

AGENDA
FRITCH CITY COUNCIL REGULAR SESSION
TUESDAY FEBRUARY 21, 2017
CITY ANNEX 509 W. BROADWAY FRITCH, TEXAS
7:00 P.M.

All agenda items are subject to action. The City Council reserves the right to adjourn into Executive Session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1. Call to order. Welcome Citizens and Visitors.

2. Invocation and Pledge of Allegiance.

3. Open forum – Comments/Concerns from Citizens

Individual citizen comments are normally limited to five (5) minutes (time limits can be adjusted by the Mayor). The purpose of this item is to allow citizens an opportunity to address the City Council regarding any topic not necessarily on the agenda. The City Council is not allowed to respond to comments and questions asked of them by the speaker, with a few exceptions. In accordance with the "Texas Open Meetings Act," Government Code Chapter 551, any response by a member of the City Council must be limited to a statement of specific factual information, a recitation of existing policy, or a proposal to place the subject on the agenda for a future City Council meeting.

4. Consent Items:

This section shall provide for items that require action by the council, but where little or no discussion is anticipated. By a single motion, second and affirmative majority vote, items under this section are approved without further discussion or action. Any council member desiring more discussion on an item may move to withdraw it to the New Business section.

- A. Approve minutes of the following meetings: January 17, 2017 and January 24, 2017.
- B. Approve accounts payable.
- C. Approve placing City Manager Drew Brassfield on the authorized signature lists for the City's bank depository accounts.

5. New business:

- A. Discuss and take action on reconciliation of Sales Tax payments to Economic Development Corporation.
- B. Discuss and take action on **Ordinance No. 552** budget amendment for donated funds to the Police Department
- C. Discuss and take action on restructuring the Fritch Police Department.
- D. Discuss and take action on creating a full-time job consisting of a part-time police admin assistant, part-time museum director and part-time utility help.
- E. Discuss and take action on installing and implementing HighTide SCADA for the three wells placed back in service at a cost not to exceed \$5,700 each, including installation labor, for a total of \$17,100. For an additional \$2,825 add a monitoring unit on the Booster Pump Station.
- F. Discuss and take action on terminating the engagement of Daren Brown as city attorney.
- G. Discuss and take action regarding entering into an engagement of the Underwood law firm as the city attorney.
- H. Discuss and take action to give permission for Sandlot League to use City baseball fields. Brian Ozbun will be present for information.

6. City Staff & Affiliated Entities reports

- A. Report from City Manager.
- B. Report from Chief of Police
- C. Report from Public Works Director
- D. Report from Fire Chief
- E. Museum Report
- F. Court Report
- G. E.D.C. Report
- H. Crime Control Report

7. Mayoral/councilmember announcements

8. Questions from the Media

9. Future agenda items

10. Convene into Executive Session:

The Fritch City Council reserves the right to adjourn into a closed meeting at any time during the course of this meeting to discuss any of the matters listed, as authorized by the Texas Government Code;

- A. Section 551.071 (consultation with attorney)**
- B. Section 551.072 (deliberations regarding real property)**
- C. Section 551.073 (deliberations regarding prospective gift)**
- D. Section 551.074 (personnel matters)**
- E. Section 551.076 (deliberations about security devices)**
- F. Section 551.087 (Economic Development)**

11. Reconvene into Open Session. Take action as necessary.

12. Adjournment.

Persons who plan to attend this public meeting and who may require auxiliary aid or services are requested contact Cindy Cook, City Secretary at (806) 857-3143 within 48 business hours of the scheduled meeting date. Reasonable accommodations will be made to assist your needs.

The City Council may vote and/or act upon each of the items listed on this agenda.

This is to certify that I, Cindy Cook, City Secretary, posted this agenda on the front window of City Hall on the _____ day of _____ 20____ at _____ -- Posted in accordance with the Texas Government Code, Chapter 551,

By: _____
Cindy Cook, City Secretary

By: _____
Witness

Removed from posting:

Date: _____ Time: _____

Signature of person removing from posting

Call to Order, Invocation, Pledge of Allegiance

Items 1 & 2

Call to order; Welcome Citizens and Visitors

Called to Order at: _____ pm

Suggested Action: Mayor Kelly Henderson to call the meeting to order and welcome visitors and citizens

Invocation: led by: _____

Pledge of Allegiance – U.S. Flag led by: _____

Citizen Comments

Item 3

Open forum – Comments/Concerns from Citizens

Individual citizen comments are normally limited to five (5) minutes (time limits can be adjusted by the Mayor). The purpose of this item is to allow citizens an opportunity to address the City Council regarding any topic not necessarily on the agenda. The City Council is not allowed to respond to comments and questions asked of them by the speaker, with a few exceptions. In accordance with the "Texas Open Meetings Act," Government Code Chapter 551, any response by a member of the City Council must be limited to a statement of specific factual information, a recitation of existing policy, or a proposal to place the subject on the agenda for a future City Council meeting.

Executive Summary: The City Council welcomes public comments at this point on items **not** specifically listed on the agenda. Speakers are limited to five (5) minutes each. The Council cannot discuss or deliberate subject matter; only agree to place on a future meeting agenda.

Consent Items:

Item 4

Consent Items:

- A. Approve minutes of the following meetings: January 17, 2017 and January 24, 2017.
- B. Approve accounts payable.
- C. Approve placing City Manager Drew Brassfield on the authorized signature lists for the City's bank depository accounts.

Executive Summary: Item C authorizes staff to pursue getting Mr. Brassfield included on the signature cards at the bank and other depository accounts.

Suggested Action: I, _____ move that the City Council (approve/not approve) the consent items as submitted.

Seconded by Councilmember _____

_____ Ayes _____ Nays Motion: Carried Failed

New Business: Item 5

New business:

- A. Discuss and take action on reconciliation of Sales Tax payments to Economic Development Corporation.

Executive Summary: At the September 20, 2016 Council meeting, staff identified that given the fact previous administration having mishandled money due to the Fritch EDC, the city auditor calculated \$15,214 was due to the EDC. Kendall Glover, the EDC President, reported their figures showed \$34,810.59. City Manager McKay recommended that we pay only the amount calculated by the auditor and the Council authorized the same.

Current staff determined the auditor may not have had all of the bank statements, minutes and various notes necessary to properly reconcile this issue, therefore a thorough review (one might contend a forensic audit) has been accomplished to, once and for all, finalize this issue. Please see the Council packet report for more information.

Suggested Action: I, _____ move the City Council (approve/not approve) the

Seconded by Councilmember _____

_____ Ayes _____ Nays Motion: Carried Failed

- B. Discuss and take action on **Ordinance No. 552** budget amendment for donated funds to the Police Department

Executive Summary: At the Council meeting, November 15, 2016, Chief Leggett informed the Council that \$10,934.62 had been donated toward police vehicles. These donations included \$2,000 from Walmart, \$8,000 from the 100 Club and \$934.62 from independent donors through a Go Fund Me account that had been set up. Chief Leggett stated he would like to use the money to refit and repair equipment on the existing cars since it was not budgeted at this time to purchase new vehicles. The Council voted to accept the donations of \$10,934 and authorized to make repairs and upgrade equipment and lights on the police vehicles. This is the formal action to amend the budget to properly account for these sources and uses.

Suggested Action: I, _____ move the City Council (adopt/not adopt) **Ordinance No. 552** amending the budget for donated funds to the Police Department.

Seconded by Councilmember _____

_____ Ayes _____ Nays Motion: Carried Failed

- C. Discuss and take action on restructuring the Fritch Police Department.

Executive Summary: As you may recall in December interim city manager Howell, recommended reclassifying the Sergeant position to a Police Officer and authorizing a second full time Police Officer. At the same meeting, it was recommended to make all Police Officers (other than the Chief) non-exempt and place them on an 86 hour pay-period schedule.

Section 13(b)(20) of the Fair Labor Standards Act (FLSA) provides an overtime exemption to law enforcement employees of a public agency that employs less than five employees during the workweek in law enforcement.

City Manager Brassfield has re-evaluated the situation and has determined utilizing this FLSA exemption is the better option for Fritch and is recommending all Police Officer positions should be salaried and thereby exempt from overtime provisions. Salaries will be calculated based upon 86 hour pay-period utilization, therefore the officers will still be required to work an 86 hour pay-period.

Given the sufficiency of funds budgeted for part-time reserve officers and recent transitions; 2 more Police Officers can be brought on to full-time capacity providing the City of Fritch 24-hour coverage. A spreadsheet has been provided demonstrating the personal services component of the Police Department budget – showing expenses to-date and requirements for the remainder of the year. Without the need for overtime funding there is actually savings to be realized.

Suggested Action: I, _____ move the City Council (authorize/not authorize) all Police Officers shall be classified as exempt employees under FLSA and further (authorize/not authorize) 2 additional full-time Police Officers

Seconded by Councilmember _____

_____ Ayes _____ Nays Motion: Carried Failed

- D. Discuss and take action to create part-time police administrative assistant and consolidate with museum director to have one full-time position split funded between the two departments.

Executive Summary: The police department is in need of a records manager capable of recording information from the field and putting it into Crimestar for proper processing and handling. Funding for this part-time activity would come from the amount included under the line-item titled "Reserve Pay." Additionally, this person could be utilized to help with the utility billing section, to fill in for illness or vacations.

Suggested Action: I, _____ move the City Council (approve/not approve) a part-time administrative assistant for the Police Department and consolidate with museum director position to have one full-time employee split between the two departments.

Seconded by Councilmember _____

_____ Ayes _____ Nays Motion: Carried Failed

- E. Discuss and take action on installing and implementing HighTide SCADA for the three wells placed back in service at a cost not to exceed \$5,700 each, including installation labor, for a total of \$17,100. For an additional \$2,825 add a monitoring unit on the Booster Pump Station..

Executive Summary: At the Council meeting, November 15, 2016, the City Council authorized purchase and implementation of the HighTide SCADA system for the two operational wells and two related storage tanks. At the same meeting Council authorized pursuit of bringing wells #1, #3 and #4 back on line with shaft driven pump repair/replacements. With this work accomplished we are now ready to add SCADA to the repaired wells. The estimated cost is \$5,700 each for a total of \$17,100. Sufficient funds are available in the Water Department Capital Improvements budget item. For an additional

\$2,825 SCADA can also be added to the Booster Pump Station to monitor line pressure and the status of the 3 Variable Frequency Drive (VFD) pumps.

Suggested Action: I, _____ move the City Council (authorize/not authorize) the installation and implementation of Hi-tide SCADA for wells 1, 3 & 4 at a cost not to exceed \$11,700.

Seconded by Councilmember _____

____ Ayes ____ Nays Motion: Carried Failed

F. Discuss and take action on terminating the engagement of Daren Brown as city attorney.

Executive Summary: In discussions with staff, various members of the City Council have expressed an interest in changing legal representation for the City. The desire was to seek out a firm specializing in municipal government. The current city attorney does not include this as an area of specialization. This is the first of a two-part action to make a change.

Suggested Action: I, _____ move the City Council (terminate/not terminate) the engagement of Daren Brown as city attorney.

Seconded by Councilmember _____

____ Ayes ____ Nays Motion: Carried Failed

G. Discuss and take action regarding entering into an agreement engaging the Underwood Law Firm as city attorney.

Executive Summary: This item is related to the item above. Mr. Slater Elza, with the Underwood Law Firm in Amarillo, as the lead attorney, represents a legal staff specializing in municipal government. Each of the attorneys involved further specialize in specific areas municipal law. This approach will provide the City with an expanded capability for getting legal questions answered and continued pursuit of making sure everything is being done in accordance with the law.

Suggested Action: I, _____ move the City Council (engage/not engage) the Underwood Law Firm as the city attorney.

Seconded by Councilmember _____

____ Ayes ____ Nays Motion: Carried Failed

H. Discuss and take action to give permission for Sandlot League to use City baseball fields. Brian Ozbun will be present for information.

Executive Summary:

Suggested Action: I, _____ move the City Council (permit/not permit) use of the City owned baseball fields for the Sandlot League this year.

Seconded by Councilmember _____

____ Ayes ____ Nays Motion: Carried Failed

City Staff & Affiliate Entities Reports

Item 6

- A. Report from City Manager.
 - B. Report from Chief of Police.
 - C. Report from Public Works Director.
 - D. Report from Fire Chief.
 - E. Museum Report
 - F. Court Report.
 - G. E.D.C. Report.
 - H. Crime Control Report.
-

Mayoral/Councilmember announcements

Item 8

Questions from the Media

Item 9

Future agenda items

Item 10

Executive Session

Item 11

Executive Session

Adjourn into Executive Session: *Mayor Kelly Henderson* "The Fritch City Council will adjourn into executive session at ___ p.m. as authorized by the Texas Government Code under." *(check all that apply and provide specifics under the heading)*

- A. Section 551.071 (consultation with attorney)
 - B. Section 551.072 (deliberations regarding real property)
 - C. Section 551.073 (deliberations regarding prospective gift)
 - D. Section 551.074 (personnel matters)
 - E. Section 551.076 (deliberations about security devices)
 - F. Section 551.087 (Economic Development)
-

Item 12

Reconvene out of Executive Session

Mayor Kelly Henderson "The Fritch City Council is reconvening out of executive session at _____ p.m.

Action from discussion held in Executive Session

Adjournment Item 13

Adjournment

Executive Summary:

Adjournment -- *Mayor Kelly Henderson* –

- The City Council will be meeting for a:
 - Regular Meeting at the City Annex on Tuesday March 21, 2017 at 7:00 pm.
 - Persons desiring to present business to the city council at that meeting are directed to submit a request in writing to the City Secretary by Monday, March 13, 2017 in order to be included on the agenda.
- There being no other business, the meeting is hereby adjourned.

Called Adjournment at _____pm

MINUTES
FRITCH CITY COUNCIL REGULAR SESSION
TUESDAY JANUARY 17, 2017
CITY ANNEX 509 W. BROADWAY FRITCH, TEXAS
7:00 P.M.

1. **Call to order. Welcome Citizens and Visitors.** Mayor Henderson called the meeting to order at 7:00 p.m. Councilmembers present: Denise Campbell, Richard Hein, Arturo Gutierrez, Arlin Audrain and Dwight Kirksey. Employees present: Jeff Howell, Cindy Cook, Monte Leggett, Ed Adamson, Chylo Graham, Richard Spencer and Carrie Driscoll.
2. **Invocation and Pledge of Allegiance.** Prayer given by Councilmember Audrain. Pledge led by Councilmember Kirksey.
3. **Proclamation** regarding the month of January 2017, as **School Board Recognition Month.** Mayor Henderson read the Proclamation regarding the month of January 2017 as School Board Recognition Month.
4. **Open forum – Comments/Concerns from Citizens.** No one spoke on open forum.
5. **Consent Items:**

This section shall provide for items that require action by the council, but where little or no discussion is anticipated. By a single motion, second and affirmative majority vote, items under this section are approved without further discussion or action. Any council member desiring more discussion on an item may move to withdraw it to the New Business section.

