastewater system is for all members within that system, which is about 20 member cities. He added we have a vote in all matters, 1 of 20 votes for wastewater, and 1 of 5 votes for water.

Mayor Newton asked staff if Colleyville buys treated water from the Trinity River Authority, and then TRA processes Colleyville's sewer. Chief Financial Officer Brian Hogan replied yes.

Councilmember Taylor asked staff if this is two different advisory boards. Chief Financial Officer Brian Hogan replied yes.

Councilmember Taylor asked staff how often these positions become available. Chief Financial Officer Brian Hogan replied annually; therefore, staff will bring this item back every year.

Mayor Newton opened the public hearing at 8:31 p.m.

There was no one present wishing to speak and Mayor Newton closed the public hearing at 8:31 p.m.

**Councilmember Taylor made a motion to approve Resolution R-16-3992. Councilmember Lindamood seconded the motion.**

**The motion carried with the following vote:**

**Aye: 7 – Mayor Richard Newton, Mayor Pro Tem Chris Putnam, and Councilmembers Tammy Nakamura, Bobby Lindamood, Jody Short, Nancy Coplen and Mike Taylor**

## **8. ORDINANCE(S): FIRST READING AND PUBLIC HEARING**

### **8a Ordinance O-16-1979**

Approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division, regarding the Company's 2016 Rate Review Mechanism Filing and adopting tariffs that reflect rate adjustments consistent with the negotiated settlement

Mayor Newton read the caption of Ordinance O-16-1979.

Strategic Services Manager Adrienne Lothery presented the item and briefed the City Council.

Mayor Newton asked staff if the cities go through the Utility Commission for rate structures, it would be \$41 million; however, if the negotiated agreement with the Atmos Cities Steering Committee (ACSC), it would be \$29 million, which is an approach to agreeing rather than approaching the Utility Commission. Manager Lothery replied yes, as an alternate to having a case heard before the Railroad Commission.

Mayor Newton asked staff how this will work since the ordinance would not be approved by the June 1<sup>st</sup> date. Manager Lothery replied the rates would be effective June 1, even if all cities have not gone through their approval process.

Mayor Newton asked staff if it makes a difference if this is passed or not. Manager Lothery replied it would, in that if we do not, as of June 1, the rates that would go into effect would be much more than the \$29.9 million, it would be the original \$35.4 million.

Mayor Newton opened the public hearing at 8:37 p.m.

George Dodson, 7309 Balmoral Drive, spoke in opposition to this with concerns about the following: the cost for us to participate in the ACSC; why only talk about it now; what about the cost to the consumer; what is the consumption charge; what is the rider GCR; what is the cost of gas; and how can this be considered without Dallas not being included.

Kathy Hadley, 204 Timberline Drive North, spoke in opposition to this with concerns about the following: her gas bill, and stated not wanting the change.

There were no others present wishing to speak and Mayor Newton closed the public hearing at 8:41 p.m.

Mayor Newton asked staff if there is a cost to the City. Manager Lothery replied there is an annual membership to the ACSC, typically based on population, at \$1,200 per year, and it is cost effective to go in as a group to negotiate the filings.

Mayor Newton asked staff about the consumption charge. Manager Lothery replied the consumption charge is at a little over .11 (the new proposed consumption charge), and the residential customer base rate is \$19.10 (proposed), and she stated she could clarify that at the next meeting.

Mayor Newton asked staff about the timing. Manager Lothery replied there is a filing period, then there is a time when ATMOS and ACSC get together, and this was the very first meeting we could get it on the agenda, which was as soon as we get final settlement. She added the city of Dallas, broke away from the steering committee, and made a case to the Railroad Commission on their own, lost, and ended up with higher rates.

Councilmember Lindamood asked staff at what rate will we be paying. Manager Lothery replied as of June 1<sup>st</sup>, the negotiated settled rates will go into effect.

Councilmember Taylor asked staff if we have a number to be able to compare as to going with a coalition rather than negotiating alone. Manager Lothery replied the most recent would have been when the coalition went before the Railroad Commission with a formal rate case. She stated it would have been a six figure amount to try a full case.

This was a first reading, therefore, City Council did not take any action.

## **9. RESOLUTION(S): READING AND PUBLIC HEARING**

### **9a Resolution R-16-3993**

A resolution of the City of Colleyville stating the City's opposition to TEX Rail and permanently barring the City's participation in the construction of any rail station within the City limits of Colleyville

Mayor Newton read Resolution R-16-3993 in its entirety.

Mayor Newton opened the public hearing at 8:49 p.m.

Kathy Hadley, 204 Timberline Drive North, spoke in support of the resolution, but stated she enjoys hearing the train, but against having freight trains blowing through the City.

George Dodson, 7309 Balmoral Drive, spoke in support of this resolution.

Natalie Genco, 1104 John McCain Road, spoke in support of this resolution, and presented the City with citizen signatures from an online petition, and asked for the removal of the TEX Rail from RTC's 2040 Regional Transportation Plan.

The following persons did not wish to speak, but wished to register support for the resolution: Taylor and Elizabeth Zeitlin, 1800 Glade Road; David and Debbie Medlin, 605 Montreux Avenue; Tom and Jane Bauch, 4201 Shadow Ridge Drive; Claudia Bevill, 119 Cheek-Sparger Road; Scott and Sarah Gunnip, 609 Montreux Avenue; Lidia Braden, 1307 Bellefonte Lane; J. Hayden and Joni Knox, 5134 Heritage Oaks Drive; John and Rachel Donnell, 5712 Sycamore Drive; Neil and Sherrie Hart, 1600 Glade Road; Connie Worley, 5016 Auburndale Avenue; Matt and Elizabeth Westbrook, 4601 Jim Mitchell Trail East; Chuck and Dee Kelley, 705 Hillside; Judy Chappell, 1716 Glade Road; Samuel L. Van Bever, 4105 Crest Court; Lola Lawrence, 4105 Greenway Court; L. Nichols and Cheri Moore, 1017 W. Murphy Road; Tim Kenney, 2902 Highgrove Court; Dan and Susan Mathisen, 317 Chestnut Bend; Steve and Julie Waltens, 716 Duns Tew Path; Daniel Garrison, 6401 Westcoat Drive.

The following person did not wish to speak, but wished to register opposition for the resolution: Joe Moore, 133 Acuff Lane.

There were no others present wishing to speak and Mayor Newton closed the public hearing at 9:00 p.m.

Mayor Pro Tem Putnam presented this item and briefed the City Council. He provided a slideshow presentation as well.

Councilmember Taylor stated he would rather split the proposed resolution into two separate resolutions; one relative to the rail station, and the other relative to TEX Rail.

Mayor Newton stated the Tarantula Train will still run, even if TEX Rail does not happen. He added he supports this resolution, even with the two separate issues written in the resolution, because it fixes any confusion and provides clarity. He added Colleyville has a 6.7 percent vote with the RTC, and this resolution provides for Colleyville's position in this project, even if it does not stop anything.

Councilmember Taylor stated he has voiced many citizen's opinions about TEX Rail to the RTC, and just as recently as last Thursday. He stated there was still a unanimous vote to proceed with the project.

Mayor Pro Tem Putnam stated the RTC needs a "poke in the eye," and we absolutely should have a say in this project. He stated he does not care what vote the RTC took, as this is a bad project. He stated it is not too late to do something.

Councilmember Short stated having concerns about the following language in the proposed resolution: in the third whereas statement - how to quantify "astronomical"; in the fifth whereas statement - "never been subjected to voter input of any kind" neighbors to the north in Grapevine did have a vote; in the seventh whereas statement - throughout the past years, the "heavy diesel rail" is not being considered and "light rail" is not being considered; in the ninth whereas statement - "to permanently bar" would not be accurate for the ability of this body for future councils; the tenth whereas statement contradicts the sixth whereas statement; Section 3 would be an overreach to ask the railroad to "limit and reduce all rail traffic", when the previous resolution asked to limit "freight traffic"; and Section 4 has costly statements with no corresponding benefit. He stated a lot has been said, but not sure how true and correct they are as stated in Section 1.

Councilmember Coplen stated not being in favor of the rail, and stated having concerns about the following language: Section 5 - who will be in charge of bringing this forward as a public referendum; Section 2 - the future citizens of Colleyville can have a proposition; therefore, "permanently" may not be true; Section 1 - not sure about the data; in the tenth whereas, there were over 1,000 signatures provided before relative to the negative impact on property values, and Colleyville will not be able to afford a rail station; in the eighth whereas - has the limiting of freight traffic been met, where is the action item for this; the sixth whereas language is not necessary; the fifth whereas - voter input is important, but stated being too busy to get involved. She added she is against the rail, and stated not being responsible for what other cities want. She expressed her appreciation to all that has gone into this.

Mayor Newton stated we only have jurisdiction on Colleyville, with no intent to assume we are trying to impact anyone else's jurisdiction. He stated we participate with 10 other cities, and this provides our position on the project. He stated if they are willing to pass some sort of resolution, then a majority of our representatives would speak to that at the RTC. He added not being concerned with the word "permanently" in the proposed resolution because within the context of the resolution, the intent is never to build a train station. He stated future City Council can certainly pass their own resolution.

Councilmember Lindamood stated while campaigning he promised he would support this resolution. He then asked City Council how long this project has been

going on. He stated someone can bring forward a petition that could be voted on by the citizens. He added legislative rules and laws are made all the time that future City Councils can change them. He stated the people's voice has been against the train.

Councilmember Nakamura agreed with Councilmember Lindamood and stated she spoke with hundreds of people who do not want the train, and are adamantly against it. She stated she wants to do what the people have asked.

Mayor Newton stated being in support of the way the resolution is currently written.

**Mayor Pro Tem Putnam made a motion to approve Resolution R-16-3993 with a change to the fifth recital/whereas to read, "the TEX Rail project has never been subjected to voter input at the county level, thereby depriving the public and taxpayers any say over the project". Councilmember Lindamood seconded the motion.**

Councilmember Taylor stated he would like to divide the question, as there are some things to the rail station side, in our control, and rather than do the permanent bar. He stated it could say that we encourage future councils to submit the question to the qualified voters of Colleyville before proceeding.

Mayor Newton asked Councilmember Taylor if he is against the train station. Councilmember Taylor replied yes.

Mayor Newton stated since the motion was made by Mayor Pro Tem Putnam, he would have to agree to Councilmember Taylor's amendment, but the amendment is a fair departure from what this resolution states.

Councilmember Coplen asked Councilmember Taylor about how it would be read. Councilmember Taylor stated it would need to be added in.

Mayor Pro Tem Putnam called for the question. Mayor Newton acknowledged the call for question on the motion, which ends the debate, and vote on the motion. Mayor Newton voted to end the debate. All agreed.

