



**NOTICE OF SPECIAL MEETING AGENDA
LANCASTER CITY COUNCIL
MUNICIPAL CENTER CITY COUNCIL CHAMBERS
211 N. HENRY STREET, LANCASTER, TEXAS**

Monday, May 19, 2014 - 7:00 PM

CALL TO ORDER

INVOCATION: Ministerial Alliance

PLEDGE OF ALLEGIANCE: Councilmember Marco Mejia

PROCLAMATION: Public Works Awareness Week

CITIZENS' COMMENTS:

At this time citizens who have pre-registered before the call to order will be allowed to speak on any matter other than personnel matters or matters under litigation, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.

CONSENT AGENDA:

Items listed under the consent agenda are considered routine and are generally enacted in one motion. The exception to this rule is that a Council Member may request one or more items to be removed from the consent agenda for separate discussion and action.

- C1. Consider approval of minutes from the City Council Special Meeting held March 31, 2014.
- C2. Consider approval of minutes from the City Council Regular Meeting held April 28, 2014.
- C3. Resolution of the City Council of the City of Lancaster, Texas, denying the rate increase requested by Atmos Energy Corp., MID-TEX Division under the Company's 2014 annual rate review mechanism filing in all cities exercising original jurisdiction; authorizing the City's participation with Atmos Cities Steering Committee (ACSC) in any appeal filed at the Railroad Commission of Texas by the Company; Requiring the company to reimburse cities' reasonable ratemaking expenses in any such appeal to the Railroad Commission.

ACTION:

- 4. Consider a resolution canvassing the returns and declaring the results of the General Election for City Officers held on May 10, 2014.

Considera una resolucion de escrutino de los devoluciones y la declaracion de los resultados de las elecciones generales para los oficiales de la ciudad celebradas el 10 de mayo de 2014.

5. Administer oaths of office; present Certificates of Election; and seat newly elected councilmembers.
6. Consider election of a Mayor Pro Tempore.
7. Consider election of a Deputy Mayor Pro Tempore.

ADJOURNMENT

EXECUTIVE SESSION: The Council reserves the right to convene into executive session on any posted agenda item pursuant to Section 551.071(2) of the TEXAS GOVERNMENT CODE to seek legal advice concerning such subject.

ACCESSIBILITY STATEMENT: The Municipal Center is wheelchair-accessible. For sign interpretive services, call the City Secretary's office, 972-218-1311, or TDD 1-800-735-2989, at least 72 hours prior to the meeting. Reasonable accommodation will be made to assist your needs.

Certificate

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on May 16, 2014 @ 4:00 p.m. and copies thereof were hand delivered to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.



Sorangel O. Arenas
City Secretary

LANCASTER CITY COUNCIL

Agenda Communication

May 19, 2014

Item 1

Consider approval of minutes from the City Council Special Meeting held March 31, 2014.

Background

Attached for your review and consideration are minutes from the:

- City Council Special Meeting held March 31, 2014

Submitted by:

Sorangel O. Arenas, City Secretary

MINUTES

LANCASTER CITY COUNCIL MEETING OF MARCH 31, 2014

The City Council of the City of Lancaster, Texas, met in a called Special session in the Council Chambers of City Hall on March 31, 2014 at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present:

Mayor Marcus E. Knight
Carol Strain-Burk
Stanley Jaglowski
Marco Mejia
Mayor Pro Tem James Daniels
LaShonjia Harris
Deputy Mayor Pro Tem Nina Morris

City Staff Present:

Opal Mauldin Robertson, City Manager
Rona Stringfellow, Assistant City Manager
Angie Arenas, City Secretary
Robert E. Hager, City Attorney
Thomas Griffith, Fire Chief
Sean Johnson, Managing Director of Quality of Life and Cultural Services

Call to Order:

Mayor Knight called the meeting to order in open session at 7:00 p.m. on March 31, 2014.