 - A. **Approve minutes of the following meetings: December 20, 2016, January 5, 2017 & January 6, 2017.**
 - B. **Approve accounts payable.**
 - C. **Consider and take action on Resolution 2017-1 ordering an election by the registered voters of the City of Fritch, Texas for the purpose of electing three council members for expired terms and appointing election officials and designating a date and time for the election.** Motion by Mayor Pro Tem Hein to approve the consent agenda as provided. Second made by Councilmember Audrain. Vote 5/0.
6. **New business:**
 - A. **Presentation of audit for 2015-2016 by Tracy Lambert of Foster and Lambert.** Auditor was unable to attend so Council agreed to meet next Tuesday, January 24, 2017 at 6:30 p.m.
 - B. **Discuss and take action on audit presentation and authorization of payment.** This item will be moved to the agenda for meet Tuesday, January 24, 2017 at 6:30 p.m.
 - C. **Presentation, possible action and discussion on authorizing a special election by the registered voters of the City of Fritch, Texas, to be held at the same time as the general election, to decide whether the Fritch Crime Control and Prevention District should be continued for five years or for another length of time (5,10,15,20) and the crime control and prevention district sales and use tax should be continued for five years or for another length of time (5,10,15,20).** Interim Manager Jeff Howell stated that according to the statutes, the Crime Control board is responsible for calling the election if they choose to do so. We are at the point of time where the district will sunset this year if not continued. At last night's meeting of the Crime Control board, they called for the election to occur in May to continue the Crime Control District. The Council can decide if they want to change the term from five years to ten years or more. The voters will choose whether the Crime Control District will continue or not. Mayor Pro Tem asked who would pay for the election. Interim Manager said Crime Control would pay for their portion. Five years is the minimum and the pattern from before. No action taken to change the length of time. It will remain at five years if approved by the voters.
 - D. **Discuss and take action on confirmation of appointment by Resolution 2017-2 of the following people for Fritch Crime Control and Prevention District: Tonya Coker, Don Laughery and Joey Williams with their term ending September 1, 2018.** Interim Manager stated that according to

the statutes, the district board term expires on September 1st of each year. With the transition that was going on at that time, these nominations didn't quite make it to council. We are rectifying that at this time and ratifying their appointment back to September 1, 2016. They will serve until September 1, 2018 cycle. Motion made by Councilmember Campbell to confirm the appointment by Resolution 2017-2 of the following people for Fritch Crime Control and Prevention District: Tonya Coker, Don Laughery and Joey Williams with their term ending September 1, 2018. Second made by Councilmember Gutierrez. Vote 5/0.

- E. Public Hearing for Fritch Crime Control and Prevention District budget for the FY2016-2017.** This was another item that should have happened earlier this year. This will correct the oversight. Mayor Henderson opened the Public Hearing at 7:10 p.m. No comments or concerns were made. Mayor Henderson closed the Public Hearing at 7:11 p.m.
- F. Discuss and take action on Fritch Crime Control and Prevention District budget for the FY 2016-2017.** Mayor Pro Tem Hein asked what a community camera system is. Councilmember Kirksey said it was a vision of the board to place cameras in certain troubled areas such as the park. Motion made by Mayor Pro Tem to approve the Fritch Crime Control and Prevention District budget for the FY2016-2017. Second made by Councilmember Campbell. Vote 4 for and Councilmember Kirksey abstained.
- G. Discuss and take action on Fritch at Lake Meredith Economic Development Corporation budget for FY2016-2017.** This item was withdrawn because we did not receive the budget information in time for the meeting.
- H. Discuss contents and implementation of Public Utility Commission (PUC) final order related to the outside city-limits ratepayers' appeal of the decision by the City of Fritch to change rates; Docket No. 45248.** Interim Manager Howell said that we were alerted at the last council meeting that the PUC had met and issued the final order. Our attorney in Austin had not sent us the final order so we called and requested a copy. In that order, the key things the Public Utility Commission has ordered is the City will issue a refund or credit to all of the outside rate payers in the amount of \$2.20 per month for the next 12 months. The City will also be allowed to recover a portion of the rate case expense through a surcharge of \$1.31 per meter, per month for up to 36 months or however long it takes to recoup the \$54,440.63. We actually accrued \$98,682.50 in expenses but the commission is settling on the amount of \$54,440.63. The staff will report back to the PUC concerning the progress of the recovery and cut it off once the amount is obtained. Post cards will be sent out later this week to let the rate payer know this is coming. The billing cycle we are in began back in December and it is applicable to the first full rate cycle. The bills will go out at the end of the month. The full PUC order has been posted on the city website should anyone wish to read it. Councilmember Kirksey asked if the water billing software would be able to account for these items. Manager Howell said that it will be set up like another rate code. Everything that comes in will be set aside in a separate account for reporting purposes. Mayor Henderson commented about the wording of "surcharge" and the negative mindset of Fritch residents. We have no choice on the wording of this. It is very specific from the PUC that this must be on the water bill.
- I. Discuss and take action on Resolution 2017 - 3 formally rescinding a policy/memo issued by the Police Chief.** Interim Manager Howell said this is the policy of the "so-called Mexican driver's license policy" that we can all agree was not well written and did not serve the purpose that was intended. In order to put that policy to bed, which was never a city - issued policy or came to the Council for approval, I am asking the Council to take formal action with the Resolution to rescind it and make it null and void and identify it was never an official city policy. Had it been written so we were dealing with "foreign driver's licenses", it wouldn't have been so bad. The issue at hand and the intent of the policy is that if a driver is stopped and they present a foreign driver's license but it can be established they are residents of the state of Texas then they are violating the state's driver's license laws. Since they don't have a Texas driver's license, there is no hold to be put on them for renewing a license. That was really the intent of the policy but it just didn't quite get there. We are still evaluating as to whether there should be a replacement policy. The fact of the matter is the law is the law and the police have the

discretion to investigate a motor vehicle operator to determine where their residency is. If they don't have the proper credentials in order, then the police can take the appropriate steps to rectify it. Motion made by Mayor Pro Tem Hein to approve Resolution 2017 – 3 formally rescinding a policy/memo issued within the Police Department. Second made by councilmember Audrain. Vote 5/0.

- J. Presentation, discuss and take action on the calendar year 2016, Fritch Police Department - Racial Profiling report.** Police Chief Monte Leggett presented the racial profiling report. He explained, these are the citations from last year generated through Cop Sync and reported to the state. The report noted, of the 2,511 stops, one stop had prior knowledge of race or ethnicity. This is a requirement of the system. Normally the distance prevents this knowledge. Councilmember Kirksey made the motion that the City Council approve the calendar year 2016, Fritch Police Department – Racial Profiling report. Second made by Mayor Pro Tem Hein. Vote 5/0.
- K. Discuss and take action on Resolution 2017 - 4 adopting the Investment Policy.** Interim Manager Howell said the statutes require the investment policy be adopted annually to ensure we are investing our funds in accordance with the statutes. We don't have a whole lot of funds invested right now, but what funds we do have are in accordance with the investment policy and the state statutes. Manager Howell made a few minor changes to the policy that was adopted last year. He recommended this be placed on the agenda at budget time each year as the appropriate time to review. We can invest in CD's (certificates of deposit), investment pools that are triple A rated, repurchase agreements and the local bank's savings accounts. All of these are relatively stable investments which is the only place we can put the city's funds. There should be no chance of principle loss. Mayor Henderson hoped that while he is still doing this the city would have money to invest. Motion to approve Resolution 2017 – 4 adopting the Investment Policy made by Councilmember Campbell. Second made by Councilmember Audrain. Vote 5/0.
- L. Discuss and take action on Resolution 2017 - 5 adopting Financial Management Policy Statements.** Interim Manager stated this is a policy he actually borrowed from the City of Fort Worth many years ago, and he has brought it forth to the councils in the cities where he has served. This is a fairly comprehensive policy about all of the city's finances. Everything about how we should be looking for additional revenues to what do we do with the revenues we have. It includes the expenses and how they should be treated and the fact that we want to minimize our costs and expenses. It mentions the investments even though investments are covered in a separate policy. One of the key things that is included is a fund balance policy. A fund balance or retained earnings for a private corporation or retained earnings in our proprietary fund also, has a benchmark across the local government entities of having three months of your current operating budget in reserve at all times in the undesignated fund balance. We do not have that right now. I was hoping to see the audit tonight to see where it stands. This is something I am urging Fritch to shoot for – to get the undesignated fund balance up to that 25% threshold both in the General fund and Public Works fund. This is one of the keys to getting our bond rating back. This is one of the things the rating agencies look at intently having met with those agencies a number of times. One of the first questions is, "What does your fund balance look like?" It is the measure of a healthy financially stable organization. The policy goes on to deal with grants. This is a guideline for city staff to work on to strive to achieve all of these different things. It is a thorough and comprehensive policy. Motion for City Council to approve Resolution 2017 – 5 adopting Financial Management Policy Statements made by Councilmember Kirksey. Second made by Councilmember Campbell. Vote 5/0.
- M. Discuss and take action on roof repair bids for city hall and the police/museum building.** Interim Manager Howells stated these bids are the bids the budget was built around. There are additional funds in the line items for building repairs to take care of other type of repairs. He stated he is anxious to get the repairs on City Hall started because there are a lot of ceiling tiles out in the building where leaks were occurring. Without the insulation in the roof, it is hard to keep City Hall warm when the temperature drops. The estimate on City Hall is \$13,500 and the

estimate for the Museum/Police Department building is \$30,782. There are other repairs for the porch roof and the façade on the Museum. Manager Howell stated he is primarily asking for the roof repairs at this time. He stated that Councilmember Audrain has also identified some metal work that also needs to occur up on the City Hall roof. Manager Howell has asked Councilmember Audrain to take over as Project Manager to look after this project. Mayor Pro Tem Hein stated he did not see how long the repairs would be guaranteed. It did not show up on the estimate but it was understood that it was guaranteed for ten years. This is not a "Durolast" roof which would cost two to three times more. Council expressed the length of the guarantee should be known before work begins. The amounts of the bids are sufficiently budgeted. Motion made by Councilmember Campbell to approve the roof repair bids for city hall and the police/museum building not to exceed the budgetary amounts. Second made by Councilmember Audrain. Vote 5/0.

- N. Discuss and take action on bid for struck off property located at 503 S. Longwood described as Lots Seventeen (17), and Eighteen (18), all in Block Ten (10), Original Town of Fritch, Hutchinson County, Texas.** Motion made by Councilmember Kirksey that the City Council approve the offer of \$250 for 503 S. Longwood described as Lots Seventeen (17), and Eighteen (18), all in Block Ten (10), Original Town of Fritch, Hutchinson County, Texas. Second made by Councilmember Gutierrez. Vote 5/0.
- O. Discuss and take action on bid for struck off property located at 501 S. Longwood described as Lots Nineteen (19), and Twenty (20), all in Block Ten (10), Original Townsite of Fritch, Hutchinson County, Texas.** Motion made by Councilmember Kirksey that the City Council approve the offer of \$1,500 for 501 S. Longwood described as Lots Nineteen (19), and Twenty (20), all in Block Ten (10), Original Townsite of Fritch, Hutchinson County, Texas. Second made by Councilmember Audrain. Vote 5/0.

7. City officers' reports.

- A. Report from City Manager.** I am happy to report the City's portion of the sales tax remittance is now \$11,000 ahead of last year at this time which is about a 12.6% increase. If we at least collect the same amount as last year over the remaining months, we should finish this year approximately \$17,000 of what we budgeted for in general sales tax. I am looking forward to next month as February reporting is Christmas sales. Our bank accounts continue to strengthen but the Ad Valorem tax season is beginning to wind down. This source begins to drop off after January each year, and then we rely more on sales tax and franchise fees and administrative support transfers from the Utility Fund for the remainder of the year. The interest payment for the 2011 bond in the amount of \$65,945.00 is already set aside and ready to be paid before February 1st. The principal and interest payment for the 2003 bond in the amount of \$178,038.13 is due February 15. These funds continue to accumulate. This is the tax and surplus utility revenue supported debt. Right now, we are about 67% collected on our Ad Valorem tax for this issue. We will be setting up the payment to be made about the second week of February. Chief Leggett has shared he will be retiring. His last day in the office will be February 3, 2017. We would like to thank him for his service and wish him well. We will begin putting together a plan to fill that critical role. We are going to open the recycle area for brush and limbs starting Thursday. It's too muddy right now to have people going in and out without getting stuck. If we receive more rain tonight, then we may delay opening to the public.
- B. Report from Chief of Police.** Council reviewed information given by Chief Leggett. He reported the dispatch calls are down. Chief Leggett informed the Council he had presented two things to the Crime Board. The Crime Board approved for flashing lights to be placed on Eagle Boulevard. There will be a total of three lights. The school is going to purchase one and the Crime Board agreed to purchase the other two. Crime Board also approved Warrant Sync for our Cop Sync program so when an officer makes a stop, if there is one of our local warrants, it will come on the screen instead of the officer having to physically go through a list. It will be safer for the

officer and more efficient for us. We thank the Crime Board for providing for these two very good projects.

- C. **Report from Public Works Director.** Absent for illness. Maintenance fixed eight leaks last month. There are currently nine on the books. Fixed some pot holes.
 - D. **Report from Fire Chief.** For the last fiscal year, 22% of our calls were in Carson County, 14 ½% were in the City, 68% in Hutchinson County, 3.5% in Moore County and 6% Potter County. There were a total of 282 runs last year. In December, there were a total of 27 runs. 11% were in Carson County. 7% were within the City. 74% were in Hutchinson County and approximately 7.5% in Potter County. So far this month of January, we have 19 runs. Of those 19 runs, 14 were during the last 24 hours during the ice storm. We are still waiting on the compressor to arrive. \$29,366 is the final cost of the compressor.
 - E. **Museum Report.** No report.
 - F. **Court Report.** Council reviewed report.
 - G. **E.D.C. Report.** No report. Reviewed bank statements.
 - H. **Crime Control Report.** No report.
8. **Mayoral/councilmember announcements.** Councilmember Kirksey reported the Council will begin starting the workshop for Councilmember training at next month's meeting. The workshop will be about our role as councilmembers and also how we interact with the citizens. It will include relationship between council and staff and some dos and don'ts as far as meetings. The information will be from TML. Mayor Henderson thanked the emergency responders for taking care of people during the ice storm and Xcel for getting the power back on to the residents. He specifically thanked Chief Leggett for his service to the city and what he has accomplished during his five years.
9. **Questions from the Media.** Tara Huff, with the Eagle Press, asked the following questions: Please clarify who the outside customers will be that will have a surcharge and a refund on their water bills. Is it just the area that used to be the Brinson Development area? Does it also include the Double Diamond area? Interim Manager replied that it is all outside city limit rate payers. Ms. Huff said at one time it was clarified that it was not. Mayor Henderson said yes we need to clarify because one time before it was stated to be only the people on the Hi Texas area water system. Ms. Huff said the Double Diamond area was not included in the appeal. Interim Manager Howell stated that we will need to clarify because the way he read the order it was all outside city limit ratepayers. Ms. Huff asked if it does include all of those people outside, why does it include them if they were not included in the appeal itself. Interim Manager Howell said she would have to ask the Public Utility Commission. Mayor Henderson stated we are doing what we were told to do regardless. Ms. Huff stated we have the amount that the customers are going to be paying for the legal fees, does the city have an estimate on the amount that will be refunded. Interim Manager Howell stated \$2.20 per account per month. Ms. Huff asked how much that is. Interim Manager stated roughly \$31,627. That is calculated on 1199 outside city limit customers. Ms. Huff stated the customers are being refunded a little over thirty-one thousand dollars and paying in a little over fifty-four thousand dollars. Mayor Henderson pointed out that the order stated that Fritch's water rates are just and reasonable. We are just following directions. Interim Manager Howell stated this was a negotiated settlement between the parties.
10. **Future agenda items.** Next Tuesday, January 24, 2017 will be a special called meeting for the presentation of the audit at 6:30 p.m. Next regularly scheduled council meeting will be February 21, 2017 at 7:00 p.m. with a special called meeting before at 6:30 for council orientation information.
11. **Convene into Executive Session:** Executive session began at 7:52 p.m.
- The Fritch City Council reserves the right to adjourn into closed meeting at any time during the course of this meeting to discuss any of the matters listed, as authorized by the Texas Government Code;**

- A. **Section 551.071 (consultation with attorney)**

- B. Section 551.072 (deliberations regarding real property)**
- C. Section 551.073 (deliberations regarding prospective gift)**
- D. Section 551.074 (personnel matters)
City Manager.**
- E. Section 551.076 (deliberations about security devices)**
- F. Section 551.087 (Economic Development)**

12. Reconvene into Open Session. (Councilmember Gutierrez had to leave during the executive session). Mayor Henderson reconvened the meeting into open session at 9:18 p.m. Mayor Henderson asked if there was any action resulting from executive session. Councilmember Kirksey moved the City Council to hire Drew Brassfield as City Manager pending contract negotiations and appoint Mayor Pro-Tem Richard Hein and Mayor Kelly Henderson to serve as committee in those negotiations regarding the contract. The motion was seconded by Councilmember Audrain. Motion carried with a vote of 4 – 0.