Mayor Newton recited the motion: **Mayor Pro Tem Putnam made a motion to approve Resolution R-16-3993 with a change to the fifth recital/whereas to read, "the TEX Rail project has never been subjected to voter input at the county level, thereby depriving the public and taxpayers any say over the project". Councilmember Lindamood seconded the motion.**

**The motion to approve carried by the following vote:**

**Aye: 5 – Mayor Newton, Councilmembers Tammy Nakamura Bobby Lindamood, Chris Putnam, and Nancy Coplen**

**Nay: 2 – Councilmembers Jody Short and Mike Taylor**

## **10. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA**

Wayne Maynard, 3004 Edgewood Lane, filled out a speaker card to speak, but left before this item.

Kathy Hadley, 204 Timberline Drive North, congratulated the new City Councilmembers on a job well done for their first meeting, especially the debate. She reminded the City Council about the promises made to get her vote.

Dan Mathisen, 317 Chestnut Bend, stated points for new consideration: the City water rates in comparison with other utilities, needs to be brought into the current decade; he stated he wants to pay his water bill online; there should be some historical analysis and trending information online, and not just worry about the rates; stated looking forward to the term limit discussions; stated looking forward to changes being made to the "Welcome" brochure and to strike information about removing hats or limiting speech. He also encouraged all to cooperate with each other and have a positive behavior and attitude; he stated all should have a refresher course in active listening and do opposition with civility by using the pureness of your heart. He stated clear mandates have been made to reconsider previous decisions made.

Elizabeth Zeitlin, 1800 Glade Road, agreed with Mr. Mathisen and stated she appreciated the respectful debate this evening with the issues being discussed.

## **11. REPORTS**

Zoning Board of Adjustment Meeting Minutes - February 9, 2016  
Planning and Zoning Commission Meeting Minutes - April 11, 2016  
Monthly Financial Report - April 2016  
Quarterly Investment Report for the quarter ended March 31, 2016

There was no discussion of this item.

## **12. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR MAY 17, 2016 - READING AND PUBLIC HEARING - RESOLUTION R-16-3994**

This resolution was not needed.

## **13. ADJOURNMENT**

**There being no further business before the City Council, Councilmember Taylor made a motion to adjourn. Mayor Newton seconded the motion. Adjournment approved by acclamation.**

Mayor Newton adjourned the City Council meeting at 9:54 p.m.

Mayor Newton reconvened the Executive Session at 9:58 p.m. There were no decisions made or action taken during this time. The meeting was adjourned at 10:46 p.m.

APPROVED BY A VOTE OF \_ AYES, \_ NAYS, AND \_ ABSTENTIONS ON THIS THE 7<sup>TH</sup> DAY OF JUNE 2016.

Minutes taken and prepared by:

Amy Shelley, TRMC  
City Secretary



# City of Colleyville City Council Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
www.colleyville.com

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**Agenda Number** 5a

**Agenda Date** 06/07/2016

**Number** Ordinance O-16-1979

**Type** Ordinance

**Department** City Manager

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## **Title**

Approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division, regarding the Company's 2016 Rate Review Mechanism Filing and adopting tariffs that reflect rate adjustments consistent with the negotiated settlement

## **Strategy Map Connection**

C2- Deliver high quality and unique customer service

## **Explanation**

### ***Second Reading and Public Hearing***

There were two speakers at the May 17, 2016 City Council meeting, both in opposition to the rate adjustments. A request was made to provide a sample Atmos bill, with a breakdown and explanation of each of the charges and which charges would change as a result of the requested rate increase, which Atmos has provided (attached).

### ***First Reading and Public Hearing***

The City of Colleyville, along with other similarly situated cities served by Atmos Energy Corp., Mid-Tex Division, is a member of the Atmos Cities Steering Committee (ACSC). The Rate Review Mechanism (RRM) Tariff was originally adopted by ACSC member cities in 2007 as an alternative to the Gas Reliability Infrastructure Program (GRIP), the statutory provision that allows Atmos to bypass the City's rate regulatory authority to increase its rates annually to recover capital investments. The RRM Tariff has been modified several times, most recently in 2013.

The 2016 RRM filing is the fourth RRM filing under the renewed RRM Tariff. On March 1, 2016, Atmos made a filing requesting \$35.4 million in additional revenues on a system-wide basis. Because the City of Dallas has a separate rate review process, exclusion of Dallas results in the Company requesting \$28.6 million from other municipalities.

Environs customers (ratepayers outside municipal limits) remain under the Railroad Commission's exclusive original jurisdiction and have their rates set through the GRIP process. If Atmos had used the GRIP process rather than the RRM process for this requested rate increase, it would have received a \$41 million increase, or about \$11 million more than in the proposed Ordinance (attached). ACSC and Atmos have concluded negotiations and reached an agreement, reflected in the Ordinance, to

reduce the request by \$5.5 million system-wide (\$6.7 million exclusive of the City of Dallas), such that the Ordinance approving new rates reflects an increase of \$29.9 million on a system-wide basis, or \$21.9 million for Atmos Mid-Tex Cities, exclusive of the City of Dallas.

The tariffs attached to the Ordinance will be effective for bills rendered on or after June 1, 2016. The monthly residential customer charge will be \$19.10. The consumption charge will be \$0.11378 per Ccf. The monthly bill impact for the typical residential customer consuming 46.8 Ccf will be an increase of \$1.26, or about 2.43%. The typical commercial customer will see an increase of \$3.81, or 1.43%.

The ACSC Executive Committee and its designated legal counsel and consultants recommend that all cities adopt the Ordinance with its attachments approving the negotiated rate settlement resolving the 2016 RRM filing, and implementing the rate change. Failure to accept the negotiated rate settlement would ultimately result in higher rates, potentially even higher than the original RRM increase request.

### **Financial Impact**

Approval of the proposed ordinance will increase revenues for Atmos Mid-Tex by \$29.9 million on a system-wide basis, as opposed to the \$41 million that would have been received through the GRIP process. The typical residential customer will see an increase of \$1.26 per month.

### **Recommendation**

Approve

### **Attachments**

1. Sample Atmos Bill & Breakdown of Charges
2. Atmos 2016 RRM Filing
3. Ordinance O-16-1979



## **ATMOS ENERGY – BILL EXPLANATION**

### **Customer Charge and Consumption Charge**

These two components go directly to Atmos Energy to cover our costs and expenses including our profit. These charges are what Atmos collects to provide customer service, billing, system maintenance, pipeline inspections and emergency services. The customer charge and the consumption charge work together to recover the costs of the company in delivering the natural gas to the customer. They are not independent of each other but work together to recover those costs. These rates are regulated by our regulatory authority.

### **Rider WNA- Weather Normalization Adjustment**

WNA represents a seasonal adjustment to the bill to correct for colder or warmer than normal weather. This is only on the bill from November 1-April 30. Typically customers' bills are most sensitive to increase usage during these colder winter months. If winter is colder than normal you will see a credit on your bill so the company doesn't over earn. If it is warmer than normal there will be a surcharge on your bill.

### **RIDER GCR**

This charge recovers the actual gas cost paid to suppliers and the transportation charges paid to deliver gas to the company's distribution system. There is no profit added to the gas cost. This amount is multiplied by your usage.

### **Rider FF**

This is a fee that is paid by Atmos to local municipalities for use/rental of the City's land (right-of-way) for Atmos's infrastructure. The company collects and passes this fee on to the cities. It varies from city to city.

### **City Sales Tax**

Elected by your City to charge local sales tax (up to 2%) on goods or services. We act as an agent for the state and collect the tax from the customers and remit the all of those collections directly to the state for the jurisdiction in which the sales took place. Those rates are set by the state and the local jurisdictions.

### **Rider Tax**

A tax imposed on our gross receipts that we are allowed to pass through to our customers. The rates (of which there are 4 ranging from zero to 1.997) are set by the state depending on the population of the town in which the customer resides.



Customer Number  
Customer Name:  
Service Address:

0000000000  
JOHN Q CUSTOMER  
123 ANYSTREET DR  
COLLEYVILLE, TX 76034  
07/03/16  
07/14/16

Emergency Telephone  
24/7  
1-866-322-8667

Customer Service  
M-F 7am-6pm (Central)  
1-888-286-6700  
atmosenergy.com

Residential R020

| Meter Serial # | DATE OF SERVICE     |          | METER READING |         |
|----------------|---------------------|----------|---------------|---------|
|                | FROM                | TO       | PREVIOUS      | PRESENT |
| 12A345678      | 6/1/2016            | 7/1/2016 | 6954          | 6975    |
|                | Read Difference     |          |               | 21.00   |
|                | Actual Usage in CCF |          |               | 21.00   |

IMPORTANT MESSAGES FROM YOUR NATURAL GAS  
COMPANY:

We earn income from the rates we charge for delivering natural gas that are approved by the cities we serve. These rates covers the Company's fixed costs

Gas cost makes up the majority of the natural gas bill

We purchase natural gas wholesale and pass the cost to customers with no mark up

By law, customers only pay what we have paid for natural gas

Rider FF permits Atmos to recover the total amount remitted to the City for franchise fees.

This is a fee that is paid by Atmos to local municipalities for use/rental of the City's land (right-of-way) for Atmos's infrastructure

BILLING INFORMATION:

PREVIOUS BALANCE 54.04

CURRENT GAS CHARGE TOTAL 28.71

Residential R020

|                               |       |
|-------------------------------|-------|
| Customer Charge               | 18.62 |
| Consumption Chrg @ .09931/CCF | 2.09  |
| Rider GCR @ .38085/CCF        | 8.00  |

TAX TOTAL 2.11

|                    |      |
|--------------------|------|
| RIDER FF @ .03650  | 1.05 |
| RIDER TAX @ .02037 | 0.61 |
| CITY TAX @ .015000 | 0.46 |

CURRENT CHARGES 30.82

TOTAL AMOUNT DUE 30.82

Rider TAX permits the Company to recover amounts remitted to the State of Texas for the State Gross Receipts Tax

City Sales Tax is elected by your City to charge local sales tax (up to 2%) on goods or services

