



Hillsboro TEXAS

CITY COUNCIL
MEETING

OCTOBER 18, 2016

CITY COUNCIL AGENDA

Notice is hereby given that the City Council of the City of Hillsboro shall meet in regular session on Tuesday, October 18, 2016 at 6:00 p.m. The meeting will be held at the Historic City Hall, 127 E. Franklin Street in Hillsboro, Texas. The matters to be discussed and acted upon are as follows:

1. Call Meeting to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Hear Statements from Persons Wishing to Address the Council.

Consent Agenda

5. Deliberate and Act on the Approval of the Minutes for the Regular Meeting on October 4, 2016. Pg 1-4
6. Act on the Approval of Bills. Pg 5

Regular Agenda

7. Deliberate and Act on a Resolution Approving a Tourism Agreement By and Between the City of Hillsboro, Texas and the Hillsboro Chamber of Commerce for the Period Beginning October 18, 2016 and Ending September 30, 2017 and Authorizing the City Manager to Negotiate and Execute All Necessary Documents. Pg 6-15
8. Deliberate and Act on a Resolution Appointing Members to Various Standing Boards, Commissions and Committees. Pg 16-20
9. Hear and Deliberate on City Manager's Report.
 - a. Street Improvements
 - b. Main Street
10. Adjourn

**City of Hillsboro
Posting and Publishing Affidavit**

The City of Hillsboro City Council will conduct a public meeting on
the 18th day of October, 2016.

Initials

Check

Public posting of the agenda at assigned designated location at City Administration building.

KSW

(Posted by Monday, Oct. 17, 2016)
Public posting on Hillsboro web site as assigned official posting location for public meetings.

KSW

Sent to Hillsboro Reporter for publishing; conforming to meeting requirements.

KSW

The person initialing the aforementioned action confirms and verifies the appropriate action was taken in accordance to the open meetings act, public information act, city ordinances and any other related state law. The following signature validates these actions were confirmed by the person bearing their initials as taking such required action (attach confirmation to affidavit as exhibits.)

Christi Ward
Signature Validating Postings

Attest:

Karen S. Warren
Karen S. Warren, City Secretary

City Council
City of Hillsboro, Texas
Minutes of Regular Meeting
October 4, 2016

Present:

Eric Fleming, Councilmember
Andy Smith, Mayor Pro Tem
Frances Zarate, Councilmember
Scott Johnson, Councilmember

Frank Johnson, City Manager
Lauralee Vallon, City Attorney
Melissa Boyle, Dir. of Finance/HR
Karen S. Warren, City Secretary

Mayor Edith Omberg, Councilmembers Dana Robinson and John Versluis were absent.

Mayor Pro Tem Andy Smith called the meeting to order at 6:00 p.m.

The Invocation was given by Mayor Pro Tem Andy Smith.

Councilmember Fleming led the Pledge of Allegiance.

Hear Statements from Persons Wishing to Address the Council.

No one addressed Council at this time.

Consent Agenda

Deliberate and Act on the Approval of the Minutes for the Regular Meeting on September 20, 2016.

Deliberate and Act on the Approval of Bills.

On motion by Councilmember Johnson and second by Councilmember Zarate the consent agenda was approved.

On roll call the following votes were cast:

Ayes: Fleming, Smith, Zarate, Johnson

Nays: None Absent: Robinson, Versluis

Regular Agenda

Deliberate and Act on a Resolution Regarding a Request by the Main Street Board to Close Various Streets for the Purpose of Holding "Halloween in Hillsboro" and Related Events on October 28, 2016 and Authorizing the City Manager to Negotiate and Execute All Necessary Documents.

City Manager Frank Johnson said the 2016 Halloween in Hillsboro event will be held Friday, October 28th at 5:30 p.m. The event will include a Kid's Haunted House located at 116 E. Franklin Street and a Teen/Adult Haunted House located at 117 E. Elm Street- (upstairs of the Business Supply Center). Both are presented by R&R Fitness. Local businesses and organizations will set up along E. Franklin Street between Church Street and Waco Street to allow children to participate in trick-or-treating. Mr. Johnson said this section would need to be closed and also the alley beside R&R Fitness and Business Supply Center, between Franklin and Elm. The Main Street Board is recommending the street closures on October 28th at 5:00 p.m. and re-opened on October 28th at 11:00 p.m.

On motion by Councilmember Fleming and second by Councilmember Zarate the resolution was approved.

On roll call the following votes were cast:

Ayes: Fleming, Smith, Zarate, Johnson

Nays: None Absent: Robinson, Versluis

Resolution No. R2016-10-47

Deliberate and Act on a Resolution Authorizing an Independent Audit as Required by the City Charter, Article 8; Section 8.09 and Authorizing the City Manager to Negotiate and Execute All Necessary Documents.

Finance Director Melissa Boyle said Pattillo, Brown & Hill LLP submitted an engagement letter to audit the financial statements of the City of Hillsboro for the year ended September 30, 2016. The fee to perform the audit will not exceed \$21,000. Pattillo, Brown & Hill has served as the City's auditor for a number of years and has continued to assist the City staff with implementing various new accounting requirements. City staff recommended that Council accept the engagement letter as presented.

On motion by Councilmember Johnson and second by Councilmember Fleming the resolution was approved.

On roll call the following votes were cast:

Ayes: Fleming, Smith, Zarate, Johnson

Nays: None Absent: Robinson, Versluis

Resolution No. R2016-10-48

Deliberate and Act on a Resolution Giving Staff Guidance on Retaining an Architect to Perform a Planning Study for the Renovation of the Second Floor of Historic City Hall For Use as a Local History and Genealogy Center and Authorizing the City Manager to Negotiate and Execute All Necessary Documents.