13. Adjournment. There being no further business Mayor Pro-Tem Hein motioned for adjournment, seconded by Councilmember Campbell; motion carried 4 – 0.

READ, PASSED AND APPROVED on this _____ day of _____, 2017.

Mayor W. Kelly Henderson

Cindy Cook, City Secretary

MINUTES
FRITCH CITY COUNCIL CALLED SESSION
TUESDAY JANUARY 24, 2017
CITY ANNEX 509 W. BROADWAY FRITCH, TEXAS
6:30 P.M.

1. Call to order. Mayor W. Kelly Henderson called the meeting to order at 6:30 p.m. Councilmembers present: Denise Campbell, Richard Hein, Arturo Gutierrez and Arlin Audrain. Absent - Dwight Kirksey. City Employees present: City Manager Drew Brassfield, City Secretary Cindy Cook and Interim Manager Jeff Howell.

2. Invocation and Pledge of Allegiance. Prayer led by Councilmember Audrain. Pledge – all.

3. Presentation of audit for 2015-2016 by Tracy Lambert of Foster and Lambert. Tracy Lambert of Foster and Lambert was present to review the audit with members of the Council, staff and audience. Pages reviewed: Pages 1-2: Independent Auditor's Report which is given every year which states we believe these financials are fairly presented. Page 3-8: Management's Discussion and Analysis which is required verbiage which must be included. It gives a summary of the financial statements. Page 9: Statement of Net Position or balance sheet. This is on full accrual accounting so it does include debt and fixed assets. This is not the same basis of accounting on which the budget is done. The budget is done on modified accrual. Ms. Lambert pointed out that since the city is caught up on the bonds, there is only a \$165,000 certificate of obligation payable from General Fund. Pages 10-11: Statement of activities. Pages 12-13: Balance Sheet of Governmental Funds on modified accrual showing the different funds. Ms. Lambert said the city is going in the right direction. Cash and cash equivalents for this budget year is \$64,563 as compared to \$4,186 in the previous year. Interim Manager Howell pointed out the unassigned amount of \$36,867 needs to grow by about ten times. This is the policy amount discussed in previous council meeting. Pages 15-16: Statement of Revenues and Expenses. Ms. Lambert pointed out that the City added \$44,008 to the fund balance. She again stated that all the way across, we have things going in the right direction. Page 18: Budget to actual. Revenues budgeted \$927,619 but collected \$976,954 leaving \$49,335 to the good. On the expenditure side, we budgeted \$1,108,728 but only spent \$1,086,251 leaving \$22,477 to the good. It was originally anticipated to lose \$181,109 but only lost \$109,297. This is a loss on the General fund before transfers but still came into the good by \$71,812. Ms. Lambert stated that the staff did a good job in not spending. Pages 19-22 are numbers for the Water-Sewer Departments that must be disclosed separately. Pages 23-44 are required note disclosures. It was pointed out that the city still owes Crime Control \$32,621. The auditor does not believe the city owes any more money to the Fritch EDC. It was also noted that the city has a net pension asset of \$523,523. Mayor Pro Tem Hein made mention of the March 2016 purchase of a John Deere Utility Tractor, listed on page 33. He stated that this is the first time Council had actually seen documentation on the purchase. Mayor Henderson stated he did not find out about the purchase until August of 2016. Mayor stated that we have an ordinance that any purchase over \$10,000 must come before the Council for approval. A correction will be needed on page 33 – city instead of county. Comments were also made about the purchase of the 2015 Impala for \$19,893 listed on page 7. Mayor Henderson asked if there was anything that would lead the auditor to believe that any money was being taken out from under the city without anyone knowing it other than the two purchases. The auditor said no.

4. Discuss and take action on presented audit and authorization of payment. Motion to approve the 2015 – 2016 audit as amended and authorization of payment for the audit made by Mayor Pro Tem Hein. Second made by Councilmember Audrain. Vote 4/0.

5. Discuss and take action on Fritch at Lake Meredith Economic Development Corporation budget for FY2016-2017. (EDC President Kendal Glover requested this item be moved to the number 3 position. There were no objections.) Council reviewed EDC budget as presented. Mayor Henderson inquired about the item on the budget labeled "amount remaining owed from City (approx.) - \$4600.00." Mayor wanted to know where the discrepancy was since previous City Manager had said we were completely caught up. Mr. Glover explained that the EDC had paperwork from Bob Layton where he had researched where the misappropriated funds were. The City had paid \$15,214 based on information given from city auditor Tracy Lambert. Interim Manager Jeff Howell informed the Council that he was in process of re-reconciling those accounts. Motion made by Mayor Pro Tem Hein to approve the Fritch at Lake Meredith Economic Development Corporation budget for FY2016-2017. Second made by Councilmember Gutierrez. Vote 4/0.

6. Adjourn. Motion made by Mayor Pro Tem Hein to adjourn. Second made by Councilmember Campbell. Vote 4/0.

READ, PASSED AND APPROVED on this _____ day of _____, 2017.

Mayor W. Kelly Henderson

Cindy Cook, City Secretary

City of Fritch

11:20 AM

Accounts Payable Open Invoices

| Invoice Date | Invoice Number | Due Date | Invoice Amount | Balance Due |
|---|----------------|-----------|-------------------|-------------------|
| General Fund | | | | |
| CE House | | | | |
| 2/9/2017 | 743 | 2/9/2017 | 1,407.50 | 1,407.50 |
| CE House Totals | | | \$1,407.50 | \$1,407.50 |
| O'Reilly Automotive Inc. | | | | |
| 2/13/2017 | | 2/13/2017 | 9.49 | 9.49 |
| 2/13/2017 | 0854-456922 | 2/13/2017 | 29.41 | 29.41 |
| 2/13/2017 | 0854-456944 | 2/13/2017 | 37.96 | 37.96 |
| 2/13/2017 | 0854-457257 | 2/13/2017 | 47.45 | 47.45 |
| O'Reilly Automotive Inc. Totals | | | \$124.31 | \$124.31 |
| Panhandle City Manager Assoc. | | | | |
| 2/13/2017 | | 2/13/2017 | 25.00 | 25.00 |
| Panhandle City Manager Assoc. Totals | | | \$25.00 | \$25.00 |
| Strobes N' More | | | | |
| 2/13/2017 | 210721 | 2/13/2017 | 103.00 | 103.00 |
| Strobes N' More Totals | | | \$103.00 | \$103.00 |
| General Fund Totals | | | \$1,659.81 | \$1,659.81 |
| Public Works Fund | | | | |
| Ameripride | | | | |
| 2/3/2017 | 3000465873 | 2/3/2017 | 115.00 | 115.00 |
| 2/13/2017 | 3000467527 | 2/13/2017 | 113.00 | 113.00 |
| Ameripride Totals | | | \$228.00 | \$228.00 |
| Double Diamond | | | | |
| 2/13/2017 | | 2/13/2017 | 1,368.26 | 1,368.26 |
| Double Diamond Totals | | | \$1,368.26 | \$1,368.26 |
| DPC Industries | | | | |
| 2/13/2017 | DE75000050-17 | 2/13/2017 | 40.00 | 40.00 |
| DPC Industries Totals | | | \$40.00 | \$40.00 |
| Public Works Fund Totals | | | \$1,636.26 | \$1,636.26 |
| Report Totals | | | \$3,296.07 | \$3,296.07 |
| Records included in total = 11 | | | | |

Report Options

Fund: Debt Service Fund, General Fixed Assets Fund, General Fund, Long Term Debt Fund, Public Works Fund

Display Notation: No

Display Detail: No





City of Fritch

City Council Communication

February 21, 2017

To: Mayor and City Council

From: Jeffrey Howell, interim city manager (outgoing)

Subject: Funds potentially owed to the Fritch at Lake Meredith Economic Development Corporation

At the September 20, 2016 City Council meeting, staff identified, given the fact that the previous administration having mishandled money due to the Fritch EDC, the city auditor calculated \$15,214 was due to the EDC. Kendall Glover, the EDC President, reported their figures showed \$34,810.59. City Manager McKay recommended the city pay only the amount calculated by the auditor and the City Council authorized the same.

The Economic Development Corporation continues to contend they are owed more and even included a figure in the budget for this fiscal year.

Staff has set about to review all documents possible to make a determination as to what, if anything, the City might still owe the Corporation. We started with three documents which in various forms added the figures – marked Exhibits A, B and C. Exhibits A and B are hand written, purportedly prepared by Mr. Bob Layton. Exhibit C was prepared by the City's Auditor, Tracy Lambert.

While we can match to some of the numbers for the most part; we find discrepancies primarily with Exhibits A and B. The key issues with these documents are Exhibit A mentions \$30K withdrawn from TexSTAR with a note blacked out but another note alluding to \$20K to Park Fund and \$10K owed. Exhibit B mentions the \$20K transferred for a "park matching grant -- not matched & not returned." It appears the \$10K was money received from the Amarillo Foundation as funding for signage for the museum and it was deposited in the wrong TexSTAR account on April 9, 2009. The next day the error was corrected by Carolee Nance by transferring the funds from the EDC TexSTAR account to the museum TexSTAR account. In January 2010, there was official action authorizing the FEDC to transfer \$20K for improvements to the City of Fritch "Park Project." The City was applying for a Small Community Park Grant (from Texas Parks and Wildlife, TP&W) and the \$20K was to be used to match the grant, if received. The question was specifically asked by then Mayor Pro-Tem Adams "if this grant [\$20K from FEDC] was contingent on the approval of the Small Community Grant" and Greg LeFevre stated, "these funds are not contingent on approval of the Small Community Grant." In June 2010, the FEDC conducted a public hearing on the "City Park Renovations" although it is unclear as to what those renovations may have been. The TP&W grant apparently was not received. The funds were surmised to have been used to install the irrigation system, although we can find no documentation to that effect.

February 21, 2017

To: Mayor and City Council

From: Jeffrey Howell, outgoing interim city manager

Subject: Funds potentially owed to the Fritch at Lake Meredith Economic Development Corporation

Page2

With respect to Exhibit C, there was an additional deposit not included in FY2012 auditors schedule. We were able to match to the figure marked 'paid to EDC by sales tax' in FY2013 other than a mileage reimbursement to Mr. Layton not included before. We were able to match to the amount paid to EDC for missed tax payments from prior years made up in FY2014 but had an approximate \$1,500 difference in salary paid to Mr. Layton on behalf of the FEDC. In FY2015 it has been determined the FEDC chose to no longer utilize Mr. Layton's services in February and his full compensation was picked up by the city. There is a \$1,000 difference between this determination and the auditor's calculations.

The bottom line is, I believe there is an additional amount of \$1,119.25 owed to the FEDC. Of course, it is up to the City Council should you chose to reimburse this amount. The cost to perform this reconciliation was approximately \$1,128 which equates to 3 days of my time.

A copy of this report will be forwarded to the Fritch at Lake Meredith Economic Development Corporation for review at their next meeting.

CITY OF FRITCH
Payable to EDC

Monthly Sales Tax due EDC

| | | | |
|--------------------|-----------------------|------------------------------------|------------------|
| Oct-11 | 1,515.36 | partial payment made | |
| Nov-11 | 3,041.34 ¹ | | |
| Feb-12 | 3,729.92 ² | | |
| Mar-12 | 2,082.38 ³ | | |
| May-12 | 3,624.01 ⁴ | | |
| Jun-12 | 2,562.71 ⁵ | | |
| Jul-12 | -1,328.34 | additional deposit or partial pmt? | |
| Jul-12 | 2,571.33 ⁸ | | |
| Aug-12 | 3,116.50 | | |
| Sep-12 | 2,741.32 ⁹ | | |
| Subtotal | | | 23,656.52 |
| Aug-12 x-fer to GF | 15,000.00 | | |
| Aug-12 x-fer to GF | 45.00 | | |
| Sep-12 x-fer to GF | 15,000.00 | | |

Bal 9/30/2012 53,701.52

Monthly Sales Tax due EDC

| | | | |
|--------------------|-----------------------|--|------------------|
| Oct-12 | 2,872.69 | | |
| Nov-12 | 3,155.36 | | |
| Dec-12 | 2,725.68 | | |
| Jan-13 | 2,712.54 | | |
| Feb-13 | 3,426.66 | | |
| Mar-13 | 2,559.37 | | |
| Apr-13 | 3,132.19 | | |
| May-13 | 3,351.50 | | |
| Jun-13 | 2,812.64 | | |
| Jul-13 | 2,788.03 | | |
| Aug-13 | 3,091.48 ⁶ | | |
| Sep-13 | 3,008.09 ⁷ | | |
| Subtotal | | | 35,636.22 |
| Jan-13 x-fer to GF | 25,000.00 | | |

| | | | | |
|----------------------|-------------------------|------------|--------|--------------------|
| 11/19/2012 pd to EDC | (30,000.00) | ck # | 106165 | |
| 5/17/2013 pd to EDC | (20,000.00) | x-fer ref# | 004181 | |
| 10/16/2012 EDC dep | (3,041.34) ¹ | ck # | 104417 | |
| 3/4/2013 EDC dep | (3,729.92) ² | ck # | 106549 | 11999.03 |
| 3/4/2013 EDC dep | (2,082.38) ³ | ck # | 106606 | (5,812.30) |
| 3/4/2013 pd to EDC | (3,624.01) ⁴ | x-fer ref# | 004057 | |
| 3/4/2013 pd to EDC | (2,562.71) ⁵ | x-fer ref# | 004057 | |
| total paid | (65,040.35) | | | 6186.727143 |

Mar '13 - Sep '13 Bob Layton (6,040.34) pd by City on behalf of FEDC

Bal 9/30/2013 43,257.05

No monthly sales tax payments missed in FY2014

| | | | |
|--------------------|-------------------------|------|--------|
| 10/31/2013 EDC dep | (3,091.48) ⁶ | ck # | 107598 |
| 10/31/2013 EDC dep | (3,008.09) ⁷ | ck # | 107598 |
| 2/25/2014 EDC dep | (2,571.33) ⁸ | ck # | 108004 |
| 5/23/2014 EDC dep | (2,741.32) ⁹ | ck # | 108273 |
| total paid | (11,412.21) | | |