**ATMOS ENERGY CORP., MID-TEX DIVISION  
AVERAGE BILL COMPARISON - BASE RATES  
TEST YEAR ENDING DECEMBER 31, 2015**

| Line |                          | Average Residential Consumption |     |       |            | CURRENT  | June 1, 2016 PROPOSED | 2016 RRM CHANGE |                                                   |
|------|--------------------------|---------------------------------|-----|-------|------------|----------|-----------------------|-----------------|---------------------------------------------------|
| 1    | <b>Rate R @ 46.8 Ccf</b> |                                 |     |       |            |          |                       |                 |                                                   |
| 2    | Customer charge          |                                 |     |       |            | \$ 18.60 |                       |                 |                                                   |
| 3    | Consumption charge       | 46.8                            | CCF | X     | \$ 0.09931 | = 4.65   |                       |                 |                                                   |
| 4    | Rider GCR Part A         | 46.8                            | CCF | X     | \$ 0.31375 | = 14.68  |                       |                 |                                                   |
| 5    | Rider GCR Part B         | 46.8                            | CCF | X     | \$ 0.21977 | = 10.29  |                       |                 |                                                   |
| 6    | Subtotal                 |                                 |     |       |            | \$ 48.22 |                       |                 |                                                   |
| 7    | Rider FF & Rider TAX     |                                 | \$  | 48.22 | X          | 0.07853  |                       |                 |                                                   |
| 8    | Total                    |                                 |     |       |            | \$ 52.01 |                       |                 |                                                   |
| 9    |                          |                                 |     |       |            |          |                       |                 |                                                   |
| 10   | Customer charge          |                                 |     |       |            |          | \$ 19.10              | \$ 0.50         | Increase to the Customer charge                   |
| 11   | Consumption charge       | 46.8                            | CCF | X     | \$ 0.11378 | = 5.32   |                       | \$ 0.01447      | Increase to the Consumption charge                |
| 12   | Rider GCR Part A         | 46.8                            | CCF | X     | \$ 0.31375 | = 14.68  |                       |                 |                                                   |
| 13   | Rider GCR Part B         | 46.8                            | CCF | X     | \$ 0.21977 | = 10.29  |                       |                 |                                                   |
| 14   | Subtotal                 |                                 |     |       |            | \$ 49.39 |                       |                 |                                                   |
| 15   | Rider FF & Rider TAX     |                                 | \$  | 49.39 | X          | 0.07853  |                       |                 |                                                   |
| 16   | Total                    |                                 |     |       |            | \$ 53.27 |                       | \$1.26          | Overall increase to an average Residential bill   |
| 17   |                          |                                 |     |       |            |          |                       | 2.42%           | Overall % increase to an average Residential bill |
| 18   |                          |                                 |     |       |            |          |                       |                 |                                                   |

Current Residential Rates

New Residential Rates

Current Average Residential Bill

New Average Residential Bill



Chris Felan  
Vice President  
Rates & Regulatory Affairs

March 1, 2016

To the Honorable Mayor and City Manager

Re: Atmos Energy Corporation's 2016 Rate Review Mechanism Filing

Dear Mayor and City Manager,

Through this correspondence, Atmos Energy Corporation, Mid-Tex Division's ("Atmos Energy" or "the Company") wishes to notify you that the Company has submitted its fourth filing under the Rider RRM - Rate Review Mechanism Tariff. Consistent with our agreement, this filing has been served on the attorney for your coalition. If you desire a CD or a printed copy of the filing, you can contact your local Manager of Public Affairs to obtain a copy. We have also attached an Executive Summary to the cover letter, which highlights the details of the 2016 RRM Filing.

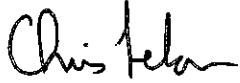
This RRM filing represents a requested increase in annual revenue of approximately \$28.9 million. This represents a monthly increase of \$1.52 for the average residential customer.

The RRM filing documents and schedules have been provided to your representative. As part of the filing, we have included updated tariffs for Rates R, C, I and T and Rider WNA. In addition, per the RRM Agreement, we have included Minimum Filing Requirements (MFR) as part of this filing. The MFRs consists of information that is typically requested by the interveners during the discovery process. We stand ready to respond to your requests for information during the review process and hope that we will be able to continue the cooperative nature established in the previous RRM filings. The goal is to reach a mutual agreement that fairly balances the needs of the Company and the needs of the customer.

The Company proposes to make the new rates effective on June 1, 2016 and is committed to working with your representative to answer any questions regarding the filing during the interim. Should you have any specific questions, please forward them to your local Manager of Public Affairs or to my attention.

In closing, I want to say again how much Atmos Energy appreciates your City's willingness to work with the Company. We look forward to continuing this cooperative spirit as you review the Company's filing.

Sincerely,

A handwritten signature in black ink that reads "Chris Felan". The signature is written in a cursive, flowing style.

Chris Felan

Attachment:

Executive Summary

**Atmos Energy Corporation - Mid-Tex Division**  
**Executive Summary**  
**2016 RRM Filing**  
**March 2016**

- Atmos Energy Corporation, Mid-Tex Division (the "Company") reached an agreement with 441 of the 442 cities by July 2013 to establish a new Rate Review Mechanism (RRM). The RRM is a systematic process collaboratively developed by the Company and the City Coalitions ("Cities"), specifying how rates will be set over a specified period of time.
- Benefits of the RRM
  - Suspends GRIP filings
  - Avoids cost of litigation that would be borne by customers
  - Provides transparent process for annual review of all Company expenses and investment
  - Provides \$3 million discount to the annual system-wide cost of service
  - Provides additional \$5.0 million discount due to cap on equity
  - Limits future growth of the residential customer charge
- The Company submitted its fourth filing under the new RRM to each of its Cities or their representative on March 1, 2016. The filing package supports an increase in rates of:
  - Average Residential customer using 46.8 Ccf a month will have an increase of \$1.52/month, 2.92% overall
  - Average Commercial customer using 376.4 Ccf a month will have an increase of \$4.58/month, 1.71% overall
  - Average Industrial/Transportation customer using 4,379 MMBtu a month will have an increase of \$123.64, 2.39% overall for Industrial and 3.37% for Transportation customers overall.

The Company has calculated the change in rates based on the requirements set forth in its Rider RRM, which includes agreed-upon rate design, exclusions, and cost of service adjustments.

- What is next?
  - Collaborative effort between the Company and the Cities' consultants in reviewing the filing.
  - Company and City Representatives/Consultants will review and agree on final rates to be implemented on June 1, 2016.

## ORDINANCE O-16-1979

**APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2016 RATE REVIEW MECHANISM FILINGS; ADOPTING TARIFFS; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL**

**WHEREAS,** the City of Colleyville, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex; and

**WHEREAS,** the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

**WHEREAS,** ACSC and the Company worked collaboratively to develop a new Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the Legislature, and will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

**WHEREAS,** on March 1, 2016, Atmos Mid-Tex filed its 2016 RRM rate request with ACSC Cities; and

**WHEREAS,** ACSC coordinated its review of the Atmos Mid-Tex 2016 RRM filing through its Executive Committee, assisted by ACSC’s attorneys and consultants, to resolve issues identified in the Company’s RRM filing; and

**WHEREAS,** the Executive Committee, and ACSC’s counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$29.9 million on a system-wide basis; and

**WHEREAS,** the attached tariffs implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

**WHEREAS,** the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:**

- Sec. 1. THAT the findings set forth in this Ordinance are hereby in all things approved.
- Sec. 2. THAT the City Council finds the settled amount of an increase in revenues of \$29.9 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2016 RRM filing is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.
- Sec. 3. THAT the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached as Exhibit "A", are hereby adopted and are designed to allow Atmos Mid-Tex to recover annually an additional \$29.9 million in revenue over the amount allowed under currently approved rates, as shown in the Proof of Revenues attached as Exhibit "B".
- Sec. 4. THAT the ratemaking treatment for pensions and other post-employment benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Attachment C, attached hereto and incorporated herein.
- Sec. 5. THAT Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2016 RRM filing.
- Sec. 6. THAT to the extent any resolution or ordinance previously adopted by the City Council is inconsistent with this Ordinance, it is hereby repealed.
- Sec. 7. THAT if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.
- Sec. 8. THAT consistent with the City Ordinance that established the RRM process, this Ordinance shall become effective from and

after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after June 1, 2016.

Sec. 9. THAT a copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

**AND IT IS SO ORDERED.**

The first reading and public hearing being conducted on the 17th day of May 2016.

The second reading and public hearing being conducted on the 7th day of June 2016.

PASSED AND APPROVED BY A VOTE OF \_\_\_ AYES, \_\_\_ NAYS, AND \_\_\_ ABSTENTIONS ON THIS THE 7<sup>TH</sup> DAY OF JUNE 2016.

|                          |       |                            |       |
|--------------------------|-------|----------------------------|-------|
| Mayor Richard Newton     | _____ | Mayor Pro Tem Chris Putnam | _____ |
| Place 1, Tammy Nakamura  | _____ | Place 5, Nancy Coplen      | _____ |
| Place 2, Bobby Lindamood | _____ | Place 6, Mike Taylor       | _____ |
| Place 4, Jody Short      | _____ |                            |       |

**ATTEST:**

**CITY OF COLLEYVILLE**

Amy Shelley, TRMC  
City Secretary

Richard Newton  
Mayor

**APPROVED AS TO FORM AND LEGALITY:**

Matthew C. G. Boyle  
City Attorney

|                        |                                                                                                 |                 |
|------------------------|-------------------------------------------------------------------------------------------------|-----------------|
| <b>RATE SCHEDULE:</b>  | <b>R – RESIDENTIAL SALES</b>                                                                    |                 |
| <b>APPLICABLE TO:</b>  | <b>ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS</b> |                 |
| <b>EFFECTIVE DATE:</b> | <b>Bills Rendered on or after 06/01/2016</b>                                                    | <b>PAGE: 12</b> |

#### Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

#### Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

#### Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

| <b>Charge</b>                     | <b>Amount</b>                  |
|-----------------------------------|--------------------------------|
| Customer Charge per Bill          | \$ 19.10 per month             |
| Rider CEE Surcharge               | \$ 0.02 per month <sup>1</sup> |
| <b>Total Customer Charge</b>      | <b>\$ 19.12 per month</b>      |
| Commodity Charge – All <u>Ccf</u> | \$0.11378 per Ccf              |

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

#### Agreement

An Agreement for Gas Service may be required.

#### Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

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<sup>1</sup>Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2015.

|                        |                                                                                                 |                 |
|------------------------|-------------------------------------------------------------------------------------------------|-----------------|
| <b>RATE SCHEDULE:</b>  | <b>C – COMMERCIAL SALES</b>                                                                     |                 |
| <b>APPLICABLE TO:</b>  | <b>ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS</b> |                 |
| <b>EFFECTIVE DATE:</b> | <b>Bills Rendered on or after 06/01/2016</b>                                                    | <b>PAGE: 13</b> |

#### Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

#### Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

#### Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

| <b>Charge</b>                | <b>Amount</b>                  |
|------------------------------|--------------------------------|
| Customer Charge per Bill     | \$ 41.75 per month             |
| Rider CEE Surcharge          | \$ 0.02 per month <sup>1</sup> |
| <b>Total Customer Charge</b> | <b>\$ 41.77 per month</b>      |
| Commodity Charge – All Ccf   | \$ 0.08494 per Ccf             |

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

#### Agreement

An Agreement for Gas Service may be required.

#### Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

---

<sup>1</sup> Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2015.

|                        |                                                                                                 |                 |
|------------------------|-------------------------------------------------------------------------------------------------|-----------------|
| <b>RATE SCHEDULE:</b>  | <b>I – INDUSTRIAL SALES</b>                                                                     |                 |
| <b>APPLICABLE TO:</b>  | <b>ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS</b> |                 |
| <b>EFFECTIVE DATE:</b> | <b>Bills Rendered on or after 06/01/2016</b>                                                    | <b>PAGE: 14</b> |

#### Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

#### Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

#### Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

| <b>Charge</b>                | <b>Amount</b>       |
|------------------------------|---------------------|
| Customer Charge per Meter    | \$ 738.00 per month |
| First 0 MMBtu to 1,500 MMBtu | \$ 0.3096 per MMBtu |
| Next 3,500 MMBtu             | \$ 0.2267 per MMBtu |
| All MMBtu over 5,000 MMBtu   | \$ 0.0486 per MMBtu |

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

#### Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

#### Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

|                        |                                                                                                 |                 |
|------------------------|-------------------------------------------------------------------------------------------------|-----------------|
| <b>RATE SCHEDULE:</b>  | <b>I – INDUSTRIAL SALES</b>                                                                     |                 |
| <b>APPLICABLE TO:</b>  | <b>ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS</b> |                 |
| <b>EFFECTIVE DATE:</b> | <b>Bills Rendered on or after 06/01/2016</b>                                                    | <b>PAGE: 15</b> |

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

|                        |                                                                                                 |                 |
|------------------------|-------------------------------------------------------------------------------------------------|-----------------|
| <b>RATE SCHEDULE:</b>  | <b>T – TRANSPORTATION</b>                                                                       |                 |
| <b>APPLICABLE TO:</b>  | <b>ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS</b> |                 |
| <b>EFFECTIVE DATE:</b> | <b>Bills Rendered on or after 06/01/2016</b>                                                    | <b>PAGE: 16</b> |

#### Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

#### Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

#### Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

| <b>Charge</b>                | <b>Amount</b>       |
|------------------------------|---------------------|
| Customer Charge per Meter    | \$ 738.00 per month |
| First 0 MMBtu to 1,500 MMBtu | \$ 0.3096 per MMBtu |
| Next 3,500 MMBtu             | \$ 0.2267 per MMBtu |
| All MMBtu over 5,000 MMBtu   | \$ 0.0486 per MMBtu |

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

#### Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

#### Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

|                        |                                                                                                 |                 |
|------------------------|-------------------------------------------------------------------------------------------------|-----------------|
| <b>RATE SCHEDULE:</b>  | <b>T – TRANSPORTATION</b>                                                                       |                 |
| <b>APPLICABLE TO:</b>  | <b>ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS</b> |                 |
| <b>EFFECTIVE DATE:</b> | <b>Bills Rendered on or after 06/01/2016</b>                                                    | <b>PAGE: 17</b> |

**Curtailment Overpull Fee**

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

**Replacement Index**

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**Agreement**

A transportation agreement is required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

|                        |                                                                                                 |                 |
|------------------------|-------------------------------------------------------------------------------------------------|-----------------|
| <b>RIDER:</b>          | <b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>                                                   |                 |
| <b>APPLICABLE TO:</b>  | <b>ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS</b> |                 |
| <b>EFFECTIVE DATE:</b> | <b>Bills Rendered on or after 11/01/2016</b>                                                    | <b>PAGE: 41</b> |

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- $i$  = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$  = Weather Normalization Adjustment Factor for the  $i^{th}$  rate schedule or classification expressed in cents per Ccf
- $R_i$  = Commodity Charge rate of temperature sensitive sales for the  $i^{th}$  schedule or classification.
- $HSF_i$  = heat sensitive factor for the  $i^{th}$  schedule or classification divided by the average bill count in that class
- $NDD$  = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
- $ADD$  = billing cycle actual heating degree days.
- $BL_i$  = base load sales for the  $i^{th}$  schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the  $j$ th customer in  $i$ th rate schedule is computed as:

$$WNA_j = WNAF_i \times q_{ij}$$

Where  $q_{ij}$  is the relevant sales quantity for the  $j$ th customer in  $i$ th rate schedule.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

|                        |                                                                                                 |                 |
|------------------------|-------------------------------------------------------------------------------------------------|-----------------|
| <b>RIDER:</b>          | <b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>                                                   |                 |
| <b>APPLICABLE TO:</b>  | <b>ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS</b> |                 |
| <b>EFFECTIVE DATE:</b> | <b>Bills Rendered on or after 11/01/2016</b>                                                    | <b>PAGE: 42</b> |

Base Use/Heat Use Factors

| Weather Station | <u>Residential</u>     |                            | <u>Commercial</u>      |                            |
|-----------------|------------------------|----------------------------|------------------------|----------------------------|
|                 | Base use<br><u>Ccf</u> | Heat use<br><u>Ccf/HDD</u> | Base use<br><u>Ccf</u> | Heat use<br><u>Ccf/HDD</u> |
| Abilene         | 10.09                  | 0.1392                     | 98.01                  | 0.6440                     |
| Austin          | 11.21                  | 0.1551                     | 203.36                 | 0.8564                     |
| Dallas          | 13.72                  | 0.2048                     | 189.83                 | 0.9984                     |
| Waco            | 9.89                   | 0.1411                     | 129.75                 | 0.6695                     |
| Wichita Falls   | 11.49                  | 0.1506                     | 122.35                 | 0.5967                     |

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at [atmosenergy.com/mtx-wna](http://atmosenergy.com/mtx-wna), in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

[illegible]

|    |                                                                                                    |    |         |             |                      |
|----|----------------------------------------------------------------------------------------------------|----|---------|-------------|----------------------|
| 16 | With Proportional Increase all classes but Residential and a 40% residential base charge increase: |    |         |             |                      |
| 17 |                                                                                                    |    |         |             |                      |
| 18 |                                                                                                    |    | Current | Prospective | Revenues             |
| 19 |                                                                                                    |    |         |             |                      |
| 20 | Residential Base Charge                                                                            | \$ | 18.56   | \$ 0.48     | \$ 8,558,622         |
| 21 | Residential Consumption Charge                                                                     | \$ | 0.09931 | \$ 0.01540  | 12,837,933           |
| 22 | Commercial Base Charge                                                                             | \$ | 39.87   | \$ 1.81     | 2,662,423            |
| 23 | Commercial Consumption Charge                                                                      | \$ | 0.08020 | \$ 0.00480  | 2,662,423            |
| 24 | I&T Base Charge                                                                                    | \$ | 697.35  | \$ 38.03    | 363,224              |
| 25 | I&T Consumption Charge Tier 1 MMBTU                                                                | \$ | 0.2937  | \$ 0.0166   | 172,167              |
| 26 | I&T Consumption Charge Tier 2 MMBTU                                                                | \$ | 0.2151  | \$ 0.0121   | 139,070              |
| 27 | I&T Consumption Charge Tier 3 MMBTU                                                                | \$ | 0.0461  | \$ 0.0026   | 51,988               |
| 28 |                                                                                                    |    |         |             | <u>\$ 27,447,850</u> |
| 29 |                                                                                                    |    |         |             |                      |

| With Customer Charges Rounded Off and residential base charge increase for 2015 limited to \$0.50 per RRM tariff: |                 |                             |                |                       |
|-------------------------------------------------------------------------------------------------------------------|-----------------|-----------------------------|----------------|-----------------------|
|                                                                                                                   | Proposed Change | Proposed Change In Revenues | Proposed Rates | Proposed Revenues     |
| Residential Base Charge                                                                                           | \$ 0.52         | \$ 9,335,278                | \$ 19.08       | \$ 339,813,673        |
| Residential Consumption Charge                                                                                    | \$ 0.01447      | 12,061,297                  | \$ 0.11378     | 94,839,970            |
| Commercial Base Charge                                                                                            | \$ 1.83         | 2,697,162                   | \$ 41.70       | 61,390,268            |
| Commercial Consumption Charge                                                                                     | \$ 0.00474      | 2,626,475                   | \$ 0.08494     | 47,065,984            |
| I&T Base Charge                                                                                                   | \$ 39.65        | 378,728                     | \$ 737.00      | 7,039,815             |
| I&T Consumption Charge Tier 1 MMBTU                                                                               | \$ 0.0159       | 165,150                     | \$ 0.3096      | 3,215,747             |
| I&T Consumption Charge Tier 2 MMBTU                                                                               | \$ 0.0116       | 132,888                     | \$ 0.2267      | 2,597,042             |
| I&T Consumption Charge Tier 3 MMBTU                                                                               | \$ 0.0025       | 49,955                      | \$ 0.0486      | 971,117               |
|                                                                                                                   |                 | <u>\$ 27,446,933</u>        |                | <u>\$ 556,933,616</u> |

File Date: March 1, 2016

**ATMOS ENERGY CORP., MID-TEX DIVISION  
PENSIONS AND RETIREE MEDICAL BENEFITS ADJUSTMENT  
TEST YEAR ENDING DECEMBER 31, 2015**

| Line No. | Description                                                                                            | Shared Services              |                                          | Mid-Tex Direct               |                                              |                                          | Adjustment Total      |
|----------|--------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------------|------------------------------|----------------------------------------------|------------------------------------------|-----------------------|
|          |                                                                                                        | Pension Account Plan ("PAP") | Post-Retirement Medical Plan ("FAS 106") | Pension Account Plan ("PAP") | Supplemental Executive Benefit Plan ("SERP") | Post-Retirement Medical Plan ("FAS 106") |                       |
|          | (a)                                                                                                    | (b)                          | (c)                                      | (d)                          | (e)                                          | (f)                                      | (g)                   |
| 1        | Fiscal Year 2016 Towers Watson Report as adjusted (1), (3)                                             | \$ 5,101,680                 | \$ 2,896,450                             | \$ 7,840,683                 | \$ 150,433                                   | \$ 4,466,430                             |                       |
| 2        | O&M Expense Factor (2)                                                                                 | 96.41%                       | 96.41%                                   | 37.42%                       | 20.77%                                       | 37.42%                                   |                       |
| 3        | Fiscal Year 2016 Actuarially Determined O&M Benefits (Ln 1 x Ln 2)                                     | \$ 4,918,540                 | \$ 2,792,473                             | \$ 2,933,599                 | \$ 31,249                                    | \$ 1,671,119                             |                       |
| 4        | Allocation to Mid-Tex (2)                                                                              | 40.56%                       | 40.56%                                   | 71.52%                       | 100.00%                                      | 71.52%                                   |                       |
| 5        | <b>Mid-Tex Benefits Expense Included in Rates - Proposed (Ln 3 x Ln 4)</b>                             | <b>\$ 1,995,016</b>          | <b>\$ 1,132,659</b>                      | <b>\$ 2,098,222</b>          | <b>\$ 31,249</b>                             | <b>\$ 1,195,248</b>                      | <b>\$ 6,452,393</b>   |
| 6        |                                                                                                        |                              |                                          |                              |                                              |                                          |                       |
| 7        | <b>Mid-Tex Benefits Expense per GUD 10359 and RRM Test Year Ending December 31, 2014 Benchmark (4)</b> | <b>\$ 2,831,859</b>          | <b>\$ 2,013,260</b>                      | <b>\$ 2,925,600</b>          | <b>\$ 34,809</b>                             | <b>\$ 2,695,721</b>                      | <b>\$ 10,501,250</b>  |
| 8        |                                                                                                        |                              |                                          |                              |                                              |                                          |                       |
| 9        | <b>Test Year Adjustment (Line 5 minus Line 7)</b>                                                      | <b>\$ (836,844)</b>          | <b>\$ (880,601)</b>                      | <b>\$ (827,379)</b>          | <b>\$ (3,561)</b>                            | <b>\$ (1,500,472)</b>                    | <b>\$ (4,048,856)</b> |
| 10       |                                                                                                        |                              |                                          |                              |                                              |                                          |                       |
| 11       | Adjustment Summary:                                                                                    |                              |                                          |                              |                                              |                                          |                       |
| 12       | Account 922                                                                                            | \$ (836,844)                 | \$ (880,601)                             | \$ -                         | \$ -                                         | \$ -                                     | \$ (1,717,445)        |
| 13       | Account 926                                                                                            | -                            | -                                        | (827,379)                    | (3,561)                                      | (1,500,472)                              | (2,331,412)           |
| 14       | Total (Ln 12 plus Ln 13)                                                                               | <b>\$ (836,844)</b>          | <b>\$ (880,601)</b>                      | <b>\$ (827,379)</b>          | <b>\$ (3,561)</b>                            | <b>\$ (1,500,472)</b>                    | <b>\$ (4,048,856)</b> |

## Notes:

1. Studies not applicable to Mid-Tex or Shared Services are omitted.
2. The factors on Lines 2 and 4 are based on the factors in 2016 RRM (Test Year Ending December 31, 2015).
3. SSU amounts exclude cost centers which do not allocate to Mid-Tex for rate making purposes.
4. GUD No. 10359 is the benchmark for January-May which is the same benchmark as used in the RRM TYE December 31, 2014 for June-December.