Citizens Comments:

Thomas Allen, 200 N. Crest, shared his concerns regarding the proposed Ordinance amending Chapter 8, Article 8.08. Mr. Allen also suggested that the public should be made aware of the exact dollar amount the Lancaster Chamber of Commerce will pay the City of Lancaster for the license in regards to the License and use agreement between the Lancaster Chamber of Commerce and the City of Lancaster.

Susan Filgo, 302 S. Dallas Ave, stated she no longer had any comments.

Suzy Weaver, 411 S. Centre Ave, gave a brief history on the 2nd Saturday event. She stated the purpose of the event was to bring tourists to the city and she fears the vision has been lost.

Executive Session:

At 7:09 p.m. the Council convened into closed Executive Session pursuant to:

1. **The City Council shall convene into closed executive session pursuant to Section § 551.074 of the TEXAS GOVERNMENT CODE to seek legal advice from the City Attorney on matters in which the duty of the attorney to governmental body requires confidential legal advice regarding:**

- (a) **License and use agreement by and between the Lancaster Chamber of Commerce and the City of Lancaster, Texas; and**
 - (b) **Ordinance amending Chapter 8, Article 8.08 “Peddlers, Solicitors, Itinerant Venders and Handbill Distributors,” of the Code of Ordinances to provide for the distribution of handbills for religious or political purposes on public property at times and in areas which have been designated by the city as reasonable and appropriate for such action.**
- 2. **Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive session matters.**

The City Council reconvened into open session at 8:34 p.m.

With regard to Executive Session item 1(A):

City Attorney Hager states that originally the License and use agreement contained five requirements and with deliberation there are now only two requirements. The first requirement is that the licensee provides a designated area as public and such area should be dedicated for the exercise of free speech without fee or charge of any kind.

The second requirement is that the licensee provides traffic control for East and West Main Street coming off the veranda of 1st Street. The City will provide traffic control equipment.

MOTION: Mayor Pro Tem Daniels made a motion, seconded by Councilmember Mejia, to approve the license agreement subject to the mentioned changes and conditions as well as the designation of the public access area for free speech. The vote was cast 7 for, 0 against.

With Regard to Executive Session item 1(B):

City Attorney Hager stated that subsection A would be left as originally proposed. Subsection B would continue to allow the City Manager to make regulations as long as a published notice in general circulation of proposed designated places is posted. The notice will be posted on the City’s website for duration of 30 days in which the public can make comments which will be proposed to Council under notice for their comments. After a 10 day period the City Manager could propose a new or different Ordinance.

Deputy Mayor Pro Tem Morris states that she supports the public’s right to distribute information and free speech in public areas, specifically parks as long as they are not violating any laws.

MOTION: Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to approve the ordinance with changes mentioned by City Attorney Hager. The vote was cast 6 for, 1 against [Morris].

MOTION: Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to adjourn. The vote was cast 7 for, 0 against.

The meeting was adjourned at 8:47 p.m.

ATTEST:

Sorangel O. Arenas, City Secretary

APPROVED:

Marcus E. Knight, Mayor

LANCASTER CITY COUNCIL

Agenda Communication

May 19, 2014

Item 2

Consider approval of minutes from the City Council Regular Meeting held April 28, 2014.

Background

Attached for your review and consideration are minutes from the:

- City Council Regular Meeting held April 28, 2014

Submitted by:

Sorangel O. Arenas, City Secretary

MINUTES

LANCASTER CITY COUNCIL MEETING OF April 28, 2014

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on April 28, 2014 at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present:

Mayor Marcus E. Knight
Carol Strain-Burk
Stanley Jaglowski
Marco Mejia
Mayor Pro Tem James Daniels
LaShonjia Harris

Councilmember Absent

Deputy Mayor Pro Tem Nina Morris

City Staff Present:

Opal Mauldin Robertson, City Manager
Rona Stringfellow, Assistant City Manager
Cynthia Pearson, Finance Director
Baron Sauls, Assistant Finance Director
Cheryl Wilson, Police Chief
Thomas Griffith, Fire Chief
Sean Johnson, Managing Director of Quality of Life and Cultural Services
Dori Lee, Human Resources Director
Jim Brewer, Director Public Works
Andy Waits, Water/Wastewater Superintendent
Robert E. Hager, City Attorney
Angie Arenas, City Secretary

Call to Order:

Mayor Knight called the meeting to order at 7:00 p.m. on April 28, 2014.