Oct '13 - Sep '14 Bob Layton (10,511.59) pd by City on behalf of FEDC

Bal 9/30/2014 21,333.25

Oct '14 - Feb '15 Bob Layton (5,000.00) pd by City on behalf of FEDC

Bal 9/30/2015 16,333.25

9/21/2016 EDC dep (15,214.00) ck# 110464

Bal 9/30/2016 1,119.25

Transfer to and from FEDC to COF General Fund

| Date | Check/Ref | | | |
|------------|-----------|--------------|----------|-------------------|
| 8/28/2012 | 1043 | -\$15,000.00 | COF | |
| 8/31/2012 | 1045 | -\$45.00 | COF | |
| 9/27/2012 | 1050 | -\$15,000.00 | COF | |
| 11/19/2012 | Dep | \$30,000.00 | from COF | check# 106165 |
| 1/30/2013 | 1063 | -\$25,000.00 | COF | |
| 5/17/2013 | Dep | \$20,000.00 | from COF | x-fer ref# 004181 |

FEDC Sales Tax Calculations

| | Total Remittance | Calculated EDC Share | Deposits made | Dep Date | COF Ck# | ck date | Sales Tax Deposits not made |
|--------|---------------------|-------------------------|------------------|-----------------------|---------|------------|--|
| Jan-10 | 16,989.01 | 2,427.00 | 2,427.00 | 2/12/2010 | | | |
| Feb-10 | 22,151.56 | 3,164.51 | 3,164.49 | 3/15/2010 | | | |
| Mar-10 | 13,945.30 | 1,992.19 | see | 4/30/2010 | | | |
| Apr-10 | 13,337.94 | 1,905.42 | 3,897.61 | 4/30/2010 | | | |
| May-10 | 23,949.48 | 3,421.35 | see | 7/22/2010 | | | |
| Jun-10 | 14,345.25 | 2,049.32 | 5,470.67 | 7/22/2010 | | | |
| Jul-10 | 14,648.94 | 2,092.71 | 2,092.71 | 8/18/2010 | | | |
| Aug-10 | 18,616.26 | 2,659.47 | see | 10/20/2010 | | | |
| Sep-10 | 15,914.63 | 2,273.52 | see | 10/20/2010 | | | |
| Oct-10 | 16,780.19 | 2,397.17 | 7330.16 | 10/20/2010 | | | |
| Nov-10 | 18,789.33 | 2,684.19 | 2684.19 | 12/9/2010 | | | |
| Dec-10 | 17,532.72 | 2,504.67 | 2504.67 | 2/18/2011 | | | |
| Jan-11 | 15,213.21 | 2,173.32 | see | 3/7/2011 | | | |
| Feb-11 | 23,106.21 | 3,300.89 | 5,474.20 | 3/7/2011 | | | |
| Mar-11 | 16,679.07 | 2,382.72 | 2,382.72 | 5/6/2011 | | | |
| Apr-11 | 14,609.71 | 2,087.10 | 2,087.10 | 5/14/2011 | | | |
| May-11 | 23,207.26 | 3,315.32 | see | 8/1/2011 | | | |
| Jun-11 | 16,684.78 | 2,383.54 | 5,698.86 | 8/1/2011 | | | |
| Jul-11 | 17,168.35 | 2,452.62 | 2,452.61 | 10/11/2011 | 104091 | 9/30/2011 | |
| Aug-11 | 22,067.58 | 3,152.51 | see | 10/31/2011 | | | |
| Sep-11 | 16,551.18 | 2,364.45 | 5,516.97 | 10/31/2011 | 104193 | 10/14/2011 | |
| Oct-11 | 18,032.86 | 2,576.12 | | | | | 2,576.12 |
| | | | 1,060.76 | 10/31/2011 | 104245 | 10/26/2011 | -1060.76 ck made out to EDC |
| Nov-11 | 21,289.35 | 3,041.34 | 3,041.34 | 10/16/2012 | 104417 | 11/23/2011 | |
| Dec-11 | 14,959.24 | 2,137.03 | see | 4/11/2012 | 104652 | 1/30/2012 | |
| Jan-12 | 16,664.43 | 2,380.63 | 4,517.67 | 4/11/2012 | 104836 | 2/27/2012 | |
| Feb-12 | 26,109.44 | 3,729.92 | see | 3/4/2013 | 106549 | 1/22/2013 | |
| Mar-12 | 14,576.68 | 2,082.38 | 5812.31 | 3/4/2013 | 106506 | 2/7/2013 | |
| | | | 1,328.34 | 7/11/2012 | 105431 | 6/27/2012 | -1328.34 ck made out to COF but deposited in FEDC account |
| Apr-12 | 14,725.81 | 2,103.69 | 2,103.69 | 7/11/2012 | 105436 | 6/27/2012 | with a check matching the Apr amt due |
| May-12 | 25,368.05 | 3,624.01 | | | | | 3,624.01 12/13/2013 draft written & voided |
| Jun-12 | 17,938.96 | 2,562.71 | 6,186.72 | 3/4/2013 x-fer 004057 | | 3/4/2013 | 2,562.71 3/4/2013 shows outstanding on pooled cash bank reconciliation as of |
| Jul-12 | 17,999.31 | 2,571.33 | 2,571.33 | 2/25/2014 | 108004 | 2/25/2014 | 3/31,4/30,5/31,6/30,7/31 ,8/31 - voided 9/30 |
| Aug-12 | 21,815.49 | 3,116.50 | | | | | 3,116.50 |
| Sep-12 | 19,189.22 | 2,741.32 | see | 5/23/2014 | 108273 | 5/23/2014 | |
| Oct-12 | 20,108.86 | 2,872.69 | | | | | 2,872.69 |
| Nov-12 | 22,087.53 | 3,155.36 | | | | | 3,155.36 |
| Dec-12 | 19,079.76 | 2,725.68 | | | | | 2,725.68 |
| Jan-13 | 18,987.79 | 2,712.54 | | | | | 2,712.54 |
| Feb-13 | 23,986.63 | 3,426.66 | | | | | 3,426.66 |
| Mar-13 | 17,915.57 | 2,559.37 | | | | | 2,559.37 |

FEDC Sales Tax Calculations

| | Total | Calculated | Deposits | | | | Sales Tax Deposits not |
|--------|------------|------------|-----------|------------|---------|-----------|------------------------|
| | Remittance | EDC Share | made | Dep Date | COF Ck# | ck date | made |
| Sep-16 | 25,993.01 | 3,713.29 | 3,713.29 | 9/21/2016 | | | |
| Oct-16 | 24,504.12 | 3,500.59 | 3,500.59 | 10/26/2016 | | | |
| | | | 15,214.00 | 10/27/2016 | 110461 | 9/21/2016 | |
| Nov-16 | 26,406.93 | 3,772.42 | | | | | |
| Dec-16 | 23,551.49 | 3,364.50 | 7,136.92 | 1/9/2017 | | | |
| Jan-17 | 23,889.20 | 3,412.74 | 3,412.74 | 1/17/2017 | | | |

ED Director Payments

| Date: | ref | Amount | mileage | other | City Svcs? | Total | Paid by | | EDC | City | |
|---------------|--------|----------|---------------|-------|------------|----------|---------|------------------|-----|-------------|----------|
| | | | | | | | | | | | |
| 7/9/2012 | | 461.54 | 36.40 | 20.00 | | 517.94 | | X | | 461.54 x 26 | 12000.04 |
| 7/24/2012 | | 461.54 | | | | 461.54 | | X | | | |
| 8/6/2012 | | 461.54 | 45.64 | | | 507.18 | | X | | | |
| 8/23/2012 | | 461.54 | | | | 461.54 | | X | | | |
| 9/4/2012 | | 461.54 | | | | 461.54 | | X | | | |
| 9/17/2012 | | 461.54 | | | | 461.54 | | X | | | |
| 10/1/2012 | | 461.54 | | | | 461.54 | | X | | | |
| 10/16/2012 | | 461.54 | 52.00 | | | 513.54 | | X | | | |
| 11/5/2012 | | 461.54 | | | | 461.54 | | X | | | |
| 11/13/2012 | | 461.54 | | | | 461.54 | | X | | | |
| 11/27/2012 | | 461.54 | | | | 461.54 | | X | | | |
| 12/10/2012 | | 461.54 | | | | 461.54 | | X | | | |
| 12/21/2012 | | 461.54 | | | | 461.54 | | X | | | |
| 1/8/2013 | | 461.54 | | | | 461.54 | | X | | | |
| 1/24/2013 | | 461.54 | | | | 461.54 | | X | | | |
| 2/18/2013 | | 461.54 | 40.56 | | | 502.10 | | X | | | |
| FY Cumulative | | | | | | | | | | | |
| 3/18/2013 | 106572 | 461.54 | | | | 461.54 | | 461.54 | | X | |
| 4/4/2013 | 106809 | 461.54 | | | | 461.54 | | 923.08 | | X | |
| 4/4/2013 | 106810 | 461.54 | | | | 461.54 | | 1,384.62 | | X | |
| 4/18/2013 | 106859 | 461.64 | (\$.10 over) | | | 461.64 | | 1,846.26 | | X | |
| 5/13/2013 | 106893 | 923.28 | (2x) | | | 923.28 | | 2,769.54 | | X | |
| 6/13/2013 | 107017 | 1,384.62 | (3x) | | | 1,384.62 | | 4,154.16 | | X | |
| 6/13/2013 | 107018 | | 40.56 | | | 40.56 | | 4,194.72 | | X | |
| 9/5/2013 | 107386 | 1,000.00 | | | 1,000.00 | - | | 4,194.72 | | X | |
| 9/5/2013 | 107387 | 1,384.62 | (3x) | | | 1,384.62 | | 5,579.34 | | X | |
| 9/18/2013 | 107449 | 461.00 | (\$.54 shy) | | | 461.00 | | 6,040.34 | | X | |
| 9/18/2013 | 107450 | 1,000.00 | | | 1,000.00 | - | | 6,040.34 | | X | |
| 10/15/2013 | 107542 | 461.54 | | | | 461.54 | | 461.54 | | X | |
| 10/15/2013 | 107545 | 1,000.00 | | | 1,000.00 | - | | 461.54 | | X | |
| 10/22/2013 | 107582 | 1,461.54 | | | 1,000.00 | 461.54 | | 923.08 | | X | |
| 12/12/2013 | 107752 | 3,538.67 | | | 2,000.00 | 1,538.67 | | 2,461.75 | | X | |
| 2/25/2014 | 108002 | 2,000.00 | | | 1,000.00 | 1,000.00 | | 3,461.75 | | X | |
| 3/14/2014 | 108089 | | 49.84 | | | 49.84 | | 3,511.59 | | X | |
| 3/28/2014 | 108137 | 2,000.00 | | | 1,000.00 | 1,000.00 | | 4,511.59 | | X | |
| 4/23/2014 | 108207 | 2,000.00 | | | 1,000.00 | 1,000.00 | | 5,511.59 | | X | |
| 5/28/2014 | 108332 | 2,000.00 | | | 1,000.00 | 1,000.00 | | 6,511.59 | | X | |
| 6/16/2014 | 108363 | 2,000.00 | | | 1,000.00 | 1,000.00 | | 7,511.59 | | X | |
| 7/10/2014 | 108450 | | 28.05 | | 28.05 | - | | 7,511.59 | | X | |
| 7/16/2014 | 108470 | 2,000.00 | | | 1,000.00 | 1,000.00 | | 8,511.59 | | X | |
| 8/18/2014 | 108546 | 2,000.00 | | | 1,000.00 | 1,000.00 | | 9,511.59 | | X | |
| 9/17/2014 | 108624 | 2,000.00 | | | 1,000.00 | 1,000.00 | | 10,511.59 | | X | |

FY2013 includes 23 pmts of \$461.54 ± partly paid by FEDC & partly by COF

Two other checks written on 4/4/13 106807 & 106808 show outstanding on the pooled cash bank reconciliation for 4/30,5/31,6/30,7/31 - voided 8/31

5/23/13 ck#106997 for 461.64 was voided

this mileage reimbursement was left out of previous calculations

9/5/13 ck#107384 for 2384.62 -- voided 9/30/13

9/18/2013 Ck#107446 for 1461.51 written and voided

Can't figure out what combination makes up the 1,538.67

Assuming since City Svc adds to 12K for the FY then this amount

belongs to FEDC expense - perhaps additional mileage or similar cost

governmental accounting book reimbursement

ED Director Payments

| Date: | ref | Amount | mileage | other | City Svcs? | Total | Paid by | | |
|------------|--------|----------|---------|-------|------------|----------|-----------------|------|--|
| | | | | | | | EDC | City | |
| 10/2/2014 | 108656 | 2,000.00 | | | 1,000.00 | 1,000.00 | 1,000.00 | X | |
| 11/12/2014 | 108783 | 2,000.00 | | | 1,000.00 | 1,000.00 | 2,000.00 | X | |
| 12/12/2014 | 108854 | 2,000.00 | | | 1,000.00 | 1,000.00 | 3,000.00 | X | |
| 1/12/2015 | 108904 | 2,000.00 | | | 1,000.00 | 1,000.00 | 4,000.00 | X | |
| 2/17/2015 | 108980 | 2,000.00 | | | 1,000.00 | 1,000.00 | 5,000.00 | X | FEDC voted to discontinue utilization of an Executive Director |
| 3/11/2015 | 109035 | 2,000.00 | | | 2,000.00 | - | | X | City picked up 100% of Bob's salary. |
| 4/13/2015 | 109119 | 2,000.00 | | | 2,000.00 | - | | X | |
| 5/13/2015 | 109207 | 2,000.00 | | | 2,000.00 | - | | X | |
| 6/15/2015 | 109271 | 2,000.00 | | | 2,000.00 | - | | X | |
| 7/13/2015 | 109329 | 2,000.00 | | | 2,000.00 | - | | X | |
| 8/12/2015 | 109413 | 2,000.00 | | | 2,000.00 | - | | X | |
| 9/1/2015 | 109454 | 2,000.00 | | | 2,000.00 | - | | X | |

TIMATED FUNDS OWED EDC BY CITY

1-12-2015

DATES OF ESTIMATE 1-2008/8-2015

8-4-2015

| | | |
|-----------------|--------------------|--------------|
| TRANSFER IN/OUT | \$ 25,000 (OUT) | 1-30-2013 |
| | <u>20,000 (IN)</u> | 5-17-2013 |
| | \$ 5,000 | (SHORT FALL) |

| | | |
|-------------------|------------------|--------|
| SALES TAX PAYMENT | \$ 21,398.78 | (2012) |
| SHORT FALLS | 6,185.99 | (2013) |
| W/O TAX STAR | <u>30,000.00</u> | ? |
| | \$ 57,584.77 | |

20,000 TO PARK FUNDS
10,000 OWED.

| | |
|-------------|--------------|
| GROSS TOTAL | \$ 62,584.77 |
| SHORT FALL | |

| | | | |
|-------------------------|-----------------|-----------------|-------------------|
| PAID TO EDC BY THE CITY | DIRECTOR SALARY | \$ 8,461.53 | (3-18-13/12-2-13) |
| | | 12,000.00 | 2014 |
| | | <u>2,000.00</u> | (1-1-15/2-29-15) |
| | | \$ 22,461.53 | |

EXTRA SALES TAX PAYMENTS:

| | | |
|--|-----------------|----------------|
| | \$ 2,571.33 | PAID 2-25-2014 |
| | <u>2,741.32</u> | PAID 5-22-2014 |
| | \$ 5,312.65 | |

| | |
|--|--------------|
| TOTAL CITY REIMBURSEMENT OF EDC SHORT FALL | \$ 27,774.18 |
|--|--------------|

| | | |
|---------------------|------------------|--------------------|
| OWED TO EDC BY CITY | \$ 62,584.77 | (GROSS SHORT FALL) |
| | <u>27,774.18</u> | (PAID BY CITY) |
| \$ 15,214 | \$ 34,810.59 | |

FUNDS OWED BY FRITCH GENERAL FUNDS TO FRITCH EDC.