**ATMOS ENERGY CORP., MID-TEX DIVISION**  
**PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL**  
**TEST YEAR ENDING DECEMBER 31, 2015**

| Line No. | Description                                                                                      | Shared Services              |                                          | Mid-Tex Direct               |                                              |                                          | Adjustment Total |
|----------|--------------------------------------------------------------------------------------------------|------------------------------|------------------------------------------|------------------------------|----------------------------------------------|------------------------------------------|------------------|
|          |                                                                                                  | Pension Account Plan ("PAP") | Post-Retirement Medical Plan ("FAS 106") | Pension Account Plan ("PAP") | Supplemental Executive Benefit Plan ("SERP") | Post-Retirement Medical Plan ("FAS 106") |                  |
|          | (a)                                                                                              | (b)                          | (c)                                      | (d)                          | (e)                                          | (f)                                      | (g)              |
| 1        | Fiscal Year 2016 Towers Watson Report (excluding Removed Cost Centers)                           | \$ 5,101,680                 | \$ 2,896,450                             | \$ 7,840,683                 | \$ 150,433                                   | \$ 4,466,430                             |                  |
| 2        | Allocation to Mid-Tex                                                                            | 40.56%                       | 40.56%                                   | 71.52%                       | 100.00%                                      | 71.52%                                   |                  |
| 3        | FY16 Towers Watson Benefit Costs (excluding Removed Cost Centers) Allocated to MTX (Ln 1 x Ln 2) | \$ 2,069,299                 | \$ 1,174,833                             | \$ 5,607,955                 | \$ 150,433                                   | \$ 3,194,561                             |                  |
| 4        | O&M and Capital Allocation Factor                                                                | 100.00%                      | 100.00%                                  | 100.00%                      | 100.00%                                      | 100.00%                                  |                  |
| 5        | FY16 Towers Watson Benefit Costs To Approve (excluding Removed Cost Centers) (Ln 3 x Ln 4)       | \$ 2,069,299                 | \$ 1,174,833                             | \$ 5,607,955                 | \$ 150,433                                   | \$ 3,194,561                             | \$ 12,197,081    |
| 6        |                                                                                                  |                              |                                          |                              |                                              |                                          |                  |
| 7        |                                                                                                  |                              |                                          |                              |                                              |                                          |                  |
| 8        | <b>Summary of Costs to Approve:</b>                                                              |                              |                                          |                              |                                              |                                          |                  |
| 9        |                                                                                                  |                              |                                          |                              |                                              |                                          |                  |
| 10       | Total Pension Account Plan ("PAP")                                                               | \$ 2,069,299                 |                                          | \$ 5,607,955                 |                                              |                                          | \$ 7,677,254     |
| 11       | Total Post-Retirement Medical Plan ("FAS 106")                                                   |                              | \$ 1,174,833                             |                              |                                              | \$ 3,194,561                             | 4,369,394        |
| 12       | Total Supplemental Executive Retirement Plan ("SERP")                                            |                              |                                          |                              | \$ 150,433                                   |                                          | 150,433          |
| 13       | Total (Ln 10 + Ln 11 + Ln 12)                                                                    | \$ 2,069,299                 | \$ 1,174,833                             | \$ 5,607,955                 | \$ 150,433                                   | \$ 3,194,561                             | \$ 12,197,081    |
| 14       |                                                                                                  |                              |                                          |                              |                                              |                                          |                  |
| 15       |                                                                                                  |                              |                                          |                              |                                              |                                          |                  |
| 16       | O&M Expense Factor                                                                               | 96.41%                       | 96.41%                                   | 37.42%                       | 20.77%                                       | 37.42%                                   |                  |
| 17       |                                                                                                  |                              |                                          |                              |                                              |                                          |                  |
| 18       | Expense Portion (Ln 13 x Ln 16)                                                                  | \$ 1,995,016                 | \$ 1,132,659                             | \$ 2,098,222                 | \$ 31,249                                    | \$ 1,195,248                             | \$ 6,452,393     |
| 19       |                                                                                                  |                              |                                          |                              |                                              |                                          |                  |
| 20       | Capital Factor                                                                                   | 3.59%                        | 3.59%                                    | 62.58%                       | 79.23%                                       | 62.58%                                   |                  |
| 21       |                                                                                                  |                              |                                          |                              |                                              |                                          |                  |
| 22       | Capital Portion (Ln 13 x Ln 20)                                                                  | \$ 74,283                    | \$ 42,174                                | \$ 3,509,733                 | \$ 119,184                                   | \$ 1,999,313                             | \$ 5,744,687     |
| 23       |                                                                                                  |                              |                                          |                              |                                              |                                          |                  |
| 24       | Total (Ln 18 + Ln 22)                                                                            | \$ 2,069,299                 | \$ 1,174,833                             | \$ 5,607,955                 | \$ 150,433                                   | \$ 3,194,561                             | \$ 12,197,081    |



# City of Colleyville City Council Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
www.colleyville.com

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**Agenda Number** 6a

**Agenda Date** 06/07/2016

**Number** Resolution R-16-3997

**Type** Resolution

**Department** City Secretary

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## **Title**

A resolution appointing a member to the Audit Committee

## **Strategy Map Connection**

B4- Cultivate a culture of transparency and consistent communication

## **Explanation**

### ***Reading and Public Hearing***

On June 17, 2003, by Resolution R-03-2174, City Council established an Audit Committee, whose purpose is to review a draft of the audit report and meet with the auditors, before the audit is presented to the full City Council. The Committee is comprised of three members of City Council, whose terms shall be concurrent with a member's term on the City Council.

This resolution provides for City Council to fill the position held by Councilmember Chuck Mogged, whose term expired May 17, 2016.

## **Financial Impact**

There is no financial impact to the City.

## **Recommendation**

Approve

## **Attachments**

1. Audit Committee roster
2. Resolution R-16-3997

## AUDIT COMMITTEE

### **Nancy Coplen**

4803 Queensbury Way E.

Colleyville, TX 76034

H: 817.300.8351

[ncoplen@colleyville.com](mailto:ncoplen@colleyville.com)

TERM: May 2015 - May 2018

### **Chuck Mogged**

Term Expires: May 2016

3002 Edgewood Lane

Colleyville, TX 76034

H: (817) 851.6408

[cmogged@colleyville.com](mailto:cmogged@colleyville.com)

TERM: May 2014 - May 2016

### **Chris Putnam**

204 White Drive

Colleyville, TX 76034

H: 972.839.2343

[cputnam@colleyville.com](mailto:cputnam@colleyville.com)

TERM: May 2014 - May 2017

**RESOLUTION R-16-3997**

**A RESOLUTION APPOINTING A MEMBER TO THE  
AUDIT COMMITTEE**

**WHEREAS,** one position on the Audit Committee is vacant due to the  
expiring term of a Councilmember.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF COLLEYVILLE, TEXAS:**

Sec. 1. THAT the City Council hereby appoints \_\_\_\_\_  
to serve on the Audit Committee for a term concurrent with the  
term on the City Council.

**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF \_\_\_ AYES, \_\_\_ NAYS, AND \_\_\_ ABSTENTIONS ON  
THIS THE 7<sup>TH</sup> DAY OF JUNE 2016.

|                          |       |                            |       |
|--------------------------|-------|----------------------------|-------|
| Mayor Richard Newton     | _____ | Mayor Pro Tem Chris Putnam | _____ |
| Place 1, Tammy Nakamura  | _____ | Place 5, Nancy Coplen      | _____ |
| Place 2, Bobby Lindamood | _____ | Place 6, Mike Taylor       | _____ |
| Place 4, Jody Short      | _____ |                            |       |

**ATTEST:**

**CITY OF COLLEYVILLE**

Amy Shelley, TRMC  
City Secretary

Richard Newton  
Mayor



# City of Colleyville City Council Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
www.colleyville.com

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**Agenda Number** 6b

**Agenda Date** 06/07/2016

**Number** Resolution R-16-3998

**Type** Resolution

**Department** City Secretary

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## **Title**

A resolution appointing Councilmembers to the Colleyville Economic Development Corporation (CEDC) Board of Directors

## **Strategy Map Connection**

B4- Cultivate a culture of transparency and consistent communication

## **Explanation**

### ***Reading and Public Hearing***

As per the Articles of Incorporation of the Colleyville Economic Development Corporation (CEDC) Board, if a member of the City Council ceases to be a Councilmember, such event shall constitute an automatic resignation as a director and such vacancy shall be filled in the same manner as other vacancies.

As the terms of Mayor David Kelly and Councilmembers Carol Wollin and Chuck Mogged expired May 17, 2016, it is necessary to appoint three Councilmembers to serve on the CEDC Board for a term consecutive with their term on the City Council.

The CEDC Board will meet on August 23, 2016, to elect a President and Vice President.

## **Financial Impact**

There is no financial impact to the City.