City Manager Frank Johnson said the report of the Ad Hoc Facilities Review Committee regarding a local history and genealogy center was made at the last meeting. The committee recommended that the second floor of Historic City Hall be renovated for use as the local history and genealogy center. However, it was mentioned that there are several issues that need to be evaluated related to use of the second floor of Historic City Hall, including installation of an elevator, air condition and heating, a handicapped accessible restroom, the condition of the various building systems on the second floor of this building, and the structural capacity of the second floor to support a collection of books and documents. Mr. Johnson said approval of the proposed resolution would mean Council wants to move forward with the recommendation of the Ad Hoc Facilities Review Committee and engage a qualified architect to evaluate the use of the second floor and seek a qualified architect to conduct a planning study. This study would also provide a cost estimate for the renovation, which is needed to begin planning for how to cover the cost of the renovation. In the Council's packet the City Manager provided information on Norman Alston Architects and the firm's services. Norman Alston Architects provided the below scope of work for the planning study:

Old Fire Station/City Hall Second Story Preliminary Planning and Assessment

Scope: In this initial effort, I would explore the opportunities and any limitations involved with utilizing the 2nd floor of this building for a Genealogy Center, or other possible use at your discretion, that included a reading area, a service desk, materials storage, materials processing and office space. I would consider the condition of the building and its major mechanical, electrical and plumbing systems. I would also consider current accessibility requirements, building code, zoning and parking.

Included in this effort would be:

- Meetings with local organizations and City staff (Stakeholders), as determined by you, in order to gauge their needs and concerns in developing an overall functional plan.
- A review and assessment of the condition of the building as it is today. This would not rely on invasive investigations or destructive testing at this time, although some such processes might be necessary later should the project progress.
- Prepare layout designs to show how the building could be adapted to the operational requirements identified in the various stakeholder meetings. Multiple variations on the layouts will be developed as appropriate.
- I will present my findings and recommendations with you through meetings and presentations to Stakeholders, the number and scheduling of which to be mutually agreed upon between us. I will take comments at these presentations and incorporate them, as appropriate, into my recommendations. No specific limitation on the number of such presentations/revisions as it is my intention to expend whatever reasonable effort is required to accomplish your goals.
- Develop a preliminary, detailed cost estimate for all identified repairs and improvements.
- All proposed layout designs will endeavor to substantially preserve and protect important historic elements of the building and to protect its status as an historic structure.

Deliverables: I will prepare and submit a written report of my findings and recommendations, complete with drawings as required to illustrate these findings and recommendations. I will also make a final presentation to City Council and/or other groups as directed by you. Assume one paper and one[CW1] electronic copy of the final document.

Fee: I propose a fixed, lump sum fee of \$6,400 for this effort, paid as appropriate to the progress of the work from invoices submitted monthly. I would ask for an initial \$1,400 payment at the beginning, when notice to proceed is given, with the remaining \$5,000 paid through the monthly invoices.

Schedule: I would expect this process to take 4 to 6 weeks, with possible variations depending on the meeting schedule of City Council or other Stakeholder groups.

On motion by Councilmember Fleming and second by Councilmember Johnson the resolution was approved.

On roll call the following votes were cast:

Ayes: Fleming, Smith, Zarate, Johnson

Nays: None Absent: Robinson, Versluis

Resolution No. R2016-10-49

Hear and Deliberate on City Manager's Report on:

- a) **Street Improvements** – Silver Star Concrete has been on the job working on curb and gutters and driveway approaches for a little over a week and they have made good progress along Abbott. If the weather continues to cooperate, this should take around two weeks to complete. The next step is for Knife River to do the paving and connections with side streets and, the plan remains that they will stay until the project is completed. City crews have also been working on Duncan-Elm to Line Street on repairing utility cuts and also repairing utility cuts where a sewer line was replaced, on the 900 Block of Walnut Street. Crews will also work on Lamar-between Covington and Bois D'Arc Street; Rhoads Street-Old Brandon Road and Delmar; and looking into drainage issues at the intersection of Pine and Locust Streets.
- b) **Main Street** –Bad weather was a big factor this year for the Cotton Pickin Fair. Storms came in on Saturday and many of the events were shut down as a result of thunderstorms in the immediate area.

There being no further business, the meeting was adjourned at approximately 6:37 p.m.

Edith Turner Omberg, Mayor

ATTEST:

Karen S. Warren, City Secretary

OCTOBER 18, 2016

INVOICES FOR COUNCIL

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
HD WATERWORKS SUPPLY	SUPPLIES-WATER DEPT	\$ 19,657.59
BOLD SPRINGS TIRE & LUBE	TIRES X 2-SHOP	994.00
HD WATERWORKS SUPPLY	SUPPLIES-WATER DEPT	811.06
ADVOCACY CENTER	SANE EXAM-POLICE DEPT	618.00
ADVOCACY CENTER	SANE EXAM-POLICE DEPT	587.00
ADVOCACY CENTER	SANE EXAM-POLICE DEPT	628.00
ECS HOUSE INDUSTRIES	CONVERSION KIT-WWTP	12,080.11
HILLSBORO REPORTER	ADS-MULTI DEPTS	476.80
APAC TEXAS, INC	ASPHALT-STREET DEPT	873.81
JP MORGAN CREDIT CARD	CRIME PREVENTION SUPPLIES-POLICE DEPT	300.47

CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Submittal Date: September 16, 2016 Council Date: October 18, 2016	Originating Department: Administration	Presented By: Frank Johnson	Agenda Item No: 7
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RECOMMENDED MOTION:

Motion to adopt a resolution approving a Tourism Agreement by and between the City of Hillsboro, Texas and the Hillsboro Chamber of Commerce and authorizing the City Manager to negotiate and execute all necessary documents.

POLICY ISSUE(S): Hotel/Motel Occupancy Tax Allocation

On December 15, 2009, Council approved Resolution No. R2009-12-67 authorizing the City and Chamber of Commerce to continue a contractual agreement (Tourism Agreement) through September 30, 2014 for the Chamber to manage the collections paid to the City from the Hotel Occupancy Tax for the purpose of promoting tourism, meetings, conventions, arts, and historic preservation with the intent of increasing hotel occupancy in the City of Hillsboro.