Exhibit B

JAN 2010 THRU JULY 2013

2010:

| | |
|-----------------------------|------------------|
| SHOULD HAVE BEEN DEPOSITED: | \$29,571.51 |
| WAS DEPOSITED: | <u>29,181.11</u> |
| SHORT | 390.40 |

2011:

| | |
|----------------------------------|------------------|
| U/O. SHOULD HAVE BEEN DEPOSITED: | \$31,081.25 |
| WAS DEPOSITED | <u>27,177.89</u> |
| SHORT | 3,903.36 |

2012:

| | |
|----------------------------|------------------|
| SHOULD HAVE BEEN DEPOSITED | \$33,666.22 |
| WAS DEPOSITED (NET) | <u>10,991.03</u> |
| SHORT | 22,675.19 |

2013:

| | |
|----------------------------|------------------|
| SHOULD HAVE BEEN DEPOSITED | \$20,782.92 |
| WAS DEPOSITED (NET) | <u>11,999.02</u> |
| SHORT | 8,783.89 |

6-30-13
\$35,752.84

OTHER:

| | | |
|-----------|---|-----------|
| 7-8-2010 | \$20,000 XFER FROM TEX STAR TO GENERAL ACCT (PARK MATCHING GRANT - NOT MATCHED & NOT RETURNED) | 20,000.00 |
| 1-30-2013 | CK#1063 WRITTEN ON EDC ACCOUNT TO FRITCH GENERAL FUNDS \$25,000 | |
| 5-17-2013 | ONLINE XFER FROM FRITCH GENERAL FUNDS TO EDC ACCOUNT \$20,000 (PARTIAL PAYMENT) DIFF | 5,000.000 |

DUE FRITCH EDC FROM CITY OF FRITCH

\$60,752.84

CITY OF FRITCH
PAYABLE TO EDC

| | <u>AUDIT</u> |
|-------------------------------------|-------------------------|
| <u>MONTHLY SALES TAX DUE TO EDC</u> | |
| OCTOBER 2011 | 1,515.36 |
| NOVEMBER 2011 | 3,041.34 |
| FEBRUARY 2012 | 3,729.92 |
| MARCH 2012 | 2,082.39 |
| MAY 2012 | 3,624.01 |
| JUNE 2012 | 2,562.71 |
| JULY 2012 | 2,571.33 |
| AUGUST 2012 | 3,116.50 |
| SEPTEMBER 2012 | 2,741.32 |
| | |
| AUG 2012 TRF TO GENERAL | 15,000.00 |
| SEP 2012 TRF TO GENERAL | <u>15,045.00</u> |
| | |
| BALANCE AT 9-30-12 | 55,029.88 |
| | |
| FYE 9-30-13 EDC SALES TAX | 35,636.22 |
| PAID TO EDC BY CITY | (65,040.37) |
| JAN 2013 TRF TO GENERAL | 25,000.00 |
| BOB SALARY PAID BY CITY | <u>(6,000.00)</u> |
| | |
| BALANCE AT 9-30-13 | 44,625.73 |
| | |
| PAID TO EDC BY CITY | (11,412.16) |
| BOB SALARY PAID BY CITY | <u>(12,000.00)</u> |
| | |
| BALANCE AT 9-30-14 | 21,213.57 |
| | |
| BOB SALARY PAID BY CITY | <u>(6,000.00)</u> |
| | |
| BALANCE AT 9-30-15 | <u><u>15,213.57</u></u> |

VOICE RESPONSE UNIT (VRU)
Touch Tone Phone System

TRANSACTION WORKSHEET

VRU Telephone Number: 1-866-890-7665

Date Transaction Entered: 4/9/09 Location Number: 11702

TYPE OF TRANSACTION (code)

It is necessary to submit wire instructions to your bank each time you complete a wire transfer to TexPool. It is not necessary to notify your bank for a ACH transfer to TexPool. All preload transactions will ask for a settlement date.

Deposit: ACH Wire

Account# _____

Withdrawal: ACH Wire

Account# _____

Internal transfer:

From:

Account# 4444-060

To:

Account# 0066-000

*Transferred to Museum
acct 4/9/09*

Amount: \$ 10000.00 (include cents)

Settlement Date: _____

Confirmation Number: 126980

Entered by: _____ Time: _____

Other
Information: _____

*Amarillo Area Foundation money for sign
put into wrong account.*



Confirmation Number: 126980

MANUAL TRANSACTION VERIFICATION

PLEASE VERIFY THAT THE INFORMATION CONTAINED ON THIS FORM IS CORRECT. IF THE INFORMATION IS CORRECT, PLEASE SIGN BELOW AND FAX BACK TO TEXSTAR AT (214)953-8878. IF THE INFORMATION IS INCORRECT PLEASE CALL TEXSTAR AT (800) 839-7827.

PARTICIPANT INFORMATION

Trade Date: Thu , April 09, 2009

Settle Date: Thu , April 09, 2009

Participant: City Of Fritch

Authorized Rep: Carolee Nance

Telephone: 806-857-3143 Fax: 806-857-3229

Transaction Type: Internal Transfer - Full Redemption

Location: 11702 From: Series: 4444 From: Fund: 000

Location: 11702 To Series: 0066 To Fund: 000

Amount: \$10,000.00

Interest: \$0.14

Total: \$10,000.14

Signature: _____

Carolee Nance

Authorized Representative

Comment:



CITY OF FRITCH
ATTN CAROLEE NANCE
PO BOX 758
FRITCH TX 79036

000069

TRANSACTION CONFIRMATION

LOCATION: 11702 SERIES: 0066 FUND: 000
FOR: 04/09/2009

| TRANSACTION DETAIL | | | | |
|--------------------|----------------------|---------------------|--------------------|-----------|
| TRANSACTION DATE | DESCRIPTION | CONFIRMATION NUMBER | TRANSACTION AMOUNT | BALANCE |
| | BEGINNING BALANCE | | | 3,598.99 |
| 04/09/2009 | TFR FROM 11702444000 | | 10,000.14 | 13,599.13 |

527748

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT TEXSTAR PARTICIPANT SERVICES AT 1-800-839-7827.



**MINUTES
FRITCH CITY COUNCIL REGULAR MEETING
JANUARY 19, 2010
509 WEST BROADWAY
FRITCH, TEXAS
7:00 P.M.**

The Regular Meeting of the City Council of the City of Fritch, Texas was called to order at 7:01 p.m. by Mayor Kevin Keener with the following members present:

Mayor Pro-tem Craig Adams Councilmember Ivan Wade
Councilmember Roland Ledford Councilmember Jacqueline Praeuner
Councilmember Bob Layton was not present.

CITY PERSONNEL PRESENT: Bobby Lamb, Leslie Bass, Kristy Thompson, Greg LeFevre, Jacquelyn Mihm, Cindy Irwin, Angelica Rodriguez, Victor Vargas.

ITEM I INVOCATION - PLEDGE OF ALLEGIANCE

Councilmember Wade gave the invocation.
Mayor Pro-Tem Adams led the Pledge of Allegiance.

ITEM II RECOGNIZE VISITORS - Mayor Kevin Keener

Mayor Kevin Keener recognized visitors as shown on the attached list.

ITEM III OATH OF OFFICE/STATEMENT FOR NEWLY APPOINTED OFFICIAL

The Statement of Appointed Officer and Oath of Office was officiated by Judge Cindy Irwin to Jacquelyn Mihm, Municipal Court Clerk.

ITEM IV APPROVAL OF MINUTES

1. Minutes of Regular Council Meeting January 19, 2009.

Councilmember Praeuner made the motion to approve the above listed minutes.
Mayor Pro-Tem Adams seconded the motion.
Ayes: Councilmember Praeuner, Councilmember Ledford, Mayor Pro-Tem Adams voted yes.
Councilmember Wade abstained from voting. Councilmember Layton not present.

ITEM V OPEN FORUM

No comments from citizens on items not related to agenda items.

ITEM VI NEW BUSINESS

1. JW Anderson Accounting Firm to present FY09 Audit.

Larry Anderson of JW Anderson & Associates presented the FY09 Audit.

Deliberate and take action to approve FY09 Audit.

Mayor Pro-Tem Adams made the motion to approve FY09 Audit.

Councilmember Wade seconded the motion.

Ayes: All present members voted yes. Councilmember Layton not present.

2. Deliberate and take action to move forward with PRPC presentation for Small Community Grant for City Park as presented.

Jamie Allen with PRPC presented Council with information concerning City of Fritch Park and guidelines and goals for submission of Texas Parks and Wildlife Small Community Grant.

Mayor Pro-Tem Adams made the motion to move forward with PRPC presentation for Small Community Grant.

Councilmember Praeuner seconded the motion.

Ayes: All present members voted yes. Councilmember Layton not present.

3. Deliberate and take action on Resolution 10-0118, a resolution of the City of Fritch authorizing submission of Small Community Grant application to the Texas Parks and Wildlife Recreation Grants Department.

Mayor Pro-Tem Adams made the motion to approve grant submission of Texas Parks and Wildlife Small Community Grant application.

Councilmember Ledford seconded the motion.

Ayes: All present members voted yes. Councilmember Layton not present.

4. Deliberate and take action on Ordinance 507, an ordinance prohibiting drilling or mining within the City Park Area of the City of Fritch, Texas; and providing for a penalty for violating this ordinance and declaring that an emergency exists.

Councilmember Wade made the motion to approve Ordinance 507, an ordinance prohibiting drilling or mining within the City Park Area of the City of Fritch, Texas: and providing for a penalty for violating this ordinance and declaring that an emergency exists.

Mayor Pro-Tem Adams seconded the motion.

Ayes: All present members voted yes. Councilmember Layton not present.

5. PUBLIC HEARING FOR JUNK VEHICLES LOCATED AT THE FOLLOWING ADDRESS:

201 S. Sheridan: Yellow Stepside Pickup Displaying TX LP# 1MZ359

No one spoke at public hearing. Action to be taken at later time.

6. Deliberate and take action approving Fritch at Lake Meredith Economic Development Board to expend promotional funds in the amount of \$1,250 for the development of a fully functional website designed by Executive Computer Resources.

Greg LeFevre, EDC President presented the Council with this request and it was stated the City would be responsible for the monthly maintenance fee of \$69.50 per month.

Councilmember Wade made the motion to allow the Fritch at Lake Meredith Economic Development Board to expend promotional funds in the amount of \$1,250 for the development of a fully functional website designed by Executive Computer Resources.

Councilmember Ledford seconded the motion.

Ayes: All present members voted yes. Councilmember Layton not present.

7. Deliberate and take action on Resolution No. 10-0119, a resolution allowing the Fritch at Lake Meredith Economic Development Board to expend \$20,000 for improvements to the City of Fritch "Park Project."

Greg LeFevre, EDC President, presented this request to the Council. Mayor Pro-Tem Adams asked if this grant was contingent on the approval of the Small Community Grant and it was stated that these funds are not contingent on the approval of the Small Community Grant.

Councilmember Praeuner made the motion to approve Resolution No. 10-0119, a resolution allowing the Fritch at Lake Meredith Economic Development Board to expend \$20,000 for improvements to the City of Fritch "Park Project."

Mayor Pro-Tem Adams seconded the motion.

Ayes: All present members voted yes. Councilmember Layton not present.

8. Deliberate and take action on request for Vicki Wilson, Fritch Area Chamber of Commerce, to be appointed to serve on Fritch at Lake Meredith Economic Development Board.

Councilmember Praeuner made the motion to appoint Vicki Wilson, Fritch Area Chamber of Commerce, to serve on the Fritch at Lake Meredith Economic Development Board.

Mayor Pro-Tem Adams seconded the motion.

Ayes: All present members voted yes. Councilmember Layton not present.

9. Deliberate and take action on Resolution No. 10-0117, a resolution granting Interim City Manager Bobby Lamb, authority to execute any and all contracts for the City of Fritch.

Councilmember Ledford made the motion to approve Resolution No. 10-0117, a resolution granting Interim City Manager Bobby Lamb, authority to execute any and all contracts for the City of Fritch.

Mayor Pro-Tem Adams seconded the motion.

Ayes: All present members voted yes. Councilmember Layton not present.

ITEM VII EXECUTIVE SESSION

1. Executive Session under Section 551.074: Personnel, City Manager.

Deliberate and take action on Executive Session concerning City Manager

The Council retired into executive session at 8:30 p.m. and returned at 9:02 p.m.
No action taken.

2. Executive Session under Section 551.072: Real Property.

Deliberate and take action on purchase of Real Property.

The Council retired into executive session at 9:03 p.m. and returned at 9:19 p.m.
No action taken.

ITEM VIII CITY MANAGER REPORT

1. Financial Reports presented to Council by Interim City Manager Bobby Lamb.
2. Election update and dates given to Council.

ITEM IX MAYORAL/COUNCILMEMBER ANNOUNCEMENTS

1. Set date for next Regular Council Meeting. (February 16, 2009)
2. Councilmember Praeuner thanked everyone for all their hard work and support of the City Park.
3. Interim City Manager announced that Barbara Gum had retired and it was announced she would be given a plaque for her years of service.
4. Officer Rodriguez, Fritch Police Department, introduced "Karlo" the City's new drug dog.

ITEM X FUTURE AGENDA ITEMS

1. Action on Public Hearing for Junk Vehicle
2. Second Reading of Resolution 10-0119.

ITEM XI ADJOURNMENT

1. If there is no further business, the Mayor can adjourn the meeting. If all of the items listed in the agenda have not been considered and disposed of, a majority vote is required to adjourn.

Meeting adjourned at 9:20 p.m.

READ, PASSED AND APPROVED on this the 16th of February, 2010.

Kevin Keener, Mayor

Leslie Bass, City Secretary

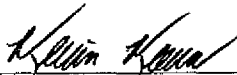
CITY OF FRITCH

Resolution No. 10-0119

WHEREAS the City of Fritch approves the expenditure of the Fritch At Lake Meredith Development Corporation (FALMEDC) a Type B economic development corporation for the city with a population of less than 20,000, to provide the City of Fritch "Park Project" a grant in the amount of \$20,000 for improvements to the City of Fritch public park in efforts to improve the quality of life for all citizens of Fritch.

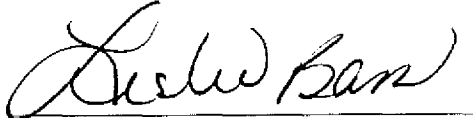
NOW THEREFORE, BE IT RESOLVED that the FALMEDC will expend \$20,000 in funds after sixty days of the first public notice and after the public hearing to the City of Fritch "Park Project" for such purpose.

PASSED AND APPROVED this 19th day of January 2010.

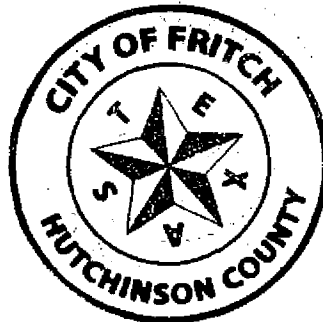


Kevin Keener, Mayor

ATTEST:



Leslie Bass
City Secretary





| | | |
|----------------------|--------------------------------------|-----------------------------|
| Account Listing | Withdrawal - Step 3 of 3 | |
| Account Detail | Account Registration | CITY OF FRITCH PARK FUND |
| Deposit | Account Number/Fund | 117020526000 / TEXSTAR |
| Withdrawal | Payment Method | ACH Payment |
| Transfer | Amount | \$20,000.00 |
| Account History | Effective Date | 07/09/2010 |
| Pending Transactions | Bank Information: | |
| Help Center | Bank Name | Happy State Bank |
| Logout | Routing Number | 111310870 |
| | Account Number(last 4 digits) | 3454 |

Please keep this confirmation number for your records # 2010070815400780200.