## **Recommendation**

Approve

## **Attachments**

1. Excerpt from the CEDC Articles of Incorporation
2. Colleyville Economic Development Corporation roster
3. Resolution R-16-3998

**Excerpt**  
**Colleyville Economic Development Corporation**  
**Articles of Incorporation**

| <u>NAMES</u>       | <u>ADDRESSES</u>                               | <u>TERM</u><br><u>EXPIRES</u> |
|--------------------|------------------------------------------------|-------------------------------|
| (1)John Grace      | 3402 Pembroke Pkwy South Colleyville, Tx 76034 | 9/98                          |
| (2)Don Butler      | 4301 Hidden Valley Court Colleyville, Tx 76034 | 9/98                          |
| (3)Jack Martin     | 3503 Fox Glen Colleyville, Tx 76034            | 9/98                          |
| (4)Dennis Monaghan | 2103 Woodstock Drive Colleyville, Tx 76034     | 9/97                          |
| (5)Dennis Johnson  | 4213 Green Meadow East Colleyville, Tx 76034   | 9/97                          |
| (6)Ronald Adams    | 2910 Glen Dale Drive Colleyville, Tx 76034     | 9/97                          |
| (7)Gary Cantrell   | 3400 Glade Road Colleyville, Tx 76034          | 9/97                          |

Each director shall hold office for the term for which the director is appointed unless sooner removed or resigned. Each director, including the initial directors, shall be eligible for reappointment. Directors are removable by the City Council at will and shall be appointed for a term of two (2) years. Initial terms of directors shall be provided by the Corporation's Bylaws. If a director is a member of the City Council and ceases to be a councilmember, such event shall constitute an automatic resignation as a director and such vacancy shall be filled in the same manner as for other vacancies.

Any vacancy of a director position occurring through death, resignation or otherwise shall be filled by appointment by the City Council, as provided by the Corporation's Bylaws, to hold office until the expiration of the vacating member's term.

**ARTICLE NINE**

The name and street address of each incorporator are:

| <u>NAMES</u>   | <u>ADDRESSES</u>                               |
|----------------|------------------------------------------------|
| (1)John Grace  | 3402 Pembroke Pkwy South Colleyville, Tx 76034 |
| (2)Don Butler  | 4301 Hidden Valley Court Colleyville, Tx 76034 |
| (3)Jack Martin | 3503 Fox Glen Colleyville, Tx 76034            |

The initial bylaws of the Corporation shall be in the form and substance

# COLLEYVILLE ECONOMIC DEVELOPMENT CORPORATION

**PRESIDENT****Carol Wollin**

4600 Dartmoore Lane

Colleyville, TX 76034

H: (817) 281-3058

[cwollin@colleyville.com](mailto:cwollin@colleyville.com)

TERM: June 2013 – May 2016

**VICE PRESIDENT****Mike Taylor**

5209 Coventry Place

Colleyville, TX 76034

H: (817) 267-5407

[mtaylor@colleyville.com](mailto:mtaylor@colleyville.com)

TERM: June 2015 - May 2018

**DIRECTOR****Amy Dowell**

1816 Avondale Drive

Colleyville, TX 76034

W: (817) 424-3382

H: (817) 358-0499

[amydowell@mac.com](mailto:amydowell@mac.com)

TERM: Sep 2015 – Sep 2017

**DIRECTOR****David Kelly**

905 Inwood Lane

Colleyville, TX 76034

H: (817) 656-1862

[dkelly@colleyville.com](mailto:dkelly@colleyville.com)

TERM: Jun 2013 - May 2016

**DIRECTOR****Chuck Mogged**

3002 Edgewood Lane

Colleyville, TX 76034

H: (817) 454-7111

[cmogged@colleyville.com](mailto:cmogged@colleyville.com)

TERM: June 2014 – May 2016

**DIRECTOR****Bradley Shields**

206 Mill Wood Court

Colleyville, TX 76034

H: (817) 829-4994

[bshields129@gmail.com](mailto:bshields129@gmail.com)

TERM: Sep 2015 - Sep 2017

**DIRECTOR****Mark Slosson**

2407 Poplar Court

W: (817) 455-6900

H: (817) 540-3144

[slosson@verizon.net](mailto:slosson@verizon.net)

TERM: Sep 2015 - Sep 2017

**FINANCE MANAGER****Karen Hines**

100 Main Street

Colleyville, TX 76034

[khines@colleyville.com](mailto:khines@colleyville.com)**GENERAL MANAGER****Jennifer Fadden**

100 Main Street

Colleyville, TX 76034

[jfadden@colleyville.com](mailto:jfadden@colleyville.com)**SECRETARY****Amy Shelley**

100 Main Street

Colleyville, TX 76034

[ashelley@colleyville.com](mailto:ashelley@colleyville.com)

**RESOLUTION R-16-3998**

**A RESOLUTION APPOINTING COUNCILMEMBERS TO THE  
COLLEYVILLE ECONOMIC DEVELOPMENT CORPORATION (CEDC)  
BOARD OF DIRECTORS**

**WHEREAS,** in accordance with the Articles of Incorporation of the Colleyville Economic Development Corporation (CEDC), if a member of the City Council ceases to be a Councilmember, such event shall constitute an automatic resignation as a director and such vacancy shall be filled in the same manner as other vacancies; and

**WHEREAS,** three (3) Councilmember's terms have expired.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF COLLEYVILLE, TEXAS:**

Sec. 1. THAT Councilmember \_\_\_\_\_, Councilmember \_\_\_\_\_, and Councilmember \_\_\_\_\_, is appointed to serve on the Colleyville Economic Development Corporation Board of Directors for a term concurrent with the term on the City Council.

**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF \_\_\_ AYES, \_\_\_ NAYS, AND \_\_\_ ABSTENTIONS ON THIS  
THE 7<sup>TH</sup> DAY OF JUNE 2016.

|                                |                                  |
|--------------------------------|----------------------------------|
| Mayor Richard Newton _____     | Mayor Pro Tem Chris Putnam _____ |
| Place 1, Tammy Nakamura _____  | Place 5, Nancy Coplen _____      |
| Place 2, Bobby Lindamood _____ | Place 6, Mike Taylor _____       |
| Place 4, Jody Short _____      |                                  |

**ATTEST:**

**CITY OF COLLEYVILLE**

Amy Shelley, TRMC  
City Secretary

Richard Newton  
Mayor



# City of Colleyville City Council Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
www.colleyville.com

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**Agenda Number** 6c

**Agenda Date** 06/07/2016

**Number** Resolution R-16-3999

**Type** Resolution

**Department** City Secretary

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## **Title**

A resolution appointing members to the Tax Increment Financing (TIF) District Board to fill unexpired terms

## **Strategy Map Connection**

B4- Cultivate a culture of transparency and consistent communication

## **Explanation**

### ***Reading and Public Hearing***

As per the Tax Increment Financing (TIF) District Board bylaws, approved by Resolution R-98-1124, the TIF Board of Directors shall consist of nine (9) directors, five of whom shall be appointed by the City Council. The governing bodies of the Grapevine-Colleyville Independent School District (GCISD), Tarrant County, Tarrant County College, and the Tarrant County Hospital District, shall appoint one (1) member each to the District. As per the TIF Bylaws, directors shall be appointed by the governing body and shall serve for two-year terms beginning on January 1, or until their successors are appointed by the respective governing bodies.

The City Council terms of Mayor David Kelly, and Councilmembers Carol Wollin and Chuck Mogged expired on May 17, 2016. Historically, City Council has appointed City Councilmembers to serve on the Board, however, it is not a requirement.

This item provides for City Council to appoint three members to the TIF District Board of Directors to an unexpired term of December 2016. City Council will appoint a Chair and Vice-Chair during the December 2016 appointments.

## **Financial Impact**

There is no financial impact to the City.

## **Recommendation**

Approve

## **Attachments**

1. Tax Increment Finance (TIF) Bylaws Excerpt
2. Tax Increment Finance District Board roster
3. Resolution R-16-3999

**BYLAWS OF**

**REINVESTMENT ZONE NUMBER ONE**

**THE CITY OF COLLEYVILLE, TEXAS**

**STATE HIGHWAY 26 AREA TAX INCREMENT FINANCING DISTRICT**

---

**ARTICLE I**

**POWERS AND PURPOSE**

**Section 1. Financing Development or Redevelopment in the Zone.** In order to implement the purposes for which Tax Increment Financing Reinvestment Zone Number One, City of Colleyville, Texas (the "Zone") was formed, as set forth in Ordinance No. 0-08-1124, dated November 4, 1998, creating the zone, the City of Colleyville, Texas (the "City") may issue obligations to finance all or part of the cost of implementing the "project plan" for the Zone as defined in the Tax Increment Financing Act of the Tax Code, Chapter 311, Vernon's Texas Codes Annotated (the "Act").

**Section 2. Books and Records: Approval of Programs and Financial Statements.** The Board of Directors shall keep correct and complete books and records of account and shall also keep minutes of its proceedings and the proceedings of committees having any of the authority of the Board of Directors. All books and records of the Zone may be inspected by any director of his agent or attorney for any proper purpose at any reasonable time; and at all times the City Council and the Finance Director will have access to the books and records of the Zone. The City Council must approve all programs and expenditures for the Zone and annually review any financial statements of the Zone.

**ARTICLE II**

**BOARD OF DIRECTORS**

**Section 1. Powers, Number and Term of Office.** The property and affairs of the Zone shall be managed and controlled by the City Council based on the recommendations of the Board of Directors of the Zone ("Board of Directors" or "Board"), subject to the restrictions imposed by law, the ordinance creating the Zone, and these Bylaws. It is the intention of the City Council that the Board of Directors shall function only in an advisory or study capacity with respect to the Zone and shall exercise only those powers, advisory in nature, which are either granted to the Board pursuant to the Act or delegated to the Board by the City Council.

The Board of Directors shall consist of nine (9) directors: five (5) of whom shall be appointed by the City Council of the City; one (1) of whom shall be appointed by the governing body of the Grapevine-Colleyville Independent School District (GCISD); one (1) appointed by the governing body of Tarrant County (County); one (1) appointed by the Tarrant County Hospital District; and (1) appointed by the Tarrant County Junior College District (Junior College District); provided however, that if a taxing unit (other

than the City) waives its right to appoint a member to the Board, as evidenced by written resolution duly adopted by the governing body of such taxing unit, the City may appoint such Boardmember in its stead.

The first Board of Directors shall serve for an initial term ending December 31, 2000, or until his or her successor is appointed. Subsequent directors shall be appointed by the governing bodies of the City, GCISD, County, Hospital District, and Junior College District and shall serve for two (2) year terms beginning January 1, 2001 or until their successors are appointed by the respective governing bodies.

Any director may be removed from office by the City Council; for cause deemed by the City Council as sufficient for their removal in the interest of the public, but only after a public hearing before the City Council on charges publicly made, if demanded by such Boardmember within 10 days of notification by the City Council that he or she is to be removed.

In the event of a vacancy caused by the resignation, death, or removal for any reason, of a director, the governing body of the respective taxing unit (i.e. City, County, Hospital District, GCISD, Junior College District) which made such Board appointment shall be responsible for filling the vacancy.

**Section 2. Meetings of Directors.** The directors may hold their meetings within a public building in the City as the Board of Directors may from time to time determine.

**Section 3. Regular Meetings.** Regular Meetings of the Board of Directors shall be held at such times and places as shall be designated, from time to time, by resolution of the Board of Directors. All meetings of the board shall be of a public nature unless pertaining to matters of land purchase, security, personnel, or strictly legal matters. Notice of all regular and special meetings of the Board and any committees thereof shall be posted in accordance with the provisions of the Texas Open Meetings Act, Article 6252-17, Vernon's Texas Civil Statutes. There shall be at least one Regular Meeting held each year in the month of July.