In 2014 it was determined that the agreement would be for a one year term so that a timely review will be made by both parties, insuring all requirements are being followed and modifications can be made if necessary. Resolution No. R2014-10-46 continued the agreement through September 30, 2015; Resolution No. R2015-10-37 continued the agreement through September 30, 2016 and the proposed resolution would extend the agreement through September 30, 2017.

Exhibits:

Proposed Tourism Agreement

ACTION: <input type="checkbox"/> Financial Report <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Department Report <input type="checkbox"/> Ordinance <input type="checkbox"/> Presentation <input type="checkbox"/> City Mgr. Report <input type="checkbox"/> Public Hearing <input type="checkbox"/> Other	BUDGET INFO: Expense Budgeted Amt. YTD Actual Acct. Name Acct. Number
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FISCAL NOTES:

REVIEWED AND APPROVED BY:

- City Manager City Sec. Community Development Finance/HR Fire Legal Library
 MIS Municipal Court Parks/Cemetery Airport Police Streets Water/Sewer
 Emergency Management

FOR CITY SECRETARY'S USE:

Ayes:			Nays:		
<input type="checkbox"/> Fleming	<input type="checkbox"/> Zarate	<input type="checkbox"/> Omberg	<input type="checkbox"/> Fleming	<input type="checkbox"/> Zarate	<input type="checkbox"/> Omberg
<input type="checkbox"/> Smith	<input type="checkbox"/> Versluis		<input type="checkbox"/> Smith	<input type="checkbox"/> Versluis	
<input type="checkbox"/> Robinson	<input type="checkbox"/> Johnson		<input type="checkbox"/> Robinson	<input type="checkbox"/> Johnson	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Tabled			

STATE OF TEXAS §
COUNTY OF HILL §
CITY OF HILLSBORO §

Resolution No. R2016-10-50

WHEREAS, the City Council of the City Hillsboro, Texas supports tourism and acknowledges significant tourism duties are to be performed by the Hillsboro Chamber of Commerce; and

WHEREAS, in order to aid in the funding in support of tourism in Hillsboro, apportionment of the City's hotel occupancy tax was negotiated and an agreement was drafted which was entered into effective October 1, 2006 and continuing until September 30, 2007 and the City amended said contract by adoption of resolution R2007-09-81 (on September 18, 2007) and extending the contract through January 1, 2008; and

WHEREAS, the City extended the contract agreement from January 1, 2008, through September 30, 2008 by adoption of resolution R2008-01-11; and

WHEREAS, the City extended the contract agreement through September 30, 2014 by adoption of resolution R2009-12-67; and

WHEREAS, the City and Chamber have reached agreement on the terms for the continuation of the Tourism Agreement for the Fiscal Year ending September 30, 2015 by adopting R2014-10-46; and

WHEREAS, the City and Chamber have reached agreement on the terms for the continuation of the Tourism Agreement for the Fiscal Year ending September 30, 2016 by adopting R2015-10-37,

WHEREAS, the City and Chamber have reached agreement on the terms for the continuation of the Tourism Agreement for the Fiscal Year ending September 30, 2017 by adopting R2016-10-50,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HILLSBORO, TEXAS,

1. The terms and conditions of the proposed TOURISM AGREEMENT with Hillsboro Chamber of Commerce, attached hereto as Exhibit A, having been reviewed by the City Council of the City of Hillsboro and found to be acceptable and in the best interests of the City of Hillsboro and its citizens, is hereby in all things approved.
2. The City Manager is hereby authorized to negotiate and execute all necessary documents.

ADOPTED at a regular meeting of the City Council of the City of Hillsboro, Texas on the 18th day of October, 2016.

ATTEST:

Edith Turner Omberg, Mayor

Karen S. Warren, City Secretary

TOURISM AGREEMENT

THE STATE OF TEXAS §
COUNTY OF HILL §
CITY OF HILLSBORO §

EXHIBIT A

IN CONSIDERATION OF THE MUTUAL PROMISES SET FORTH HEREIN, the CITY OF HILLSBORO, a municipal corporation of Hill County, Texas (hereinafter the "CITY") and HILLSBORO CHAMBER OF COMMERCE (hereinafter the "CHAMBER") make this Contract as of the 18th day of October, 2016 and agree as follows:

Article I.

The CITY, by authority of powers granted to it under state statutes and its home rule charter, has heretofore enacted a local hotel occupancy tax on occupants of hotels within the City of Hillsboro, Texas and within its extraterritorial jurisdiction.

Article II.

As part of its obligation under state statutes (primarily V.T.C.A., Tax Code, Section 351.101) to utilize local hotel occupancy tax funds for attracting and promoting tourism and the convention and hotel industry, the CITY hereby agrees to pay to the CHAMBER funds representing-approved tourism budget expenditures that come from the hotel occupancy tax paid by occupants of sleeping rooms, in consideration of and in exchange for the CHAMBER performing certain tourism-related activities for the visitor market from which the CITY derives direct tourist income benefit.

The CHAMBER agrees that any local hotel occupancy tax funds paid to it by the CITY shall be used only in the following specific areas, for which the CHAMBER shall be responsible and in accordance with the approved budget

- a) handling direct visitor contact, to include responding to telephone, mail and walk-in requests, as well as mailing out information and brochure requests; and
- b) providing that the Visitors' Bureau is open to the public during the regular hours of Chamber operation, during special events, and on Saturday between the hours of 10:00 a.m. and 2:00 p.m.; and
- c) serving as a point of meeting and contact for area special events and organizations; and

- d) work in conjunction with the CITY in promoting Hillsboro as a location of meetings, seminars and conventions; advertising specific meetings; and on other aspects of those meetings; and
- e) work to promote a variety of art-related programs which provide encouragement, promotion, improvement, and various applications of the arts which directly foster tourism and benefiting the hotel industry; and
- f) enhance historical restoration and preservation project or activities, or advertising and conducting programs to encourage tourist to visit preserved historic sites or museums; and
- g) the CHAMBER shall use the CITY's approved logo and the name, HILLSBORO TOURISM AND VISITORS BUREAU, on all printed and promotional materials purchased with the hotel occupancy tax funds paid to the CHAMBER by the CITY; and
- h) Promoting, marketing and advertising Hillsboro as a visitor and tourist destination.