VOICE RESPONSE UNIT (VRU)
Touch Tone Phone System

TRANSACTION WORKSHEET

VRU Telephone Number: 1-866-890-7665

Date Transaction Entered: 7/9/10 Location Number: _____

TYPE OF TRANSACTION (code)

It is necessary to submit wire instructions to your bank each time you complete a wire transfer to TexPool. It is not necessary to notify your bank for a ACH transfer to TexPool. All preload transactions will ask for a settlement date.

Deposit: _____ ACH _____ Wire

Account# _____

Withdrawal: X ACH _____ Wire

Account# General Fund

Internal transfer: X

From: TexStar EDC 4444

Account# _____

To:

Account# _____

Amount: \$ 20000.00 (include cents)

Settlement Date: _____

Confirmation Number: _____

Entered by: _____ Time: _____

Other
Information: _____

TexStar Transfer of EDC Funds Granted to City
for Park Improvements - Approved By

Theresa Kay

Mary DeFune

Cindy Cook

From: Xochilt Perez (HTS) <Xochilt.Perez@hilltopsecurities.com>
Sent: Wednesday, February 01, 2017 10:15 AM
To: Cindy Cook
Subject: RE: Fritch EDC statements

| # | Trade Date | Description | Amount | Balance |
|----|------------|---------------------------------------|--------------|-------------|
| 35 | 07/31/2012 | MONTHLY POSTING | \$ 0.01 | 60.0100 |
| 34 | 06/29/2012 | MONTHLY POSTING | \$ 0.01 | 60.0100 |
| 33 | 05/31/2012 | MONTHLY POSTING | \$ 0.01 | 60.0000 |
| 32 | 04/30/2012 | MONTHLY POSTING | \$ 0.01 | 59.9900 |
| 31 | 03/30/2012 | MONTHLY POSTING | \$ 0.01 | 59.9800 |
| 30 | 04/29/2011 | MONTHLY POSTING | \$ 0.01 | 59.9700 |
| 29 | 03/31/2011 | MONTHLY POSTING | \$ 0.01 | 59.9600 |
| 28 | 02/28/2011 | MONTHLY POSTING | \$ 0.01 | 59.9500 |
| 27 | 01/31/2011 | MONTHLY POSTING | \$ 0.01 | 59.9400 |
| 26 | 12/31/2010 | MONTHLY POSTING | \$ 0.01 | 59.9300 |
| 25 | 11/30/2010 | MONTHLY POSTING | \$ 0.01 | 59.9200 |
| 24 | 10/29/2010 | MONTHLY POSTING | \$ 0.01 | 59.9100 |
| 23 | 09/30/2010 | MONTHLY POSTING | \$ 0.01 | 59.9000 |
| 22 | 08/31/2010 | MONTHLY POSTING | \$ 0.01 | 59.8900 |
| 21 | 07/30/2010 | MONTHLY POSTING | \$ 0.76 | 59.8800 |
| 20 | 07/08/2010 | TRANSFER TO 1170205260 <i>Texstar</i> | \$ 0.00 | 59.1200 |
| 19 | 06/30/2010 | MONTHLY POSTING <i>Park Fund</i> | \$ 3.07 | 20,059.1200 |
| 18 | 05/28/2010 | MONTHLY POSTING | \$ 3.13 | 20,056.0500 |
| 17 | 04/30/2010 | MONTHLY POSTING | \$ 2.84 | 20,052.9200 |
| 16 | 03/31/2010 | MONTHLY POSTING | \$ 2.64 | 20,050.0800 |
| 15 | 02/26/2010 | MONTHLY POSTING | \$ 2.23 | 20,047.4400 |
| 14 | 01/29/2010 | MONTHLY POSTING | \$ 2.73 | 20,045.2100 |
| 13 | 12/31/2009 | MONTHLY POSTING | \$ 3.21 | 20,042.4800 |
| 12 | 11/30/2009 | MONTHLY POSTING | \$ 3.27 | 20,039.2700 |
| 11 | 10/30/2009 | MONTHLY POSTING | \$ 3.56 | 20,036.0000 |
| 10 | 09/30/2009 | MONTHLY POSTING | \$ 4.33 | 20,032.4400 |
| 9 | 08/31/2009 | MONTHLY POSTING | \$ 5.25 | 20,028.1100 |
| 8 | 07/31/2009 | MONTHLY POSTING | \$ 5.50 | 20,022.8600 |
| 7 | 06/30/2009 | MONTHLY POSTING | \$ 6.07 | 20,017.3600 |
| 6 | 05/29/2009 | MONTHLY POSTING | \$ 7.58 | 20,011.2900 |
| 5 | 04/30/2009 | MONTHLY POSTING | \$ 3.71 | 20,003.7100 |
| 4 | 04/17/2009 | ACH DEPOSIT | \$ 20,000.00 | 20,000.0000 |
| 3 | 04/09/2009 | TRANSFER TO 1170200660 <i>Texstar</i> | \$ 0.00 | 0.0000 |
| 2 | 04/09/2009 | SPECIAL POSTING <i>Museum Fund</i> | \$ 0.14 | 10,000.1400 |
| 1 | 04/08/2009 | ACH DEPOSIT | \$ 10,000.00 | 10,000.0000 |

Xochilt Perez
 TexSTAR/LOGIC
 FirstSouthwest, A Division of Hilltop Securities
 1201 Elm Street, Suite 3500, Dallas, TX 75270
 Direct: 214.953.4121 | Toll Free: 800.839.7827 | Fax: 214.953.8878
Xochilt.Perez@hilltopsecurities.com

Please note: Our email and office address has changed. Please update your contact info.

City of Fritch

ORDINANCE NUMBER 552

AN ORDINANCE AMENDING ORDINANCE NUMBER 548 ADOPTING AND APPROVING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 AND REVISING APPROPRIATIONS FOR CERTAIN DEPARTMENTS; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Section 102.002 of the Local Government Code (LGC) sets out the requirement for a municipal budget; and,

WHEREAS, in accordance with LGC Section 102.007(a) the City Council acting in regular session on September 8, 2016 adopted Ordinance 548 thereby adopting and approving a budget for the fiscal year beginning October 1, 2016 and ending September 30, 2017; and,

WHEREAS, LGC Section 102.007(b) allows the governing body may make any changes in the budget that it considers warranted by the law or by the best interest of the municipal taxpayers; and,

WHEREAS, LGC Section 102.010 allows the governing body of the municipality may make changes in the budget for municipal purposes; and,

WHEREAS, the City Council desires to amend the budget for the current fiscal year 2017.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Fritch, Texas:

Section 1: The budget prepared by the City Manager and adopted by the City Council for the City of Fritch, Texas, for the fiscal year 2017, commencing October 1, 2016 and ending September 30, 2017 is hereby amended as follows:

Sources:

| | | |
|---------------------------------|------------------|------------------|
| Increase Estimated Receipts | Police Donations | 8,000.00 |
| received but not used last year | Fund Balance | <u>2,934.62</u> |
| | | <u>10,934.62</u> |

Uses:

| | | |
|-------------------------|---------------------------------------|------------------|
| Increase Appropriations | Police Repair & Maintenance – Vehicle | <u>10,934.62</u> |
|-------------------------|---------------------------------------|------------------|

Section 2: That all Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 3: That should any part of this Ordinance be held by any court having jurisdiction to be unlawful or unconstitutional, the remaining part shall remain in full force and effect.

Section 4: That this Appropriation Ordinance shall take effect and be in force on and after the date of its passage and it is so ordained.

PASSED AND APPROVED this the 21st day of February, 2017.

Mayor W. Kelly Henderson

Attest:

Cindy Cook, City Secretary

| Police Dept | | Adopted | | Reworked | | | | |
|-------------|----------------|---|---------------------------------|---------------------------|--|-----------------------------|----------------------------------|----------------|
| Expenses | Account Number | Description | Annual Budget Oct 2015 Sep 2016 | Budget Oct 2016 Sept 2017 | Description | Spent to-date as of 2/15/17 | Required for Remainder of FY2017 | Total |
| | 5101 | Salary/Wages 2 Full-Time Employees | 224,097.20 | 117,153.92 | Salary/Wages 5 Full-Time Employees Chief & 4 officers | 50,943 | 122,236 | 173,179 |
| | 5102 | Overtime | 19,856.00 | 20,000.00 | Overtime | 144 | - | 144 |
| | 5103 | Reserve Pay 5 Part-Time paid Reserve Officers 81,000 Fill-In Reserves 890 81,890 | 60,748.48 | 86,846.08 | Reserve Part-time Pay PT Administrative Assistant Part-time Reserves have been paid from this account thus far | 26,098 | 8,320 | 34,418 |
| | 5112 | Payroll Taxes 7.65% of direct compensation 204,412 x 7.65% = 15,637.52 | 13,815.61 | 21,811.00 | Payroll Taxes 7.65% of direct compensation 130,556 x 7.65% = 9,987.53 | 5,738 | 9,988 | 15,726 |
| | 5114 | Retirement (TMRS) 204,412 x 3.63% = 7,420.16 | 12,641.76 | 10,345.00 | Retirement (TMRS) 130,556 x 3.63% = 4,739.18 | 1,689 | 4,739 | 6,428 |
| | 5115 | LTD, AD&D & Life Insurance Monthly 2.65 x 2 = 63.60 | | 215.00 | LTD, AD&D & Life Insurance 7 months for 5 @ 2.65 = 89.60 | 28 | 90 | 117 |
| | 5118 | Workers' Comp Insurance | | 5,903.00 | Workers' Comp Insurance | 4,002 | 4,002 | 8,004 |
| | 5120 | Medical Insurance 428.75 x 2 x 12 = 10,290.00 | 20,249.28 | 10,290.00 | Medical Insurance 428.75 x 5 x 7 = 15,006.25 | 3,245 | 15,007 | 18,252 |
| | 5121 | Longevity \$4 per month for each year of service | 521.00 | 412.00 | Longevity \$4 per month for each year of service | 420 | - | 420 |
| | 5122 | Uniforms | | 1,500.00 | Uniforms | - | 1,500 | 1,500 |
| | 5131 | Travel/Training | 1,500.00 | 3,500.00 | Travel/Training | 1,621 | 1,879 | 3,500 |
| | 5135 | Employee Licenses | 500.00 | 500.00 | Employee Licenses | - | 500 | 500 |
| | 5140 | Drug Testing | 500.00 | 0.00 | Drug Testing | - | - | - |
| | | Personal Services | 354,429.33 | 278,476.00 | Personal Services | 93,927 | 168,261 | 262,188 |

Savings! 16,288



QUOTE
ODESSA PUMPS

(806) 622-9955
Phone: AMARILLO TX 79119-2532

| | |
|--------|------------|
| Number | 170929 |
| Date | 02/15/2017 |
| Page | 1 |

Ship-to: 02
CITY OF FRITCH
104 N ROBEY AVE
FRITCH TX 79036-8758

Bill-to: 2894
CITY OF FRITCH
PO BOX 758
FRITCH TX 79036-0758

| Reference # | Expires | S/Sp | Terms | Wh | Freight | Ship Via |
|----------------|----------|-----------|------------|----|---------|----------|
| HIGHTIDE SCADA | 06/15/17 | 121 | NET 30 DAY | 12 | PRE/ADD | DELIVER |
| Quoted By | TRP | Quoted To | CODY BENGE | | | |

| Item | Description | Ordered | UM | Price | UM | Extension |
|----------------------|---|---------|----|---------|----|-----------|
| | HIGHTIDE UNITS FOR 3-MORE CITY WELLS. | | | | | |
| HTT1100-E10-AC-VER | CITY WELL (X 3): | 3 | EA | 4200.00 | EA | 12600.00 |
| HTT1100-DO | 1100 UNIT, AC POWER, | 3 | EA | .00 | EA | .00 |
| HTT-AC-SURGE | 4-DIGITAL OUTPUT KIT | 3 | EA | .00 | EA | .00 |
| HTTANT-C-OMNI-25-KIT | 120V AC SURGE SUPPRE | 3 | EA | .00 | EA | .00 |
| HTT-CS-SPLIT | OMNI ANNTENA KIT | 3 | EA | .00 | EA | .00 |
| HTT-ANTENNA-SURGE | CURRENT SWITCH | 3 | EA | .00 | EA | .00 |
| COMM-C-D | EXT ANTN SURGE SUPPR | 3 | EA | .00 | EA | .00 |
| | ANNUAL COMM FEE | 3 | EA | 500.00 | EA | 1500.00 |
| | TOTAL: \$14,100.00 | | | | | |
| | TOTAL PER WELL: \$4,700.00 | | | | | |
| SERVICE QUOTE | INSTALLATION: MATERIALS, LABOR, ML | 3 | EA | 1000.00 | EA | 3000.00 |
| | TOTAL: \$3,000.00 | | | | | |
| | INSTALL PER SITE: \$1,000.00 | | | | | |
| | ***PLEASE ALLOW 2-4 WKS FOR EQUIP & SCHEDULING AFTER ORDER IS PLACED. | | | | | |
| | ***PLEASE NOTE: THE ANNUAL COMMS ARE A RECURRING CHARGE & THEY WILL BE BILLED ONCE EVERY YEAR. | | | | | |

| Merchandise | Tax | Total |
|-------------|-----|----------|
| 17100.00 | .00 | 17100.00 |

WE WOULD APPRECIATE YOUR BUSINESS!!



QUOTE
ODESSA PUMPS

(806) 622-9955
Phone: AMARILLO TX 79119-2532

| | |
|--------|------------|
| Number | 170936 |
| Date | 02/15/2017 |
| Page | 1 |

Ship-to: 02
CITY OF FRITCH
104 N ROBEY AVE
FRITCH TX 79036-8758

Bill-to: 2894
CITY OF FRITCH
PO BOX 758
FRITCH TX 79036-0758

| Reference # | Expires | Slsp | Terms | Wh | Freight | Ship Via |
|-----------------|----------|------|------------|----|---------|----------|
| BOOSTER STATION | 06/15/17 | 121 | NET 30 DAY | 12 | PRE/ADD | DELIVER |

| | | | |
|-----------|-----|-----------|------------|
| Quoted By | TRP | Quoted To | CODY BENGE |
|-----------|-----|-----------|------------|

| Item | Description | Ordered | UM | Price | UM | Extension |
|----------------------|--|---------|----|---------|----|-----------|
| | HIGHTIDE UNIT FOR BOOSTER STATION. | | | | | |
| | BOOSTER PUMP STATION: | | | | | |
| | WILL MONITOR LINE PRESSURE & FAULT STATUS OF THE (3) VFD'S | | | | | |
| HTT300-E6-AC-VER | HTT 300 UNIT | 1 | EA | 1400.00 | EA | 1400.00 |
| HTTANT-C-OMNI-25-KIT | OMNI ANNTENA KIT | 1 | EA | .00 | EA | .00 |
| COMM-C-D | ANNUAL COMM FEE | 1 | EA | 500.00 | EA | 500.00 |
| | INSTALLATION: | | | | | |
| BRYAN H FS | FIELD SERVICE | 5.0 | HR | 105.00 | HR | 525.00 |
| MISC-1-B | INSTALL MATERIALS | 1 | EA | 150.00 | EA | 150.00 |
| BRYAN H MLG | MILEAGE | 100.0 | EA | 2.50 | EA | 250.00 |

QUOTE

| Merchandise | Tax | Total |
|-------------|-----|---------|
| 2825.00 | .00 | 2825.00 |

WE WOULD APPRECIATE YOUR BUSINESS!!