**Section 4. Special Meetings.** Special Meetings of the Board of Directors shall be held whenever called by the chairman, by the secretary, by a majority of the directors then in office or upon advice of or request by the City Council.

The secretary shall give notice to each director of each Special Meeting in person, or by mail, courier, facsimile, telephone, or e-mail, at least twenty-four (24) hours before the meeting. Notice of all Special Meetings shall state the purpose, which shall be the only business, conducted.

**Section 5. Quorum.** A majority of the directors holding current appointments shall constitute a quorum for the consideration of matters pertaining to the purposes of the Zone. The act of a majority of the directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board of Directors, unless the act of a greater number is required by law.

# TAX INCREMENT FINANCE DISTRICT

## **CHAIR**

### **Carol Wollin**

4600 Dartmoore Lane

Colleyville, TX 76034

H: (817) 281-3058

[cwollin@colleyville.com](mailto:cwollin@colleyville.com)

TERM: Dec 2014 - Dec 2016

## **VICE-CHAIRMAN**

### **Mike Taylor**

5209 Coventry Place

Colleyville, TX 76034

H: (817) 267-5407

[mtaylor@colleyville.com](mailto:mtaylor@colleyville.com)

TERM: Dec 2014 - Dec 2016

## **DIRECTOR**

### **Chuck Mogged**

3002 Edgewood Lane

Colleyville, TX 76034

H: (817) 857-6408

[cmogged@colleyville.com](mailto:cmogged@colleyville.com)

TERM: July 2015 - Dec 2016

## **DIRECTOR**

### **Jody Short**

7703 Jefferson Circle

Colleyville, TX 76034

H: (817) 713-6111

TERM: June 2014 - Dec 2016

## **DIRECTOR**

### **David Kelly**

905 Inwood Lane

Colleyville, TX 76034

H: (817) 656-1862

[dkelly@colleyville.com](mailto:dkelly@colleyville.com)

TERM: Dec 2014 - Dec 2016

## **Tarrant County College**

### **Mark McClendon**

1500 Houston Street

Fort Worth, TX 76102

W: (817) 515-5203

[mark.mcclendon@tccd.edu](mailto:mark.mcclendon@tccd.edu)

TERM: Dec 2014 - Dec 2016

## **Tarrant County**

### **Rebecca Barksdale**

645 Grapevine Highway, Suite 200

Hurst, TX 76054

W: (817) 581-3600

[rbarksdale@tarrantcounty.com](mailto:rbarksdale@tarrantcounty.com)

TERM: July 2015 - Dec 2016

## **Grapevine Colleyville ISD**

### **John Eubanks**

7009 Lismore Court

Colleyville, TX 76034

H: (817) 481-3009

[johnteubanks@verizon.net](mailto:johnteubanks@verizon.net)

TERM: Dec 2014 - Dec 2016

## **Tarrant County Hospital**

### **Scott Rule**

1500 South Main Street

Fort Worth, TX 76104

W: (817) 921-3431

[srule@jpshealth.org](mailto:srule@jpshealth.org)

TERM: Dec 2014 - Dec 2016

**RESOLUTION R-16-3999**

**A RESOLUTION APPOINTING MEMBERS TO THE  
TAX INCREMENT FINANCING DISTRICT (TIF) BOARD OF DIRECTORS  
TO FILL UNEXPIRED TERMS**

**WHEREAS,** three positions on the Tax Increment Financing District (TIF) Board of Directors is vacant with unexpired terms of December 2016.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF COLLEYVILLE, TEXAS:**

Sec. 1. THAT the City Council hereby appoints \_\_\_\_\_,  
\_\_\_\_\_, and \_\_\_\_\_ to the Tax Increment  
Financing District Board of Directors to fill the unexpired terms  
to December 2016.

**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF \_\_\_ AYES, \_\_\_ NAYS, AND \_\_\_ ABSTENTIONS ON  
THIS THE 7<sup>TH</sup> DAY OF JUNE 2016.

|                          |       |                            |       |
|--------------------------|-------|----------------------------|-------|
| Mayor Richard Newton     | _____ | Mayor Pro Tem Chris Putnam | _____ |
| Place 1, Tammy Nakamura  | _____ | Place 5, Nancy Coplen      | _____ |
| Place 2, Bobby Lindamood | _____ | Place 6, Mike Taylor       | _____ |
| Place 4, Jody Short      | _____ |                            |       |

**ATTEST:**

**CITY OF COLLEYVILLE**

Amy Shelley, TRMC  
City Secretary

Richard Newton  
Mayor



# City of Colleyville City Council Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
www.colleyville.com

**Agenda Number** 6d  
**Type** Resolution  
**Department** City Council

**Agenda Date** 06/07/2016

**Number** Resolution R-16-4000

## **Title**

Appointing the Mayor and two Colleyville City Councilmembers to the Municipal Judge Review and Selection Committee

## **Strategy Map Connection**

B4- Cultivate a culture of transparency and consistent communication

## **Explanation**

### ***Reading and Public Hearing***

In March 2012, the Colleyville City Council and the Keller City Council unanimously approved an Interlocal Agreement for Combined Municipal Court Services for the cities of Colleyville and Keller. Included in the interlocal agreement (attached as Exhibit "A" in Resolution R-12-3488) is a provision for the appointment of a municipal court judge and the establishment of a Municipal Judge Review and Selection Committee.

The Municipal Judge Review and Selection Committee is charged with the selection and annual salary recommendation for the Municipal Judge, and is comprised of the Mayors and two appointed City Councilmembers from both Colleyville and Keller. Per attached Resolution R-12-3488, approved by City Council April 17, 2012, a two-year initial term of appointment for City Councilmembers was established, with terms expiring April 2014, and an option for the appointment to be extended for an additional two-year term, at the discretion of the City Council. The term of Mayor David Kelly, and Councilmembers Carol Wollin and Chuck Mogged expired April 2016.

This item allows for City Council appointment to the Municipal Judge Review and Selection Committee of the Mayor and two Councilmembers to serve a two-year term expiring April 2018.

## **Financial Impact**

There is no financial impact to the City.

## **Recommendation**

Approve

## **Attachments**

1. Resolution R-12-3488
2. Resolution R-16-4000

**RESOLUTION R-12-3488**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEYVILLE,  
TEXAS, APPOINTING THE MAYOR AND TWO (2) CITY  
COUNCILMEMBERS TO SERVE ON THE MUNICIPAL JUDGE REVIEW  
AND SELECTION COMMITTEE, IN ACCORDANCE  
WITH EXHIBIT "A" OF THE INTERLOCAL AGREEMENT FOR  
COMBINED MUNICIPAL COURT SERVICES FOR THE CITIES OF  
COLLEYVILLE AND KELLER**

**WHEREAS,** the Interlocal Agreement for Combined Municipal Court Services for the cities of Colleyville and Keller, Exhibit "A", provides that the Municipal Judge Review and Selection Committee shall consist of the Mayors and two duly appointed City Councilmembers from both the cities of Colleyville, Texas, and Keller, Texas; and

**WHEREAS,** it is hereby necessary that the Mayor and two (2) City Councilmembers be appointed to serve on the Municipal Judge Review and Selection Committee; and

**WHEREAS,** the initial term of appointment shall be for a period of two years for City Councilmembers expiring in April 2014, and may be extended for additional two-year terms at the discretion of the City Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF COLLEYVILLE, TEXAS:**

Sec. 1. THAT the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Sec. 2. THAT the City Council of the City of Colleyville, Texas in accordance with the Interlocal Agreement for Combined Municipal Court Services for the cities of Colleyville and Keller, Exhibit "A", hereby appoints the Mayor and following City Councilmembers to serve on the Municipal Judge Review and Selection Committee:

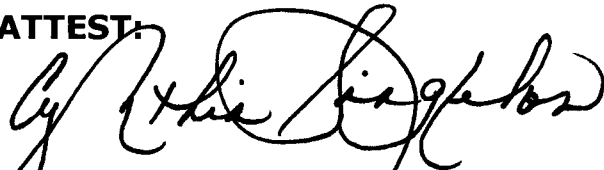
Mayor David Kelly  
Councilmember Michael Muhm  
Councilmember Stan Hall

Sec. 3. THAT the two-year appointments shall end in April of even numbered years.

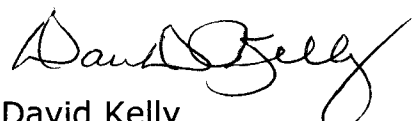
**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF 4 AYES, 0 NAYS, AND 0  
ABSTENTIONS ON THIS THE 17<sup>TH</sup> DAY OF APRIL 2012.

**ATTEST:**

  
Cynthia Singleton, TRMC, CMC  
City Secretary

**CITY OF COLLEYVILLE**

  
David Kelly  
Mayor

## **Exhibit A**

Colleyville and Keller recognize that the combined Municipal Court will operate most efficiently with the appointment of a single Municipal Court Judge, and the parties will endeavor to achieve that goal. That said, Colleyville and Keller reserve the right to select and/or remove their Municipal Court Judge in accordance with their applicable Charter provisions. A municipal judge review and selection committee consisting of both Mayor's and two duly appointed City Council members from each City will formulate a process for obtaining and assessing candidates for the Municipal Court Judge position. The current Judges for Colleyville and Keller will be invited to submit their candidacy for the combined Court. Upon the conclusion of such process, the Committee shall make a recommendation to the full Colleyville and Keller City Councils for the selection of the Municipal Court Judge. If such candidate is approved by both the Colleyville and Keller City Councils, that candidate shall serve as the Municipal Court Judge for the combined Municipal Court for an initial term of two (2) years. In the event the candidate is not approved by both Colleyville and Keller, the matter shall be referred back to the standing committee for the recommendation of an alternative appointment. In the event such alternative appointment is not approved by both Colleyville and Keller, then this issue shall be sent to dispute resolution pursuant to Section 9 of the Agreement. Any renewals of term or approval of a replacement Judge will be subject to this process.

Upon appointment, the Municipal Court Judge will be responsible for all judicial services for the combined Court, including but not limited to the following: adjudication of all cases, plea dockets, trial dockets (both before the court and jury trials), property hearings, arraignments, emergency protective order hearings, dangerous dog hearings, warrant issuance (including search, arrest, and blood warrants), juror notification, setting of bonds, other judicial proceedings and magistrate services. The Municipal Judge shall propose to the standing committee a temporary replacement(s) who shall perform the duties of the Municipal Judge in his/her absence. In the event either Colleyville or Keller objects to the proposed temporary replacement Judge(s), the Municipal Court Judge must propose an alternative replacement(s) until such replacement(s) is approved by both Colleyville and Keller. If for any reason, the Municipal Court Judge is unable to attend to their duties on a given date, the Judge must notify the Court Administrator. Any temporary replacement Judge will be compensated by the Municipal Court Judge out of his/her salary.