The CHAMBER further agrees to work in conjunction with the Mayor and City Council, the City Manager, the Main Street Manager and Main Street Board, and the Hillsboro Economic Development Corporation Board, to further the CITY'S continuing program of advertising and promotion for the purpose of attracting visitors, tourists and conventions to the City of Hillsboro.

The CHAMBER further agrees that it will seek to achieve economic benefit for the City of Hillsboro through all such activities, that it will provide tourist-related information about the City of Hillsboro upon request, and that its Chamber/Tourism President will, on request, serve as an advisor to the CITY in matters related to expanding the tourist-derived economy.

In addition to the aforementioned funds, the CHAMBER may request additional funding for special tourism related projects from the CITY. The City Manager shall serve as the CITY'S designated representative for the purposes of any such requests.

Article III.

It is expressly understood and agreed by and between the parties that the CHAMBER is hired and engaged as an independent contractor and is not an officer, agent or employee of the CITY.

Article IV.

The CHAMBER shall employ a full-time Chamber/Tourism President to accomplish this Agreement. Should the CHAMBER cease to employ a full-time Chamber/Tourism President, the CHAMBER shall immediately notify the CITY and shall solicit the CITY'S participation in the search and selection of the replacement of the Tourism President. The Chamber shall further provide such equipment, supplies and other materials as may be necessary to accomplish the purposes of this Agreement.

In addition, the CHAMBER shall maintain a tourism subcommittee which shall meet monthly to consider, evaluate and make recommendations on various tourism related activities and special events. A member of the Tourism subcommittee need not be a member of the Chamber. Unless such written approval or disapproval shall be made known to the CHAMBER by the City Manager (or the City Manager's designee) no later than (30) days after such submission, the submitted appointee shall be deemed approved. The names of appointees to the subcommittee shall be submitted to the City Manager for approval. For the purposes of coordination, the City Manager, or his designee, shall also serve on the tourism subcommittee.

The Tourism Committee shall submit in a timely manner to the City Council for approval Hotel Occupancy Tax Use Guidelines under Texas State Law, a Funding Application and a Post Event Report Form will be used in determining whether the program meets the criteria for funding. Programs not meeting the guidelines shall not be funded with hotel occupancy tax. Upon adoption of the Guidelines by the City Council, the Chamber Tourism Board shall immediately institute the use of the Guidelines.

Article V.

The CHAMBER shall provide to the CITY, prior to obtaining any local hotel occupancy tax funds, a proposed tourism budget for the upcoming year, said budget to be approved by the City Council in writing in advance of the release of any local hotel occupancy tax funds for that budget year. It is understood and agreed by and between the parties that, upon budget approval by the City, a fiduciary duty is created in the CHAMBER with respect to expenditure of revenue provided.

The CHAMBER shall provide to the CITY a monthly written report, detailing activities and expenditures for the month. The monthly report shall be provided no later than the tenth day of the month. The CHAMBER may be asked to provide periodic oral reports to the City Council on the activities that are conducted to benefit the CITY. In addition, an annual audited and/or reviewed financial statement listing the expenditures made from revenue from the local hotel occupancy tax shall be submitted to the City Manager prior to January 1, before the CITY'S second disbursement under the current agreement can be remitted. It is further agreed by the CHAMBER that it shall maintain said revenue in a separate account established for that purpose and that it shall not commingle that revenue with any other money or maintain it in any other account.

The CHAMBER shall maintain complete and accurate financial records of each expenditure of local hotel occupancy tax revenue and, upon request of the CITY or other person, shall make the records available for inspection and review by the CITY or any agents or auditors of the CITY.

It is understood and agreed by and between the parties that hotel occupancy tax funds may be spent by the CHAMBER for day-to-day operations including supplies, salaries, office rental, travel expenses, and other administrative costs, if same have been previously approved in the budget and if directly related to the promotion of tourism.

The CHAMBER shall not enter into any Tourism related contract without CITY approval.

Article VI.

Equal Employment Opportunity. CHAMBER has knowledge of and agrees to ensure compliance with the requirement that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or national origin.

a) The CHAMBER and/or any sub-contractor(s), if permitted, certify complete compliance with the Federal Civil Rights Law and the Americans with Disabilities Act, agreeing to non-discrimination based on race, age, color, religion, disability, gender, ancestry, national origin, or place of birth in employment practices, programs and services. These practices, programs and services shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other compensation; and selection for training, including apprenticeship.

b) The CHAMBER shall in all solicitations or advertisements for employees placed by or on behalf of the contractor; state that all qualified applicants will receive consideration for employment without regard to race, age, color, religion, disability, gender, ancestry, national origin, or place of birth.

c) Upon request by CITY, the CHAMBER shall furnish all information or reports required to investigate his/her payrolls and personnel records which pertain to current contract(s) with CITY for purposes of ascertaining compliance with this non-discrimination certification.

Article VII.

The CHAMBER shall at all times observe and comply with the provisions of the Charter, ordinances and regulations of the City of Hillsboro and all state and federal laws, rules and regulations which in any manner limit, control, or apply to the actions or

operations of CHAMBER, its employees, agents or servants. Additionally, all meetings of the Chamber Board or Chamber Executive Board or any Sub Committee of the Chamber involving any deliberation or action with regard to expenditure or proposed expenditure or activity using hotel occupancy tax funds provided by the CITY shall be noticed and conducted as set forth in the Texas Open Meetings Act.

Article VIII.