UNDERWOOD

ATTORNEYS AND COUNSELORS AT LAW

SLATER ELZA

Phone Number: 806.379.0347

Fax Number: 806.349.9474

www.uwlaw.com

Slater.Elza@uwlaw.com

PHYSICAL ADDRESS:

500 S. Taylor Suite 1200, LB 233
Amarillo, TX 79101-2446

MAILING ADDRESS:

P.O. Box 9158
Amarillo, TX 79105-9158

February 6, 2017

Drew Brassfield, City Manager
CITY OF FRITCH
P.O. Box 758
Fritch, Texas 79036-0758

Re: Proposal for Professional Legal Services

Dear Mr. Brassfield:

Thank you for taking the time to visit with us last week. Our Firm would like to express our interest in serving as legal counsel for the City of Fritch, Texas. We will attempt to be specific in our qualifications. However, no matter how carefully we attempt to describe our Firm, questions may naturally arise. We trust that you will not hesitate to contact us concerning any questions by the City.

OVERVIEW

Our Firm

Practicing law in the Texas Panhandle for over 100 years, the Underwood Law Firm is one of the State's oldest, and among West Texas's largest firms. The Firm offers a full service local government law practice. We maintain additional offices in Pampa, Hereford, Lubbock, Fort Worth, and Plano.

The Firm is comprised of 50 attorneys who have concentrated experience in various areas of practice. You have indicated that you are looking for a Firm that can provide quality representation of your City and the variety of work that may entail. The Underwood Law Firm has a strong Governmental Law Practice Group, as well as strengths in many other areas that we hope will meet and exceed your goals for legal representation.

The Underwood Law Firm is routinely retained to act as regular and special counsel for various local government entities throughout the Panhandle and South Plains. The Firm is designed to provide every client the benefits and advantages that result from the talent, knowledge, and energy of a large group of professionals working together toward a common goal – a satisfied client. The Firm recognizes that its future depends on providing unparalleled service, expertise, and judgment to its clientele. Currently, our Firm regularly works with the cities of Amarillo, Lubbock, Hereford, Snyder, Littlefield, Wheeler, Tye, Whiteface, Rawls,

Drew Brassfield, City Manager
City of Fritch
February 6, 2017
Page 2

Crosbyton, Clarendon, Friona, Muleshoe, Dickens, Levelland, Texline, Bovina, Sudan, and Post, Texas. We also regularly work with numerous other cities on an as-needed basis. We also serve as general counsel for the economic development corporations in Hereford, Friona, Muleshoe, Littlefield, and Post, Texas, as well as the Parmer County Industrial Corporation, Amarillo Hospital District, and others.

Municipal Lawyers

Slater C. Elza is a lifetime resident of the Texas Panhandle and has been licensed to practice law in the State of Texas since 1997. For the past 15 years, Slater has maintained a significant practice representing municipalities and other local government entities. Slater regularly works with municipalities, economic development corporations, hospital districts and school districts, with responsibilities ranging from general representation to litigation. Slater was named a Texas Rising Star by Texas Lawyer and Texas Monthly in Municipal Law, Litigation-Defense and Business Litigation for 2005, 2007, 2008, 2009, 2010 and 2011.

Through his work as a governmental lawyer, Slater has had extensive opportunities to draft and review ordinances, resolutions, and other legal documents. Slater has been involved in the negotiation and drafting of agreements between cities and vendors, interlocal agreements, agreements with utility franchises and requests for proposals. He has regularly prosecuted Class C misdemeanors related to traffic and code enforcement for different municipalities.

Marcus W. Norris is a lifelong Texan, born and raised in Fort Worth. He has been licensed to practice law in Texas since 1985. The majority of his career has concentrated on municipal law. He served as in-house city attorney in Killeen, Texas for 4 years (plus 3 years as an assistant city attorney) and was the Amarillo city attorney for 15 years. He has provided legal guidance on a vast array of municipal issues from, Airports & Animal Control to Zoning & Zoos. His experience also includes hospital districts, economic development corporations, venue districts, public-private partnerships, public improvement districts, and others. He has a statewide reputation, having authored proposed legislation and testified before the Texas Legislature in pursuit of desirable legislation for municipalities during the past 11 sessions of the Legislature. He has authored provisions of both the Texas Tax Code and Texas Water Code. In 2015, he was selected as the *Outstanding Government Lawyer of the Year*, by the State Bar of Texas. He is a former director of the Texas Municipal League and a past president of the Texas City Attorney's Association.

Marcus is effective in helping municipalities find constructive alternatives for working with counties, schools, developers, and various regulatory agencies. Election issues, public policy, open meetings and open records questions, negotiating contracts, writing ordinances, handling personnel issues, attending meetings, speaking to the media on behalf of a client, and giving advice over the telephone are all part of his typical day.

Bryan Guymon was born in Sitka, Alaska, grew up in Providence, Utah, and moved to Texas as fast as he could. He completed his undergraduate work at Utah State University, where he graduated cum laude with Bachelor of Art degrees in History and International Studies with a

minor in Russian. In 2006, Bryan moved to Lubbock to attend Texas Tech University School of Law where he graduated cum laude with both a Doctor of Jurisprudence and Master of Science in Personal Financial Planning. After graduation, Bryan and his family moved to Pampa, Texas to join the Underwood office there.

Bryan routinely represents municipalities in a variety of legal matters ranging from drafting and reviewing ordinances, resolutions, and other legal documents to open records matters and acting as their municipal prosecutor.

Underwood's Governmental Law Practice Group is well equipped to address virtually any issue faced by cities and other local governmental entities. Our attorneys' numerous years of experience and commitment to excellence ensure exemplary representation of our governmental clients. We have the experience to address virtually all legal issues that governmental entities face today. Areas of practice include:

Governmental

- Drafting Ordinances and Resolutions
- Texas Open Meetings Act and the Texas Public Information Act
- Interpretation of municipal legislation
- Interpretation of accountability related issues
- Annexation and detachment
- Tax abatement issues
- Continuing education training to City Council and City Staff
- Prosecution of municipal offenses and code violations

Contracts

- Construction, including drafting and negotiating a variety of contracts, as well as addressing competitive bidding issues
- Drafting and negotiating real estate agreements, water rights and oil and gas leases
- Drafting contracts and inter-governmental agreements

Public Finance

- Serve as bond council for legal government units
- Certificates of obligation
- Tax Exempt financing
- Tax Revenue Bonds
- Lease Purchase Agreements

Although you can speak with any one of our attorneys in a particular area of expertise, depending on the issues at hand, we recommend that Slater be the City's main contact. He has a

broad knowledge of almost all issues facing cities and can route an issue to the appropriate Underwood lawyer if particular expertise is needed.

OTHER AREAS OF PRACTICE

Additionally, from time to time, a city faces a question that may require another area of expertise. We have available within our Firm attorneys who are highly qualified to address virtually any legal issue that could arise within a city. The following is a brief summary of the other areas of practice that governmental entities may encounter which are available within the Underwood Law Firm.

Litigation. The Firm has extensive experience representing businesses and governmental entities on both the defense and plaintiff's side of litigation in federal and state courts throughout Texas, but primarily in West Texas. The Firm has the ability to adequately staff complex litigation with a team of lawyers, paralegals, and support staff to support whichever one of our attorneys is the lead counsel on the matter. However, on less complex litigation, our Firm assigns an attorney with the appropriate level of experience to handle the matter without over-staffing a case with unnecessary associate or paralegal help. In recent years, Slater Elza has represented multiple cities, school districts and hospital districts in litigation.

Real Estate. Underwood's Real Estate Law Practice Group represents buyers, sellers, developers, builders, and lenders in a broad range of real estate matters including: purchase and sale of real property; real estate financing and refinancing including negotiating and documenting real estate loans; drafting and negotiating commercial leases; organizing real estate partnerships and joint ventures; drafting deeds, notes, and security agreements for real estate closings; representing clients in all types of real estate litigation; examination of title, curing title problems, and assisting clients in acquisition of title insurance; landlord and tenant disputes; loan foreclosures and loan workouts on real property. Underwood's real estate lawyers have extensive experience in real estate law. This experience has benefited our governmental clients when purchasing land for construction or negotiating easements. Our attorneys can assist cities through each step of the process, including resolution of any disputes or conflicts that could arise after the deal is closed. The Firm has also helped governmental entities with public financing arrangements for various capital improvement projects and can be retained to serve as bond or underwriter's counsel for its governmental entity clients.

Wind Energy. Recent advancements in technology, coupled with the strong push by the State of Texas for clean energy, have led to a boom in new wind energy development in the Texas Panhandle. The Underwood Law Firm has the industry knowledge and legal expertise to help clients navigate these new opportunities in Texas. Underwood is also positioned to help cities formulate a wind energy ordinance that best protects citizens while maintaining the opportunity for individuals and businesses to explore new and ever-changing technologies.

Oil and Gas. Underwood's Oil, Gas, and Mineral Law Practice Group serves a wide variety of clients from major oil companies and independent producers to individual mineral and royalty owners in a diverse range of legal matters from transactions to litigation. Lawyers practicing in this area draw upon many years of collective experience in oil, gas, and mineral law matters.

In addition, Underwood's oil and gas lawyers maintain contacts with law firms in Austin, Texas, which can provide legal services on a wide variety of state and federal regulatory matters before the Texas Railroad Commission, the Federal Energy Regulatory Commission, and other regulatory bodies.

Labor/Employment. The Underwood Law Firm has represented and represents the largest employers in West Texas. Among our clients are the Amarillo Independent School District, Lubbock Independent School District, BWXT-Pantex, Tyson Fresh Meats (formerly IBP, Inc.), Cargill, ASARCO and BSA Health Systems. Inherent in these representations are labor and employment matters. We routinely represent employers in connection with workplace litigation and arbitrations. We have experience in disputes involving the Americans with Disabilities Act, Age Discrimination and Employment Act, the Family Medical Leave Act, Title VII Discrimination Claims, ERISA issues, the Texas Commission on Human Rights Act, Texas Worker's Compensation claims, Fair Labor Standards Act, and wrongful discharge claims.

REPRESENTATION

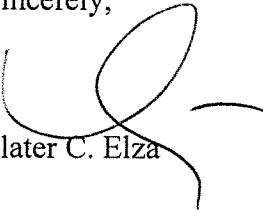
Underwood has developed numerous fee arrangements with its various clients, including municipalities. We are aware of financial constraints, so we offer a significantly discounted hourly rate for our city clients of \$225 or lower, depending on experience. We understand that each city is unique and may have a need or desire for specialized billing arrangements. In the past, we have worked with municipalities on a retainer agreement, an hourly fee agreement, or some combination of the two. Should the City of Fritch be interested in exploring a long term relationship with the Underwood Law Firm, we would be happy to sit down with the City Council and/or City Staff to develop a fee structure that is beneficial for both parties. For now, we propose moving forward with an hourly fee agreement.

CONCLUSION

Again, thank you for the opportunity to submit this proposal. We believe that our experience representing local governmental entities throughout the Texas Panhandle and South Plains makes us a good fit for your City. Please let us know if there are any further questions we could answer. Should the Board wish to engage our services, please have the Mayor sign in the available space below.

Drew Brassfield, City Manager
City of Fritch
February 6, 2017
Page 6

Sincerely,



Slater C. Elza

Mayor, City of Fritch, Texas

SCE/ap

Council meeting 2/21/2017

1. City water wells

- Work from Etter Water Well Service has begun on the repairs of wells # 1 # 2 # 3 we are in final stages of test pumping and final Bac-T samples these should be ready to put online no later than the end of the month.

2. Wastewater

- Been doing a lot of general maintenance.
- We have sent one of the race tracks aerator gear boxes in for repair at Odessa Pump.
- We had an annual inspection from the TCEQ on 2/2/2017 we received one violation from August 2017 for our TSS levels being high but this was followed up by compliant readings for the following three months so this violation was noted and resolved. Along with that there were no other violations.

3. Potholes

- We are continuing to find a product that will help us with pot holes in example there is a product we received free samples from an it seems to work quite well I am considering ordering some for all pot hole repairs.
- We have also started trying to repair dirt roads with our drag and it seems to be helping although we should consider a maintainer.

4. Leaks

- We are trying to keep up with the leaks we currently have 5 leaks on the books the crew has fixed 19 in the last two weeks. We seem to be getting more reported every day.

5. Work orders

- There are some outstanding work orders that we are striving to get resolved.

6. Park

- There are still some tree limbs down. We have been working to get those picked up and out of the way. We have some volunteers along with a tree service volunteering to help us with this matter.

Thank you for your support and I will try to answer any questions you may have anytime please feel free to contact me.

806-395-0661

cbenge@fritchcityhall.com

Thanks again,

Cody Bengé

A handwritten signature in black ink, reading "Cody Bengé", written over a horizontal line. The signature is fluid and cursive, with the first name "Cody" and last name "Bengé" clearly legible.

Public Works Director

Leaks that have been repaired 01/17/2017 - 02/15/2017

1. 317 Folsom
2. Debra In
3. Meredith Way valve
4. Hydrant 700 S. Robey
5. Hydrant 912 S. Ridgeland
6. 109 Cliff Trl.
7. 523 Overland Trl.
8. 135 Rambling Ln.
9. Rock Island & Pampa Rd.
- 10.310 Loman
- 11.533 Eagle Blvd.
- 12.503 Deahl Rd.
- 13.126 Prarie Dr.
- 14.Leak on meter at LMH
- 15.109 Estacado
- 16.303 Fritch Dr
- 17.501 N. Sheridan
- 18.200 S. Railroad
- 19.206 Golden Dr.

Plus, numerous taps and back fills as well as valve changes

CURRENT LEAK LIST

Yantis & High Plains

404 Coronado

176 Buffalo Trl.

602 Nara Visa

1022 Plains

TCEQ EXIT INTERVIEW FORM: Potential Violations and/or Records Requested

| | | | | |
|-----------------------------------|---------------------------------|---------------------------------|--------------------------|----------------------------------|
| Regulated Entity/Site Name | City of Fritch | TCEQ Add. ID No. | WQ 14591-001 | |
| | | RN No. (optional) | RN 104518766 | |
| Investigation Type | CCI Contact Made In-House (Y/N) | Purpose of Investigation | Compliance Investigation | |
| Regulated Entity Contact | Cody Bengel | Telephone No. | 806-857-3143 | Date Contacted 02/02/2017 |
| Title | ASST. Public Works Director | Fax No. | | Date Faxed |

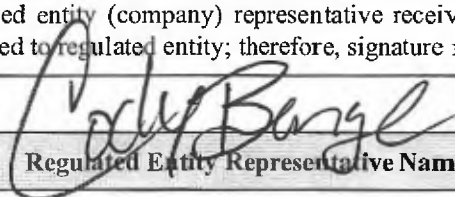
NOTICE: The information provided in this form is intended to provide clarity to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and *does not represent final TCEQ findings related to violations*. Any potential or alleged violations discovered after the date on this form will be communicated by telephone to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation report.

| Issue | | For Records Request: identify the necessary records, the company contact and date due to the agency. For Alleged and Potential Violation issues: include the rule in question with the clearly described potential problem. Other type of issues: fully describe. | |
|-------|-------------------|--|--|
| No. | Type ¹ | Rule Citation (if known) | Description of Issue |
| 1 | AV | | The facility failed to maintain effluent parameters for the TSS Daily avg. during the months of July 2016 (21mg/l), and the month of August 2016 (25mg/l). |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

¹Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

| | | |
|---|------------------------------|--|
| Did the TCEQ document the regulated entity named above operating without proper authorization? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Did the investigator advise the regulated entity representative that continued operation is not authorized? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Document Acknowledgment. Signature on this document establishes only that the regulated entity (company) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, document will be faxed to regulated entity; therefore, signature not required.

| | | | | |
|---|---------------|--|---|----------|
| Amber Passini | Amber Passini | 02/02/17 |  | 2-2-2017 |
| Investigator Name (Signed & Printed) | Date | Regulated Entity Representative Name (Signed & Printed) | Date | |

If you have questions about any information on this form, please contact your local TCEQ Regional Office.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512-239-3282.