Invocation:

Michael Grene with Ministerial Alliance gave the invocation.

Pledge of Allegiance:

Councilmember Stanley M. Jaglowski led the pledge of allegiance.

Proclamation:

Mayor Knight read a proclamation acknowledging National Crime Victims' Awareness Week, April 27- May 3, 2014, which provides an opportunity to celebrate the energy, creativity, and commitment that launched the victims' rights movement, inspired its progress, and continues to advance the cause of justice for crime victims'.

Citizens Comments:

Kenneth Govan, 103 N. Dallas Avenue, shared that the Focus Daily News had selected Lancaster's 2nd Saturday's on the Square to receive the "Best Event Award" for the Best Southwest Area. Mr. Govan also shared information on the Chamber's Candidates Forum to be held at Lancaster's Crescent Hospital.

Pastor John Richardson, Lancaster Interdenominational Ministerial Alliance, asked that the Vice President Michael Grene share information on Lancaster's National Day of Prayer with City Council.

Consent Agenda:

City Secretary Arenas read the consent agenda.

- C1. Consider approval of minutes from the City Council Regular Meeting held March 24, 2014.**
- C2. Consider a resolution approving and accepting the policies of the Veterans Memorial Library.**
- C3. Consider a resolution approving a contract with First Southwest Asset Management, Inc. providing for the calculation of arbitrage rebate compliance; pursuant to the provisions of Section 148(f)(2) of the Internal Revenue Code of 1986, as amended.**
- C4. Consider approving an amendment to the FY2012-13 Annual Budget for a transfer from LRDC to reimburse for previous debt payments made by the General Fund.**
- C5. Consider a resolution approving the terms and conditions of the City owned T-Hangar non-commercial lease from building 660 at the Lancaster Regional Airport.**
- C6. Consider a resolution approving the terms and conditions of the City owned T-Hangar non-commercial lease from building 680 at the Lancaster Regional Airport.**
- C7. Consider a resolution approving the City of Lancaster Public Improvement District (PID) Policy.**
- C8. Consider a resolution authorizing Dallas County to resell 3315 Sherwood Avenue, 2425 Verona Road, 820 Bayport and 1111 North Lancaster Hutchins Road, tax foreclosed properties, by public or private sale, to the highest qualified purchaser, as provided by Section 34.05 of the Texas Property Tax Code.**

Mayor Pro Tem Daniels pulled item C9 from the consent agenda.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Mejia, to approve consent items C1 – C8. The vote was cast 6 for, 0 against [Morris absent].

Mayor Pro Tem Daniels requested someone from the prospective department to give council a briefing on the 2013 Racial Profiling Analysis Annual Report.

C9. Consider a resolution accepting the 2013 Racial Profiling Analysis Annual Report.

Chief Wilson mentioned that she was very proud to share that the Lancaster Police Department has not received any complaints on racial profiling in the past few years. Updates have been made to policies, brochures, and to public education awareness as well having all applicable information available on the Lancaster Police Department's website as well as the City's.

Chief Wilson shared that not only does the Police Department meet all state requirement but exceeds them. Mayor Pro Tem Daniels shared that since his move to the city in 1999 he has a lot of positive movement in the Police Department and commends Chief Wilson for her hard work.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Daniels, to approve consent item C9 as presented. The vote was cast 6 for, 0 against [Morris absent].

