

CITY OF LAKE WORTH
Minutes for
City Council
Special Meeting
Tuesday, September 16, 2008
3805 Adam Grubb • Lake Worth, Texas
6:30 PM ~ City Hall Conference Room

1. Call to Order.

Mayor Walter Bowen called the City Council Special Meeting to order at 6:30 p.m.

2. Invocation and Pledge of Allegiance.

Council member Clint Narmore gave invocation and attendees recited the pledge of allegiance.

3. Roll Call.

Members present were Mayor Walter Bowen, Myrt Fowikes, Perry Lunsford, Dona Stuard, Pat O. Hill, and Clint Narmore. Eugene Brooks and Geoffrey White were absent.

Staff present were Vicki Mikel, Acting City Manager/Director of Finance; Suzanne Meason, Planning and Zoning Administrator; Brett McGuire, Police Chief; Mark Cone, Fire Chief; Jami Woodall, EDC Coordinator; Jamye Sexton, Director of Public Works; Danielle Hackbusch, HR/Risk Management; and Cheryl Vess, Community Activities Director.

4. Discussion/Action Items.

- a. Ordinance #895- Authorize Issuance of Certificates of Obligation, Series 2008 for a maximum aggregate principal amount of \$10,300,000.**

Tom Shirey and Ken Joyce with Consolidated Financial Advisors were present. Mr. Shirey went over the Ordinance. He read the letter of rating that indicated the City's rating went from a BBB+ to an A3. The buyer of the note is Morgan Keegan; the proposed closing date is October 2, 2008.

Pat Hill made a motion, seconded by Clint Narmore, to approve Ordinance #895, Certificates of Obligation, Series 2008 in a principal amount not to exceed \$10,300,000. Motion passed with all that were present voting in favor and none opposed.

b. Resolution #886- Resolution Regarding the Lease Purchase Agreement for the Purpose of Refinancing that Certain Lease Purchase Agreement dated February 12, 2008 for a Municipality that is issuing over \$10 Million Dollars in the Current Calendar Year.

Vicki Mikel explained that by refinancing this original lease purchase, it will bring the City in line to being a small issuer. The City made a pledge to not be over \$10 million, so it has to be re-issued.

Dona Stuard made a motion, seconded by Perry Lunsford, to approve Resolution #886, refinancing the Lease Purchase Agreement dated February 12, 2008. Motion passed with all that were present voting in favor and none opposed.

c. Discussion/Action for Selection of Fire Engineering Services.

Mark Cone explained that Carter and Burgess, current company used for fire engineering services, was bought out and it became necessary to search for a new firm to provide these services. The city received two bids for a replacement company. Staff recommends going with Coker Engineering LLC to provide these services. Mr. Ronald Coker, owner, used to be employed with Carter and Burgess and had previously performed plan reviews for the City.

Pat Hill made a motion, seconded by Dona Stuard, to approve the contract with Coker Engineering LLC for fire engineering services and to authorize Mark Cone, Fire Chief, to execute the contract. Motion passed with all that were present voting in favor and none opposed.

d. Discussion/Action to accept XTO Agreement for Gas Royalties.

Wes Milam, XTO representative, was present and addressed the desire for land acquisition of three City lots near the high school (locations being at the new elevated storage tank, old stadium tank, and the Azle Avenue ground storage). The offer is \$30,000 per acre (total being 2.4292 acres) and 25% royalty. In addition, they are looking at requesting XTO to donate funds to make improvements to Lake Worth Park. This proposal is still being evaluated. They would like to begin drilling in November. Perry Lunsford asked how soon they would have an answer on the additional funds for the Park

donation. Mr. Milam indicated he did not know for sure, but is hopeful it will be within the next 60 days.

Perry Lunsford made a motion to table the XTO Agreement until the next regular Council meeting. Motion failed for lack of a second.

Myrt Fowlkes made a motion, seconded by Dona Stuard, to approve the XTO Oil and Gas Agreement for \$30,000 per acre (being 2.4292 acres) and 25% royalty. Voting in favor of the motion were Myrt Fowlkes, Dona Stuard, Pat Hill, and Clint Narmore. Voting against the motion was Perry Lunsford. Motion passed with a 4-1 vote.

e. Discussion/Action regarding requirements of City Board/Commission members.

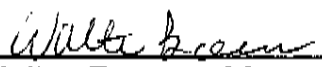
Vicki Mikel explained that the City Attorney has reviewed the question of whether a person can serve on both the Planning and Zoning Commission and the Zoning Board of Adjustments at the same time and has determined (through interpretation of an Attorney General's ruling) that it is "not recommended". Mayor Walter Bowen's recommendation is for a person not to serve on both at the same time.

Pat Hill made a motion, seconded by Perry Lunsford, to draft an ordinance amending city code to state a person cannot serve on the Planning and Zoning Commission and the Zoning Board of Adjustments at the same time. Motion passed with all that were present voting in favor and none opposed.

5. Adjourn.

There being no further discussion, Mayor Bowen closed the Special Meeting at 7:35 p.m.

APPROVED:



 Walter Bowen, Mayor

ATTEST:



 Linda Rhodes, TRMC/CMC
 City Secretary