The CHAMBER agrees to and shall indemnify and hold harmless and defend the CITY, its officers, agents, and employees from any and all claims, losses, causes of action and damages, suits, and liability of every kind including all expenses of litigation, court costs, settlements, arbitration, attorney fees, for injury to or death to any person, or for damage to any property, arising from or in connection with the operations of the CHAMBER, its officers, agents or employees carried out in furtherance of this Agreement. It is the expressed intention of the parties hereto, both the CHAMBER and the CITY, that the indemnity provided for in this paragraph is also indemnity by the CHAMBER to indemnify and protect the CITY from the consequences of the CITY's own negligence, where the negligence is a concurring cause of the injury, death, or damage.

Article IX.

This Agreement shall be deemed to be in effect from the 18th day of October, 2016 and shall continue in force until September 30, 2017. The City Council shall review the budget annually prior to adoption. However, either the CITY or the CHAMBER shall, upon affording proper written notice, have the option to terminate this Agreement at any time for failure to comply with terms of agreement within ninety (90) days after giving such notice.

Article X.

Any notice necessary or appropriate relative to this Agreement shall be effective when deposited in the United States mails, either certified or registered mail, postage prepaid and addresses to the City of Hillsboro, P.O. Box 568, Hillsboro, Texas 76645, or to the Hillsboro Chamber of Commerce, P.O. Box 358, Hillsboro, Texas 76645.

Article XI.

No part of this Agreement may be assigned or delegated without the prior written consent of the other party, and any attempted assignment of benefits or rights, or delegation of duties or obligations shall be a breach of this Agreement. However, nothing in this Agreement shall prohibit the CHAMBER from participating in regional or state tourism programs or from contacting other agencies for joint promotions which are related to the scope of tourism-related activities as listed herein.

Article XII.

The City Finance Director shall remit on a quarterly basis to the CHAMBER funds representing one-quarter of the annually-approved tourism budget expenditures that come from the hotel occupancy tax paid by occupants of sleeping rooms for that period, for as long as this Agreement is in effect. Each quarterly remittance shall occur automatically and without request from the CHAMBER no later than the first (1st) business day of the following months: October, January, April and July. At the end of the contractual period of the Agreement, and in no event later than thirty (30) days after the final date of this Agreement, the CHAMBER shall remit to the CITY any and all remaining funds which were tendered to the CHAMBER by the CITY under the terms of this Agreement, which have not been utilized by the CHAMBER to accomplish the goals set forth herein. However the City will allow the Chamber to maintain a five thousand dollar balance (\$5,000) in case of unanticipated expenses.

Article XIII.

This Agreement is subject to the laws and statutes of the State of Texas and venue for all matters concerning this Agreement shall be Hill County, Texas.

Article XIV.

The provisions of this Agreement shall be interpreted whenever possible to sustain their legality and enforceability as a whole. In the event any provision of this contract shall be held invalid, illegal, or unenforceable by a court of competent jurisdiction, in whole or in part, neither the validity of the remaining part of such provision, nor the validity of any other provisions of this contract, shall be in any way affected thereby. The unenforceability of any provision of this Agreement in a specific situation shall not affect the enforceability of that provision in any other situation.

Article XV.

This contract sets forth the entire agreement of CITY and CHAMBER, and there are no other understandings or agreements, oral or written, between CITY and CHAMBER, nor was the making and execution of this contract induced by any representation, statement, warranty, agreement, or action other than those expressed or explicitly referenced herein.

Article XVI.

No modification, addition, deletion, revision, alteration, or other change to this contract shall be effective unless and until such change is reduced to writing and executed and delivered by CITY and CHAMBER.

IN WITNESS WHEREOF, the parties have caused this Contract to be duly executed, intending to be bound thereby on this the 18th day of October, 2016.

CITY OF HILLSBORO
P. O. Box 568
Hillsboro, Texas 76645

HILLSBORO CHAMBER OF COMMERCE
P. O. Box 358
Hillsboro, Texas 76645

City Manager

President

Attest:

Attest:

CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Submittal Date: Sept. 2, 2016 Council Date: Oct. 18, 2016	Originating Department: Legislative	Presented By: Karen Warren	Agenda Item No: 8
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RECOMMENDED MOTION:

Move to approve a resolution appointing various persons to the City's Boards, Commissions, and Committees.

POLICY ISSUE(S):

Boards/Commissions/Committees

BACKGROUND:

Terms for appointees to Boards, Commissions and Committees expired in September. However, members continue to serve until new appointees are prepared to fill the positions. All applications received through the September 19th deadline are in the accompanying Boards/Commissions/Committees packet.

New appointees are required to be trained on the Open Meetings Act and Public Information Act before they can be seated on a board. The training, by state law, must be completed within 90 days of the appointment. Newly appointed members should go to www.oag.state.tx.us to complete the video training. Once both courses have been completed, the two certificates should be filed with the City Secretary and newly appointed members need to take the oath of office before serving.

With Council's approval, the vote adopting the resolution appointing the nominees would be called for after all the selections have been completed.

Exhibits:

ACTION: <input type="checkbox"/> Financial Report <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Department Report <input type="checkbox"/> Ordinance <input type="checkbox"/> Presentation <input type="checkbox"/> City Mgr. Report <input type="checkbox"/> Public Hearing <input type="checkbox"/> Other	BUDGET INFO: N/A <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Expense</td> <td style="width: 40%;">\$</td> </tr> <tr> <td>Budgeted Amt.</td> <td>\$</td> </tr> <tr> <td>YTD Actual</td> <td>\$</td> </tr> <tr> <td>Acct. Name</td> <td></td> </tr> <tr> <td>Acct. Number</td> <td></td> </tr> </table>	Expense	\$	Budgeted Amt.	\$	YTD Actual	\$	Acct. Name		Acct. Number	
Expense	\$										
Budgeted Amt.	\$										
YTD Actual	\$										
Acct. Name											
Acct. Number											

FISCAL NOTES:

REVIEWED AND APPROVED BY:

- City Manager City Sec.
 Community Development
 Finance/HR
 Fire
 Legal
 Library
 MIS
 Municipal Court
 Parks/Cemetery
 Airport
 Police
 Streets
 Water/Sewer
 Emergency Management