- 10. Conduct a public hearing and consider a resolution approving the Terms and Conditions of Interlocal Agreements by and between Dallas County and the City of Lancaster for the Reconstruction and/or Overlay of Streets, that is Arcady Lane from Wintergreen Drive to Stanford Drive; Rutgers Drive from Wintergreen Drive to Lexington Drive; Lexington Drive from Arlington to End of Asphalt; Marsalis from Green Drive to Dead End; as listed in the Agreements.**

Mayor Knight opened the public hearing.

There were no speakers.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Daniels, to close the public hearing. The vote was cast 6 for, 0 against [Morris absent].

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Jaglowski, to approve the Terms and Conditions of Interlocal Agreements by and between Dallas County and the City of Lancaster for the Reconstruction and/or Overlay of Streets. The vote was cast 6 for, 0 against [Morris absent].

- 11. Consider an ordinance establishing Civil Service classifications within the Police and Fire Departments; prescribing the number of positions in each classification.**

Human Resources Director Lee stated that this ordinance is a follow up to the SAFER Grant that was approved by council previously. She also stated that she and Chief Griffith were available for any question should council have any.

MOTION: Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to approve an ordinance establishing Civil Service classifications within the Police and Fire Departments. The vote was cast 6 for, 0 against [Morris absent].

- 12. Consider Amending Ordinance 24.07 of the Water Conservation, Drought Contingency and Emergency Water System Situations Plan.**

Director of Public Works, Jim Brewer stated that this item was discussed in the last work session held on April 21, 2014. It is a TCQ requirement that the emergency drought and water conservation plan be updated every five years.

Director Brewer stated that in future meetings he will be bringing forward ideas and opportunities to educate the public and mentioned the upcoming Public Works Week the week of May 18th.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Daniels, to approve the amendment of Ordinance 24.07 of the Water Conservation, Drought Contingency and Emergency Water System Situations Plan. The vote was cast 6 for, 0 against [Morris absent].

- 13. Consider a resolution accepting the terms and conditions of a Sanitary Sewer Easement Document for the installation of a sewer line across Dallas County's 125-acre Ten Mile Creek Preserve and the compensation for the easement, by and between Dallas County and The City of Lancaster.**

Assistant City Manager Rona Stringfellow noted that this item was brought before Council on October 28, 2013 and was pulled due to concerns related to the purchase of the additional easement for the sewer line replacement. Assistant City Manager Stringfellow also noted that city staff deliberated with Dallas County Staff and confirmed that what was paid for was the easement, surveying, and appraisal.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Daniels, to approve a resolution accepting the terms and conditions of a Sanitary Sewer Easement Document and the compensation for easement, by and between Dallas County and The City of Lancaster. The vote was cast 6 for, 0 against [Morris absent].

- 14. Consider a resolution approving the terms and conditions of a Capital Improvement Program Funding Agreement made by and between Dallas County and the City of Lancaster for the Implementation of the Major Capital Improvement Project (MCIP) based on the Southern Dallas County Infrastructure Analysis (SDCIA) study that was conducted in October 2007 in conjunction with the North Central Texas Council of Governments to promote economic development in the Southern part of Dallas County which identified specific projects included in Dallas County's MCIP 20102 and MCIP 31402; The Pleasant Run Road Waterline Improvement and Infrastructure Design.**

Assistant City Manager Stringfellow noted that a presentation was given at the April 21st work session. The project cost is \$10 million with a 50/50 split between Dallas County (\$5 million) and the remaining \$5 million being split between the City of Lancaster and the City of Wilmer. The City of Lancaster contains 45% in terms of land area and this agreement is the first step in the project process. Operation will begin in January of 2018 and a TIF will need to be created by December 2014.

Councilmember Strain-Burk expressed her appreciation to Dallas County for supporting the Cities of Lancaster and Wilmer in this project which has the potential to drive more development for the southern sector. Councilmember Strain-Burk asked Assistant City Manager Stringfellow to explain what a TIF in order to have a complete understanding. Assistant City Manager Stringfellow stated that TIF stood for a Tax Increment Financing District, which is a financial vehicle that would allow the city to create or identify an area to develop. Whatever that said district grows by would be what the City would owe to Dallas County (33%). The money in addition to the debt would be used to continue the development of that district.