The standing committee shall recommend an annual salary for the Municipal Judge to be considered by the respective City Councils and if approved incorporated into the employment contract of the Municipal Judge.

**RESOLUTION R-16-4000**

**A RESOLUTION APPOINTING THE MAYOR AND TWO CITY  
COUNCILMEMBERS TO THE MUNICIPAL JUDGE REVIEW AND  
SELECTION COMMITTEE**

**WHEREAS,** the Interlocal Agreement for Combined Municipal Court Services for the cities of Colleyville and Keller, Exhibit "A", provides that the Municipal Judge Review and Selection Committee shall consist of the Mayors and two duly appointed City Councilmembers from both the cities of Colleyville, Texas, and Keller, Texas; and

**WHEREAS,** the terms of the Mayor and two Colleyville City Councilmembers expired April 30, 2016.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF COLLEYVILLE, TEXAS:**

Sec. 1. THAT the City Council of the City of Colleyville, Texas in accordance with the Interlocal Agreement for Combined Municipal Court Services for the cities of Colleyville and Keller, attached Exhibit "A", hereby appoints the Mayor and following City Councilmembers to serve on the Municipal Judge Review and Selection Committee, to a two-year term expiring April 2018:

Mayor Richard Newton  
Councilmember \_\_\_\_\_  
Councilmember \_\_\_\_\_

**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF \_\_\_\_ AYES, \_\_\_\_ NAYS, AND \_\_\_\_ ABSTENTIONS ON  
THIS THE 7<sup>TH</sup> DAY OF JUNE 2016.

|                          |       |                            |       |
|--------------------------|-------|----------------------------|-------|
| Mayor Richard Newton     | _____ | Mayor Pro Tem Chris Putnam | _____ |
| Place 1, Tammy Nakamura  | _____ | Place 5, Nancy Coplen      | _____ |
| Place 2, Bobby Lindamood | _____ | Place 6, Mike Taylor       | _____ |
| Place 4, Jody Short      | _____ |                            |       |

**ATTEST:**

**CITY OF COLLEYVILLE**

Amy Shelley, TRMC  
City Secretary

Richard Newton  
Mayor

## **Exhibit A**

Colleyville and Keller recognize that the combined Municipal Court will operate most efficiently with the appointment of a single Municipal Court Judge, and the parties will endeavor to achieve that goal. That said Colleyville and Keller reserve the right to select and/or remove their Municipal Court Judge in accordance with their applicable Charter provisions. A municipal judge review and selection committee consisting of both Mayor's and two duly appointed City Council members from each City will formulate a process for obtaining and assessing candidates for the Municipal Court Judge position. The current Judges for Colleyville and Keller will be invited to submit their candidacy for the combined Court. Upon the conclusion of such process, the Committee shall make a recommendation to the full Colleyville and Keller City Councils for the selection of the Municipal Court Judge. If such candidate is approved by both the Colleyville and Keller City Councils, that candidate shall serve as the Municipal Court Judge for the combined Municipal Court for an initial term of two (2) years. In the event the candidate is not approved by both Colleyville and Keller, the matter shall be referred back to the standing committee for the recommendation of an alternative appointment. In the event such alternative appointment is not approved by both Colleyville and Keller, then this issue shall be sent to dispute resolution pursuant to Section 9 of the Agreement. Any renewals of term or approval of a replacement Judge will be subject to this process.

Upon appointment, the Municipal Court Judge will be responsible for all judicial services for the combined Court, including but not limited to the following: adjudication of all cases, plea dockets, trial dockets (both before the court and jury trials), property hearings, arraignments, emergency protective order hearings, dangerous dog hearings, warrant issuance (including search, arrest, and blood warrants), juror notification, setting of bonds, other judicial proceedings and magistrate services. The Municipal Judge shall propose to the standing committee a temporary replacement(s) who shall perform the duties of the Municipal Judge in his/her absence. In the event either Colleyville or Keller objects to the proposed temporary replacement Judge(s), the Municipal Court Judge must propose an alternative replacement(s) until such replacement(s) is approved by both Colleyville and Keller. If for any reason, the Municipal Court Judge is unable to attend to their duties on a given date, the Judge must notify the Court Administrator. Any temporary replacement Judge will be compensated by the Municipal Court Judge out of his/her salary.

The standing committee shall recommend an annual salary for the Municipal Judge to be considered by the respective City Councils and if approved incorporated into the employment contract of the Municipal Judge.



# City of Colleyville City Council Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
www.colleyville.com

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**Agenda Number** 6e

**Agenda Date** 06/07/2016

**Number** Resolution R-16-4001

**Type** Resolution

**Department** City Secretary

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## **Title**

Approval of changing the date of the November 2, 2016 regular City Council meeting

## **Strategy Map Connection**

B4- Cultivate a culture of transparency and consistent communication

## **Explanation**

### ***Reading and Public Hearing***

In accordance with the City Charter, the City Council shall meet regularly at least twice (2) in every month at such times as a City Council may prescribe by rule. The City Council has prescribed the following for regular meetings in the Rules of Procedure: "shall meet in the City Hall on the first and third Tuesday of each month at 5:30 p.m., unless otherwise officially established by the City Council."

City Council approved Resolution R-15-3935 (attached) at the December 1, 2015, meeting which changed the date for the first regular meeting in November from Tuesday, November 1, 2016, to Wednesday, November 2, 2016, to accommodate the uniform election day.

The uniform election day is actually the second Tuesday in November; therefore, the meeting date did not need to be moved.

The attached resolution reflects the City Council November meeting dates as Tuesday, November 1, 2016; and Tuesday, November 15, 2016.

## **Financial Impact**

There is no financial impact to the City.

## **Recommendation**

Approve

## **Attachments**

1. Resolution R-15-3935
2. Resolution R-16-4001

## **RESOLUTION R-15-3935**

### **A RESOLUTION CHANGING THE DATE OF THE FIRST AND SECOND REGULAR CITY COUNCIL MEETINGS IN MARCH 2016; THE FIRST REGULAR CITY COUNCIL MEETING IN JULY 2016; THE FIRST REGULAR CITY COUNCIL MEETING IN AUGUST 2016; THE FIRST REGULAR CITY COUNCIL MEETING IN OCTOBER 2016; AND THE FIRST REGULAR CITY COUNCIL MEETING IN NOVEMBER 2016**

**WHEREAS,** in accordance with the City Charter, Section 3.09, Meetings and Rules of Procedure, *the City Council shall meet regularly at least twice in every month at such times as a City Council may prescribe by rule; and*

**WHEREAS,** the City Council meetings are held the first and third Tuesday of each month except, when those dates may conflict with an event or holiday; and

**WHEREAS,** the first regular City Council meeting of March 1, 2016, occurs on Primary Election Day; and the second regular City Council meeting of March 15, 2016, occurs during the Grapevine-Colleyville Independent School District's spring break; and

**WHEREAS,** the first regular City Council meeting of July 5, 2016, occurs during the fourth of July holiday; and

**WHEREAS,** the first regular City Council meeting of August 9, 2016, occurs prior to the budget worksession; and

**WHEREAS,** the first regular City Council meeting of October 4, 2016, is Texas National Night Out; and

**WHEREAS,** the first regular City Council meeting of November 1, 2016, is the November Election.

### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:**

Sec. 1. THAT the first regular City Council meeting in March will be held on March 8, 2016; and the second regular City Council meeting will be held on March 22, 2016.

Sec. 2. THAT the first regular City Council meeting in July will be held on July 12, 2016.

- Sec. 3. THAT the first regular City Council meeting in August will be held August 9, 2016, as a budget worksession.
- Sec. 4. THAT the first regular City Council meeting in October will be held October 3, 2016.
- Sec. 5. THAT the first regular City Council meeting in November will be held November 2, 2016.

**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF 7 AYES, 0 NAYS, AND 0 ABSTENTIONS,  
THIS THE 1<sup>ST</sup> DAY OF DECEMBER 2015.

**ATTEST:**

  
Amy Shelley, TRMC  
City Secretary

**CITY OF COLLEYVILLE**

  
David Kelly  
Mayor

## RESOLUTION R-16-4001

### A RESOLUTION CHANGING THE DATE OF THE FIRST REGULAR CITY COUNCIL MEETING IN NOVEMBER 2016

**WHEREAS,** in accordance with the City Charter, Section 3.09, Meetings and Rules of Procedure, *the City Council shall meet regularly at least twice in every month at such times as a City Council may prescribe by rule; and*

**WHEREAS,** the City Council meetings are held the first and third Tuesday of each month except, when those dates may conflict with an event or holiday; and

**WHEREAS,** the City Council approved Resolution R-15-3935 moving the first regular meeting in November from November 1, 2016, to November 2, 2016, to accommodate for the uniform Election Day; and

**WHEREAS,** the uniform Election Day will be held on the second Tuesday in November rather than the first Tuesday in November, the City Council meeting dates in November will remain on the regular schedule.

### NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

Sec. 1. THAT the first regular City Council meeting in November will be held on Tuesday, November 1, 2016.

### AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF \_\_\_\_ AYES, \_\_\_\_ NAYS, AND \_\_\_\_ ABSTENTIONS, THIS THE 7<sup>TH</sup> DAY OF JUNE 2016.

|                          |       |                            |       |
|--------------------------|-------|----------------------------|-------|
| Mayor Richard Newton     | _____ | Mayor Pro Tem Chris Putnam | _____ |
| Place 1, Tammy Nakamura  | _____ | Place 5, Nancy Coplen      | _____ |
| Place 2, Bobby Lindamood | _____ | Place 6, Mike Taylor       | _____ |
| Place 4, Jody Short      | _____ |                            |       |

### ATTEST:

### CITY OF COLLEYVILLE

Amy Shelley, TRMC  
City Secretary

Richard Newton  
Mayor

**RESOLUTION R-16-4002**

**A RESOLUTION APPROVING CITY COUNCIL ACTION  
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF  
JUNE 7, 2016**

**WHEREAS,** City Council has taken action on certain items on the agenda under Business.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF COLLEYVILLE, TEXAS:**

Sec. 1.        THAT

**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF \_\_\_\_ AYES, \_\_\_\_ NAYS, AND \_\_\_\_ ABSTENTIONS ON  
THIS THE 7<sup>TH</sup> DAY OF JUNE 2016.

|                          |       |                            |       |
|--------------------------|-------|----------------------------|-------|
| Mayor Richard Newton     | _____ | Mayor Pro Tem Chris Putnam | _____ |
| Place 1, Tammy Nakamura  | _____ | Place 5, Nancy Coplen      | _____ |
| Place 2, Bobby Lindamood | _____ | Place 6, Mike Taylor       | _____ |
| Place 4, Jody Short      | _____ |                            |       |

**ATTEST:**

**CITY OF COLLEYVILLE**

Amy Shelley, TRMC  
City Secretary

Richard Newton  
Mayor