FOR CITY SECRETARY'S USE:

Ayes:			Nays:		
<input type="checkbox"/> Fleming	<input type="checkbox"/> Zarate	<input type="checkbox"/> Omberg	<input type="checkbox"/> Fleming	<input type="checkbox"/> Zarate	<input type="checkbox"/> Omberg
<input type="checkbox"/> Smith	<input type="checkbox"/> Versluis		<input type="checkbox"/> Smith	<input type="checkbox"/> Versluis	
<input type="checkbox"/> Robinson	<input type="checkbox"/> Johnson		<input type="checkbox"/> Robinson	<input type="checkbox"/> Johnson	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Tabled			

STATE OF TEXAS §
COUNTY OF HILL §
CITY OF HILLSBORO §

Resolution No. R2016-10-51

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HILLSBORO, TEXAS, the following, to wit:

The City Council of the City of Hillsboro hereby appoints the following individuals to serve on below listed Boards, Commissions, and Committees:

AIRPORT BOARD – Terms to Expire 2018

1. _____
2. _____
3. _____
4. _____

HILLSBORO ECONOMIC DEVELOPMENT CORP. – Terms to Expire 2018

1. _____
2. _____
3. _____
4. _____

HILLSBORO HISTORIC PRESERVATION COMMISSION – Terms to Expire 2018

1. _____
2. _____
3. _____

HILLSBORO HOUSING FINANCE CORP. – Terms to Expire 2017

1. _____

HILLSBORO HOUSING FINANCE CORP. – Terms to Expire 2018

1. _____
2. _____

HILLSBORO PUBLIC HOUSING AUTHORITY – Terms to Expire 2017

1. _____
2. _____

HILLSBORO PUBLIC HOUSING AUTHORITY – Terms to Expire 2018

1. _____
2. _____
3. _____
4. _____

LIBRARY BOARD OF TRUSTEES – Terms to Expire 2018

1. _____
2. _____
3. _____
4. _____

MAIN STREET BOARD – Terms to Expire 2018

1. _____
2. _____
3. _____
4. _____

PARKS BOARD – Terms to Expire 2017

1. _____

PARKS BOARD – Term to Expire 2018

1. _____
2. _____
3. _____
4. _____

PLANNING AND ZONING COMMISSION – Terms to Expire 2018

1. _____
2. _____
3. _____
4. _____

ZONING BOARD OF ADJUSTMENT – Terms to Expire 2018

1. _____
2. _____
3. _____
4. _____

BE IT RESOLVED, FURTHER, THAT:

Any remaining Board, Commission or Committee vacancies will be filled by the City Council as determined by the Council according to Ordinance No. O2014-11-06 as adopted by Council on November 18, 2014; and

Each Board, Commission or Committee will at their first scheduled meeting shall elect officers as set forth in O2014-11-06 - Section 1.1007 (e) Officers; and

Appointees shall begin serving upon qualifying for the position and taking the Oath of Office and training prescribed by the City Council on November 18, 2014; and

Appointees are limited to a maximum of three consecutive full (2 year) terms on the same committee. Board members or City Council may request a waiver of term limits. Waiver by the City Council will be for one full (two year) term as prescribed by the City Council on November 18, 2014; and

Appointees shall serve for their designated term or until his/her successor is appointed.

ADOPTED at the regular meeting of the City Council of the City of Hillsboro, Texas, held on this 18th day of October, 2016.

ATTEST:

Edith Turner Omberg, Mayor

Karen S. Warren, City Secretary

FOR YOUR INFORMATION

SALES TAX COLLECTION RECAP

MONTH COLLECTED 2016-17	TOTAL COLLECTED	CITY PORTION	ECONOMIC DEV. PORTION
<i>October</i>	\$ 239,199.28	\$ 219,266.01	\$ 19,933.27
<i>November</i>		-	-
<i>December</i>		-	-
<i>January</i>		-	-
<i>February</i>		-	-
<i>March</i>		-	-
<i>April</i>		-	-
<i>May</i>		-	-
<i>June</i>		-	-
<i>July</i>		-	-
<i>August</i>		-	-
<i>September</i>		-	-
TOTALS	\$ 239,199.28	\$ 219,266.01	\$ 19,933.27

CITY SALES TAX ALLOCATION

MONTH COLLECTED	Fiscal Year 2016-2017		5 YEAR AVG. COLLECTED		5 YEAR AVG. % COLLECTED		FISCAL YEAR 2016		FISCAL YEAR 2015		FISCAL YEAR 2014		FISCAL YEAR 2013		FISCAL YEAR 2012	
	Current % COLLECTED	Fiscal Year 2016-2017	5 YEAR AVG. COLLECTED	5 YEAR AVG. % COLLECTED	FISCAL YEAR 2016	FISCAL YEAR 2015	FISCAL YEAR 2014	FISCAL YEAR 2013	FISCAL YEAR 2012							
October	9.8373%	\$ 219,266	\$ 203,281	7.9437%	\$ 203,431	\$ 207,352	\$ 203,387	\$ 209,297	\$ 192,936							
November	0.0000%	-	226,896	8.8666%	247,229	236,183	222,444	215,300	213,324							
December	0.0000%	-	182,556	7.1338%	199,731	183,040	187,166	177,577	165,264							
January	0.0000%	-	195,968	7.6579%	192,038	192,756	210,449	209,029	175,566							
February	0.0000%	-	285,820	11.1692%	302,219	303,858	291,881	277,722	253,422							
March	0.0000%	-	174,376	6.8142%	201,451	179,117	181,060	154,098	156,154							
April	0.0000%	-	188,421	7.3631%	208,622	168,821	176,330	221,245	167,089							
May	0.0000%	-	252,155	9.8536%	279,852	246,319	252,402	250,628	231,574							
June	0.0000%	-	197,818	7.7303%	202,854	201,587	181,990	210,502	192,159							
July	0.0000%	-	198,340	7.7507%	209,057	198,865	217,644	200,761	165,372							
August	0.0000%	-	248,718	9.7193%	249,011	246,514	247,155	246,933	253,979							
September	0.0000%	-	204,660	7.9976%	239,085	192,968	206,322	193,861	191,062							
TOTALS		\$ 219,266	\$ 2,559,008	100.0000%	\$ 2,734,578	\$ 2,557,380	\$ 2,578,230	\$ 2,566,953	\$ 2,357,901							