Fritch Vol. Fire Dept.

Fritch, TX

This report was generated on 2/2/2017 5:02:07 PM



Count of Incidents by Incident Type per Zone

Incident Status: Reviewed | Start Date: 01/01/2017 | End Date: 01/31/2017

% of Incidents per Zone



| INCIDENT TYPE | # INCIDENTS | % of TOTAL |
|---|-------------|-------------|
| Carson County - Carson County | | |
| 143 - Grass fire | 1 | 5.00% |
| Zone: Carson County - Carson County Total Incident: | | 1 |
| | | 5.00% |
| City Limits - City Limits | | |
| 500 - Service Call, other | 1 | 5.00% |
| 600 - Good intent call, other | 2 | 10.00% |
| Zone: City Limits - City Limits Total Incident: | | 3 |
| | | 15.00% |
| Hutchinson - Hutchinson Co. | | |
| 118 - Trash or rubbish fire, contained | 1 | 5.00% |
| 143 - Grass fire | 1 | 5.00% |
| 311 - Medical assist, assist EMS crew | 3 | 15.00% |
| 412 - Gas leak (natural gas or LPG) | 1 | 5.00% |
| 500 - Service Call, other | 2 | 10.00% |
| 550 - Public service assistance, other | 1 | 5.00% |
| 600 - Good intent call, other | 6 | 30.00% |
| 900 - Special type of incident, other | 1 | 5.00% |
| Zone: Hutchinson - Hutchinson Co. Total Incident: | | 16 |
| | | 80.00% |
| TOTAL INCIDENTS FOR ALL ZONES: | | 20 |
| | | 100% |

Only REVIEWED incidents included

OFFICE OF COURT ADMINISTRATION
TEXAS JUDICIAL COUNCIL



OFFICIAL MUNICIPAL COURT MONTHLY REPORT

Month January Year 2017

Municipal Court for the City of FRITCH

Presiding Judge Shila Hart

If new, date assumed office _____

Court Mailing Address PO Box 758

City Fritch, TX Zip 79036

Phone Number 806-857-3143 ex 103

Fax Number 806-857-3229

Court's Public Email tburris@fritchcityhall.com

Court's Website www.fritchcityhall.com

THE ATTACHED IS A TRUE AND ACCURATE REFLECTION OF THE RECORDS OF THIS COURT.

Prepared by T Burris

Date 02-03-2017

Phone Number 806-857-3143 ex 103

PLEASE RETURN THIS FORM NO LATER THAN 20 DAYS FOLLOWING THE END OF THE MONTH REPORTED TO:

OFFICE OF COURT ADMINISTRATION
P O BOX 12066
AUSTIN, TX
78711-2066

PHONE: (512) 463-1625
FAX: (512) 936-2423

CRIMINAL SECTION

| Court CITY OF FRITCH MUNICIPAL COURT | | Traffic Misdemeanors | | | Non-Traffic Misdemeanors | | |
|--|-----------|----------------------|----------|----------------|--------------------------|-----------------|----------------|
| Month January | Year 2017 | Non-Parking | Parking | City Ordinance | Penal Code | Other State Law | City Ordinance |
| 1. Total Cases Pending First of Month: | | 1,497 | 2 | 0 | 131 | 86 | 11 |
| a. Active Cases | | 1,497 | 2 | 0 | 131 | 86 | 11 |
| b. Inactive Cases | | 0 | 0 | 0 | 0 | 0 | 0 |
| 2. New Cases Filed | | 54 | 1 | 0 | 1 | 1 | 0 |
| 3. Cases Reactivated | | 0 | 0 | 0 | 0 | 0 | 0 |
| 4. All Other Cases Added | | 0 | 0 | 0 | 0 | 0 | 0 |
| 5. Total Cases on Docket (Sum of Lines 1a, 2, 3 & 4) | | 1,551 | 3 | 0 | 132 | 87 | 11 |
| 6. Dispositions Prior to Court Appearance or Trial: | | | | | | | |
| a. Uncontested Dispositions (Disposed without appearance before a judge (CCP Art. 27.14)) | | 88 | 1 | 0 | 3 | 2 | 0 |
| b. Dismissed by Prosecution | | 3 | 0 | 0 | 0 | 0 | 0 |
| 7. Dispositions at Trial: | | | | | | | |
| a. Convictions: | | | | | | | |
| 1) Guilty Plea or Nolo Contendere | | 0 | 0 | 0 | 0 | 0 | 0 |
| 2) By the Court | | 0 | 0 | 0 | 0 | 0 | 0 |
| 3) By the Jury | | 0 | 0 | 0 | 0 | 0 | 0 |
| b. Acquittals: | | | | | | | |
| 1) By the Court | | 0 | 0 | 0 | 0 | 0 | 0 |
| 2) By the Jury | | 0 | 0 | 0 | 0 | 0 | 0 |
| c. Dismissed by Prosecution | | 0 | 0 | 0 | 0 | 0 | 0 |
| 8. Compliance Dismissals: | | | | | | | |
| a. After Driver Safety Course (CCP, Art. 45.0511) | | 7 | | | | | |
| b. After Deferred Disposition (CCP, Art. 45.051) | | 6 | 0 | 0 | 0 | 0 | 0 |
| c. After Teen Court (CCP, Art. 45.052) | | 0 | 0 | 0 | 0 | 0 | 0 |
| d. After Tobacco Awareness Course (HSC, Sec. 161.253) | | | | | | 0 | |
| e. After Treatment for Chemical Dependency (CCP, Art. 45.053) | | | | | 0 | 0 | |
| f. After Proof of Financial Responsibility (TC, Sec. 601.193) | | 2 | | | | | |
| g. All Other Transportation Code Dismissals | | 13 | 0 | 0 | 0 | 0 | 0 |
| 9. All Other Dispositions | | 7 | 0 | 0 | 0 | 0 | 0 |
| 10. Total Cases Disposed (Sum of Lines 6, 7, 8 & 9) | | 126 | 1 | 0 | 3 | 2 | 0 |
| 11. Cases Placed on Inactive Status | | 0 | 0 | 0 | 0 | 0 | 0 |
| 12. Total Cases Pending End of Month: | | 1,425 | 2 | 0 | 129 | 85 | 11 |
| a. Active Cases (Equals Line 5 minus the sum of Lines 10 & 11) | | 1,425 | 2 | 0 | 129 | 85 | 11 |
| b. Inactive Cases (Equals Line 1b minus Line 3 plus Line 11) | | 0 | 0 | 0 | 0 | 0 | 0 |
| 13. Show Cause Hearings Held | | 0 | 0 | 0 | 0 | 0 | 0 |
| 14. Cases Appealed: | | | | | | | |
| a. After Trial | | 0 | 0 | 0 | 0 | 0 | 0 |
| b. Without Trial | | 3 | 0 | 0 | 0 | 0 | 0 |

CIVIL/ADMINISTRATIVE SECTION

| Court CITY OF FRITCH MUNICIPAL COURT | | |
|---|------------------|--------------------|
| Month January | Year 2017 | |
| | | TOTAL CASES |
| 1. Total Cases Pending First of Month: | | 0 |
| a. Active Cases | | 0 |
| b. Inactive Cases | | 0 |
| 2. New Cases Filed | | 0 |
| 3. Cases Reactivated | | 0 |
| 4. All Other Cases Added | | 0 |
| 5. Total Cases on Docket <i>(Sum of Lines 1a, 2, 3 & 4)</i> | | 0 |
| DISPOSITIONS | | |
| 6. Uncontested Civil Fines or Penalties | | 0 |
| 7. Default Judgments | | 0 |
| 8. Agreed Judgments | | 0 |
| 9. Trial/Hearing by Judge/Hearing Officer | | 0 |
| 10. Trial by Jury | | 0 |
| 11. Dismissed for Want of Prosecution | | 0 |
| 12. All Other Dispositions | | 0 |
| 13. Total Cases Disposed <i>(Sum of Lines 6 through 12)</i> | | 0 |
| 14. Cases Placed on Inactive Status | | 0 |
| 15. Total Cases Pending End of Month: | | 0 |
| a. Active Cases <i>(Equals Line 5 minus the sum of Lines 13 & 14)</i> | | 0 |
| b. Inactive Cases <i>(Equals Line 1b minus Line 3 plus Line 14)</i> | | 0 |
| 16. Cases Appealed: | | |
| a. After Trial | | 0 |
| b. Without Trial | | 0 |

JUVENILE/MINOR ACTIVITY

| | |
|---|--------------|
| Court CITY OF FRITCH MUNICIPAL COURT | |
| Month January Year 2017 | TOTAL |
| 1. Transportation Code Cases Filed | 1 |
| 2. Non-Driving Alcoholic Beverage Code Cases Filed | 0 |
| 3. Driving Under the Influence of Alcohol Cases Filed | 0 |
| 4. Drug Paraphernalia Cases Filed <i>(HSC, Ch. 481)</i> | 0 |
| 5. Tobacco Cases Filed <i>(HSC, Sec. 161.252)</i> | 0 |
| 6. Failure to Attend School Cases Filed <i>(Ed.Code, Sec. 25.094)</i> | 0 |
| 7. Education Code (Except Failure to Attend) Cases Filed | 0 |
| 8. Violation of Local Daytime Curfew Ordinance Cases Filed <i>(Local Govt. Code, Sec. 341.905)</i> | 0 |
| 9. All Other Non-Traffic Fine-Only Cases Filed | 0 |
| 10. Transfer to Juvenile Court: | |
| a. Mandatory Transfer <i>(Fam.Code, Sec. 51.08(b)(1))</i> | 0 |
| b. Discretionary Transfer <i>(Fam.Code, Sec. 51.08(b)(2))</i> | 0 |
| 11. Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct) <i>(CCP, Art. 45.050(c)(1))</i> | 0 |
| 12. Held in Contempt by Criminal Court (Fined and/or Denied Driving Privileges) <i>(CCP, Art. 45.050(c)(2))</i> | 0 |
| 13. Juvenile Statement Magistrate Warning: | |
| a. Warnings Administered | 0 |
| b. Statements Certified <i>(Fam.Code, Sec. 51.095)</i> | 0 |
| 14. Detention Hearings Held <i>(Fam. Code, Sec. 54.01)</i> | 0 |
| 15. Orders for Non-Secure Custody Issued | 0 |
| 16. Parent Contributing to Nonattendance Cases Filed <i>(Ed. Code, Sec. 25.093)</i> | 0 |

ADDITIONAL ACTIVITY

| Court | CITY OF FRITCH MUNICIPAL COURT | | NUMBER GIVEN | NUMBER REQUESTS FOR COUNSEL |
|---|---------------------------------------|------------------|---------------------|------------------------------------|
| Month | January | Year 2017 | | |
| 1. Magistrate Warnings: | | | | |
| | a. Class C Misdemeanors | | 0 | |
| | b. Class A and B Misdemeanors | | 0 | 0 |
| | c. Felonies | | 0 | 0 |
| | | | | TOTAL |
| 2. Arrest Warrants Issued: | | | | |
| | a. Class C Misdemeanors | | | 0 |
| | b. Class A and B Misdemeanors | | | 0 |
| | c. Felonies | | | 0 |
| 3. Capiases Pro Fine Issued | | | | 0 |
| 4. Search Warrants Issued | | | | 0 |
| 5. Warrants for Fire, Health and Code Inspections Filed <i>(CCP, Art. 18.05)</i> | | | | 0 |
| 6. Examining Trials Conducted | | | | 0 |
| 7. Emergency Mental Health Hearings Held | | | | 0 |
| 8. Magistrate's Orders for Emergency Protection Issued | | | | 0 |
| 9. Magistrate's Orders for Ignition Interlock Device Issued <i>(CCP, Art. 17.441)</i> | | | | 0 |
| 10. All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond | | | | 0 |
| 11. Driver's License Denial, Revocation or Suspension Hearings Held <i>(TC, Sec. 521.300)</i> | | | | 0 |
| 12. Disposition of Stolen Property Hearings Held <i>(CCP, Ch. 47)</i> | | | | 0 |
| 13. Peace Bond Hearings Held | | | | 0 |
| 14. Cases in Which Fine and Court Costs Satisfied by Community Service: | | | | |
| | a. Partial Satisfaction | | | 0 |
| | b. Full Satisfaction | | | 1 |
| 15. Cases in Which Fine and Court Costs Satisfied by Jail Credit | | | | 21 |
| 16. Cases in Which Fine and Court Costs Waived for Indigency | | | | 0 |
| 17. Amount of Fines and Court Costs Waived for Indigency | | | | 0.00 |
| 18. Fines, Court Costs and Other Amounts Collected: | | | | |
| | a. Kept by City | | | 16,817.70 |
| | b. Remitted to State | | | 6,022.58 |
| | c. Total | | | 22,840.28 |

FRITCH AT LAKE MEREDITH ECONOMIC DEVELOPMENT CORPORATION

FEBRUARY 6, 2017 MEETING MINUTES

Those attending the meeting were guest Davina Brown, CCS, Joe Whatley, Kendel Glover, Linda Been, Jeannie Olson, Jeff Howell, City Manager Interim, Vicki Wilson and Tara Huff from Eagle Press.

The meeting was called to order at 12:05 by President Kendel Glover.

The invocation was given by Linda Been and Pledge was led by Joe Whatley.

A motion to approve the January 9, 2017 minutes was made by Jeannie Olson and seconded by Vicki Wilson with motion carried.

No bank balances on accounts or Tax revenue Check balances this time.

In New Business:

Joe made a motion to accept the budget for 2016 thru 2017 while Jeannie seconded and motion carried.

In Old Business: Disc Golf in Park Kevin, at Lowes grocery is hoping to have the supplies in the next week. He will have a display for the disc golf to purchase everything you need to play. We have \$3400.00 to do with in the Park. \$1000.00 will be to do dirt work and the other \$2400.00 will be to buy

Benches, trash containers, and trees if need be. A tournament is planned in the Spring for Disc Golf.

On April 29, 2017 Volunteers will work in the Park to clear out damaged trees and plant new ones. The boy Scouts and maybe the Girl Scouts will be taking part in the day.

No Executive Session:

Open forum: Davina Brown from CCS, Connect Community Services, Brown says the group is in the process of buying a building to help families in need of food and help people get their GED. Also to help with Food Stamps. Linda Been spoke of trying to get a new City Map of the streets in the area with advertisers to help with the cost of the maps.

Future agenda Items: The Connect Community Services, A map for Fritch and the area, and disc golf in the park.

Adjournment:

Linda Been made a motion to adjourn at 12:27 pm. Joe seconded it with motion carried.

Vicki Wilson

Secretary of the Fritch EDC