If the created Tax Increment Financing District grows the City will pay 33% until the debt is forgiven; if the district experiences no growth the debt will be forgiven after a period of 20 years.

Councilmember Harris asked Assistant City Manager Stringfellow foresaw any obstacles or challenges in having the TIF created by December of 2014. Assistant City Manager Stringfellow stated that she did not see any issues and that they would be working closely with Dallas County with the goal of reaching completion by October 2014. Upon completion the TIF would brought before council for approval.

Councilmember Mejia stated that the project would be good for southern Dallas County and would bring much needed growth and attention to the area.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Daniels, to approve the terms and conditions of a Capital Improvement Program Funding Agreement made by and between Dallas County and the City of Lancaster. The vote was cast 6 for, 0 against [Morris absent].

At 7:33 p.m. Council recessed to go into Executive Session. At 7:35 p.m. the Council convened into closed Executive Session pursuant to:

Executive Session:

15. **The City Council shall convene into closed executive session pursuant to Section 551.071 (a) and (b) to discuss and deliberate with the City Attorney the following pending matter in litigation, settlement and/or matters involving attorney-client privilege:**

- (a) **Cause No. DC-13-10151; Healthspace Regions Lancaster, LLC v. City of Lancaster in the 191st Judicial District Court of Dallas County.**

16. **Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive session matters.**

The City Council recessed from Executive Session at 8:06 p.m. and reconvened into Executive Session at 8:17 p.m.

The City Council reconvened into open session at 8:18 p.m.

No action was taken following Executive Session.

MOTION: Mayor Pro Tem Daniels made a motion, seconded by Councilmember Strain-Burk, to adjourn. The vote was cast 6 for, 0 against [Morris absent].

The meeting was adjourned at 8:19 p.m.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

LANCASTER CITY COUNCIL

Work Session Agenda Communication

May 19, 2014

Item 3

Consider a resolution denying the rate increase requested by Atmos Energy Corp., MID-TEX Division under the Company's 2014 annual rate review mechanism filing in all cities exercising original jurisdiction; authorizing the City's participation with Atmos Cities Steering Committee (ACSC) in any appeal filed at the Railroad Commission of Texas by the Company; Requiring the company to reimburse cities' reasonable ratemaking expenses in any such appeal to the Railroad Commission.

This request supports the City Council 2013-2014 Policy Agenda.

Goal 5: Quality Development

Background

The City of Lancaster, along with approximately 164 other cities served by Atmos Energy Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the ACSC. On February 28, 2014, Atmos Mid-Tex filed with the City an application to increase natural gas rates pursuant to the Rate Review Mechanism ("RRM") tariff renewed by the City in 2013 as a continuation and refinement of the previous RRM rate review process. This is the second annual RRM filing under the renewed RRM tariff.

The Atmos Mid-Tex RRM filing sought a \$45.7 million rate increase system-wide based on an alleged test-year cost of service revenue deficiency of \$49 million. Of the total amount requested, almost \$37 million is attributable to the affected cities. The City worked with ACSC to analyze the schedules and evidence offered by Atmos Mid-Tex to support its request to increase rates. Although a good faith attempt was made by ACSC to reach a compromise with Atmos Mid-Tex, an agreement was not reached. In the absence of an agreement, the ACSC Executive Committee and ACSC's legal counsel have recommended that ACSC members adopt the attached Resolution denying the rate increase request.

The Company will most certainly appeal this action. Under the RRM tariff, the Company may appeal the city's ordinance to the RRC. The RRM tariff also provides that when the appeal is filed, the Company may implement its requested RRM rates effective on June 1, subject to refund. This equates to a monthly increase of approximately \$2 for the average residential customer. The Gas Utility Regulatory Act ("GURA") gives the Company thirty (30) days to appeal a municipal rate action to the Commission.