Last 2 year average	\$ 205,391
Received this month	219,266
Difference	13,875
% Difference	6.7552%
YEAR TO DATE TOTAL	
Amount collected same period last year	\$ 203,431
Amount collected this year	219,266
Total amount over (under) last years total	15,835
% over (under) last years total	7.7841%

EDC SALES TAX ALLOCATION

MONTH COLLECTED	Fiscal Year 2016-2017		5 YEAR AVG. COLLECTED		FISCAL YEAR 2016		FISCAL YEAR 2015		FISCAL YEAR 2014		FISCAL YEAR 2013		FISCAL YEAR 2012	
	Current % COLLECTED	Fiscal Year	5 YEAR AVG. COLLECTED	% COLLECTED	FISCAL YEAR	FISCAL YEAR								
October	10.2621%	\$ 19,933	\$ 18,480	7.9438%	\$ 18,494	\$ 18,850	\$ 18,490	\$ 19,027	\$ 18,490	\$ 19,027	\$ 19,027	\$ 17,540	\$ 19,027	\$ 17,540
November	0.0000%	-	20,627	8.8665%	22,475	21,471	20,222	19,573	20,222	19,573	19,573	19,393	19,573	19,393
December	0.0000%	-	16,596	7.1338%	18,157	16,640	17,015	16,143	17,015	16,143	16,143	15,024	16,143	15,024
January	0.0000%	-	17,815	7.6580%	17,458	17,523	19,132	19,003	19,132	19,003	19,003	15,961	19,003	15,961
February	0.0000%	-	25,983	11.1691%	27,474	27,623	26,535	25,247	26,535	25,247	25,247	23,038	25,247	23,038
March	0.0000%	-	15,852	6.8142%	18,314	16,283	16,460	14,009	16,460	14,009	14,009	14,196	14,009	14,196
April	0.0000%	-	17,129	7.3630%	18,966	15,347	16,030	20,113	16,030	20,113	20,113	15,190	20,113	15,190
May	0.0000%	-	22,923	9.8536%	25,441	22,393	22,946	22,784	22,946	22,784	22,784	21,052	22,784	21,052
June	0.0000%	-	17,984	7.7303%	18,441	18,326	16,545	19,137	16,545	19,137	19,137	17,469	19,137	17,469
July	0.0000%	-	18,031	7.7507%	19,005	18,079	19,786	18,251	19,786	18,251	18,251	15,034	18,251	15,034
August	0.0000%	-	22,611	9.7193%	22,637	22,410	22,469	22,448	22,469	22,448	22,448	23,089	22,448	23,089
September	0.0000%	-	18,606	7.9977%	21,735	17,543	18,757	17,624	18,757	17,624	17,624	17,369	17,624	17,369
TOTALS		\$ 19,933	\$ 232,637	100.0000%	\$ 248,598	\$ 232,488	\$ 234,387	\$ 233,359	\$ 234,387	\$ 233,359	\$ 233,359	\$ 214,355	\$ 233,359	\$ 214,355

Last 2 year average	\$ 18,672
Received this month	19,933
Difference	1,261
% Difference	6.7557%
YEAR TO DATE TOTAL	
Amount collected same period last year	\$ 18,494
Amount collected this year	19,933
Total amount over (under) last years total	1,440
% over (under) last years total	7.7841%

CITY

2016-2017

2,675,000 YEARLY BUDGETED TOTAL

	5 Year Average % Collected	Monthly Projected Based on 5yr %	Projected Cumulative	Actual Cumulative	Variance	Actual Compared To Projected %
<i>October</i>	7.9437%	\$ 212,495	\$ 212,495	\$ 219,266	\$ 6,771	103.1866%
<i>November</i>	8.8666%	237,180	449,675			0.0000%
<i>December</i>	7.1338%	190,830	640,505			0.0000%
<i>January</i>	7.6579%	204,850	845,355			0.0000%
<i>February</i>	11.1692%	298,776	1,144,131			0.0000%
<i>March</i>	6.8142%	182,280	1,326,411			0.0000%
<i>April</i>	7.3631%	196,962	1,523,373			0.0000%
<i>May</i>	9.8536%	263,584	1,786,957			0.0000%
<i>June</i>	7.7303%	206,785	1,993,742			0.0000%
<i>July</i>	7.7507%	207,330	2,201,072			0.0000%
<i>August</i>	9.7193%	259,992	2,461,064			0.0000%
<i>September</i>	7.9976%	213,936	2,675,000			0.0000%
	100.0000%	\$ 2,675,000				

EDC

2016-2017

243,000 YEARLY BUDGETED TOTAL

	5 Year Average % Collected	Monthly Projected Based on 5yr %	Projected Cumulative	Actual Cumulative	Variance	Actual Compared To Projected %
<i>October</i>	7.9438%	\$ 19,303	\$ 19,303	\$ 19,933	\$ 630	103.2634%
<i>November</i>	8.8665%	21,546	40,849			0.0000%
<i>December</i>	7.1338%	17,335	58,184			0.0000%
<i>January</i>	7.6580%	18,609	76,793			0.0000%
<i>February</i>	11.1691%	27,141	103,934			0.0000%
<i>March</i>	6.8142%	16,558	120,492			0.0000%
<i>April</i>	7.3630%	17,892	138,385			0.0000%
<i>May</i>	9.8536%	23,944	162,329			0.0000%
<i>June</i>	7.7303%	18,785	181,114			0.0000%
<i>July</i>	7.7507%	18,834	199,948			0.0000%
<i>August</i>	9.7193%	23,618	223,566			0.0000%
<i>September</i>	7.9977%	19,434	243,000			0.0000%
	100.0000%	\$ 243,000				

CITY OF HILLSBORO
INVESTMENT REPORT
FOR THE PERIOD ENDING SEPTEMBER 30, 2016

<i>Description</i>	<i>Maturity Date</i>	<i>Interest Rate</i>	<i>Days To Maturity</i>	<i>Book Value</i>	<i>Market Value</i>	<i>Collateral</i>	<i>Interest Received</i>	<i>Fees Paid</i>
CITY OF HILLSBORO, TEXAS								
Bank of America								
Consolidated Cash	Next Day	0.00%	1.0	\$ 28,330.14			\$ -	\$ 450.04
Savings - Police Forfeiture Federal	Next Day	0.02%	1.0	15,761.18			4.21	-
Total - Bank of America				\$ 44,091.32	\$ 44,091.32	\$ 250,000.00	\$ 4.21	\$ 450.04
Citizens National Bank								
Consolidated Cash	Next Day	0.75%	1.0	\$ 716,650.97			\$ 489.81	\$ 140.98
Checking - Payroll	Next Day	0.75%	1.0	5,830.35			4.07	22.20
Checking - Debt Service I&S	Next Day	0.75%	1.0	5,268.98			3.25	-
Checking - Water/Sewer I&S	Next Day	0.75%	1.0	5,124.67			3.16	-
Checking - Credit Card Clearing	Next Day	0.75%	1.0	30,108.64			20.98	-
Savings - Police Forfeiture State	Next Day	0.75%	1.0	228,769.94			157.17	10.46
Total - Citizens National Bank				\$ 991,753.55	\$ 991,753.55	\$ 4,443,901.80	\$ 678.44	\$ 173.64
First National Bank of Central Texas								
CD# 135303 Local Forfeiture	1/6/2016	0.60%	127.0	\$ 208,157.10			\$ 310.91	\$ -
Total - First National Bank of Central Texas				\$ 208,157.10	\$ 208,157.10	\$ 208,157.10	\$ 310.91	\$ -
Tex Star								
Savings - Water/Sewer	Next Day	0.39%	1.0	\$ 27,186.77	\$ -	\$ -	\$ 9.20	\$ -
Savings - 2012 Street Bond Projects	Next Day	0.39%	1.0	707,409.15	-	-	239.62	-
Total - Tex Star				\$ 734,595.92	\$ 734,595.92	\$ -	\$ 248.82	\$ -

ECONOMIC DEVELOPMENT CORPORATION

Citizens National Bank								
Checking - Economic Development	0.75%	Next Day	1.0	\$ 2,835,097.70	\$ 1,164.13	\$ 11.06		
Total - Citizens National Bank				\$ 2,835,097.70	\$ 1,164.13	\$ 11.06		
Texas Term/Daily								
Texas Daily-Economic Development Corp	0.44%	Next Day	1.0	\$ 219,759.05	\$ 61.27	\$ -		
Total Texas Term/Daily				\$ 219,759.05	\$ 61.27	\$ -		
Total Investments				\$ 3,054,856.75	\$ 1,225.40	\$ 11.06		
Cash on Hand/Petty Cash				-	-	-		
Total EDC Cash & Investments				\$ 3,054,856.75	\$ 1,225.40	\$ 11.06		
Total ALL Cash & Investments				\$ 7,730,960.95	\$ 3,582.68	\$ 634.74		

This report is in compliance with the investment policies and strategies as approved

Melina Boyle
Investment Officer

STATE OF TEXAS §
COUNTY OF HILL §
CITY OF HILLSBORO §

HHPC Resolution No. R2016-10-02

WHEREAS, the Hillsboro Heritage League and Hill County Genealogical Society took official action requesting the Historic Preservation Commission of the City of Hillsboro to explore options for creation of a Center for Local History and Genealogy; and

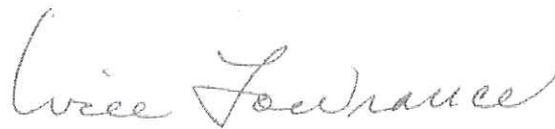
WHEREAS, the Historic Preservation Commission in a regular meeting on March 3, 2015 passed a resolution calling on the City Council of the City of Hillsboro to appoint an Ad Hoc Committee for the purpose of evaluating city facilities for storage of historic artifacts from the Hillsboro Fire Department and Local History and Genealogy Collection, and

WHEREAS, the City Council in regular meeting on July 20, 2015 approved creation of the Ad Hoc Committee and named Hon. Bob McGregor to serve as chair with members Jerry Carbajal, Deborah Demerson, Holly Harris, Chris Moore, Henry Moore, Barbara Robinson, Roberta Skelton, and Karen Smith, with City Manager Frank Johnson as Ex Officio member, and

WHEREAS, after months of study, research, travel, and observation to determine the value, need, and feasibility of creating a Center for Local History and Genealogy that would utilize current and future holdings of the Genealogy Section of the Hillsboro City Library, including appropriate display for framed photographs of the Hillsboro fire chief portraits dating to 1885, and appropriate display for the 1929 and 1949 Seagraves fire engines, Hon. Bob McGregor presented a report to the Hillsboro City Council on September 20, 2016.

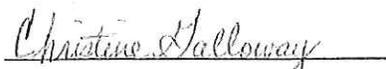
NOW THEREFORE BE IT RESOLVED that the Hillsboro Historic Preservation Commission expresses sincere thanks and appreciation to Judge McGregor and the Ad Hoc Committee, and encourages the City Council to move forward with planning and funding mechanisms to implement the recommendations of the Ad Hoc Committee.

ADOPTED at the meeting of the Hillsboro Historic Preservation Commission held on this 6th day of October, 2016.



Will Lowrance, Chairman

ATTEST:


Christine Galloway, Secretary