Considerations

- **Operational** – By passing this Resolution, the City will be denying the rate increase requested by Atmos. Under the RRM tariff, Atmos may appeal the City's decision to the Railroad Commission allowing Atmos to implement its requested rates effective June 1, subject to refunds based upon outcome of the appeal.
- **Legal** – This resolution was prepared by legal counsel that represents the Atmos Cities Steering Committee (ACSC).
- **Financial Impact** – A comparison of rates and rate impact of what Atmos initially proposed in its RRM filing is reflected in the following chart:

Rate Impact of Appeal by Atmos Effective June 1:

Customer Class	Current Bill	New Bill	Difference	New Customer Charge	New Commodity Charge	Base Rate Increase
Residential	48.09	50.11	2.02	\$ 18.22	\$0.08998 Ccf	9.41%
Commercial	254.85	260.91	6.06	\$ 38.85	\$0.07678 Ccf	9.59%
Industrial	4,680.30	4,837.10	156.80	\$675.00	declining block	9.70%
Transportation	2,836.84	2,993.64	156.80	\$675.00	declining block	9.70%

- **Public Information** – This resolution is being considered at a regular meeting at City Council, in accordance with the Texas Open Meetings Act.

Options/Alternatives:

1. Approve the resolution denying the rate increase requested by Atmos Energy Corp., MID-TEX Division.
2. Reject the resolution.

Recommendation:

Staff recommends approval of the resolution as presented.

Attachments

- Resolution
- Model Staff Report in support of the Resolution

Submitted by:

Opal Mauldin Robertson, City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, DENYING THE RATE INCREASE REQUESTED BY ATMOS ENERGY CORP., MID-TEX DIVISION UNDER THE COMPANY'S 2014 ANNUAL RATE REVIEW MECHANISM FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES PERTAINING TO REVIEW OF THE RRM; AUTHORIZING THE CITY'S PARTICIPATION WITH ATMOS CITIES STEERING COMMITTEE IN ANY APPEAL FILED AT THE RAILROAD COMMISSION OF TEXAS BY THE COMPANY; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES IN ANY SUCH APPEAL TO THE RAILROAD COMMISSION; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL.

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

WHEREAS, the City is a member of the Atmos Cities Steering Committee ("ACSC"), a coalition of approximately 164 similarly situated cities served by Atmos Mid-Tex that have joined together to facilitate the review of and response to natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, pursuant to the terms of the agreement settling the Company's 2007 Statement of Intent to increase rates, ACSC Cities and the Company worked collaboratively to develop a Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process controlled in a three-year experiment by ACSC Cities as a substitute to the current Gas Reliability Infrastructure Program ("GRIP") process instituted by the Legislature; and

WHEREAS, the City took action in 2008 to approve a Settlement Agreement with Atmos Mid-Tex resolving the Company's 2007 rate case and authorizing the RRM tariff; and

WHEREAS, in 2013, ACSC and the Company negotiated a renewal of the RRM tariff process for an additional five years; and

WHEREAS, the City passed an ordinance renewing the RRM tariff process for the City for an additional five years; and

WHEREAS, the RRM renewal tariff contemplates reimbursement of ACSC Cities' reasonable expenses associated with RRM applications; and

WHEREAS, on or about February 28, 2014, the Company filed with the City its second annual RRM filing under the renewed RRM tariff, requesting to increase natural gas base rates by \$45.7 million; and

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

WHEREAS, ACSC attorneys and consultants have concluded that the Company is unable to justify a rate increase of the magnitude requested in the RRM filing; and

WHEREAS, ACSC's consultants determined the Company is only entitled to a \$19 million increase, approximately 42% of the Company's request under the 2014 RRM filing; and

WHEREAS, the Company would only be entitled to approximately \$31 million if it had a GRIP case; and

WHEREAS, the Company's levels of operating and maintenance expense have dramatically risen without sufficient justification; and

WHEREAS, the Company has awarded its executives and upper management increasing and unreasonable levels of incentives and bonuses, expenses which should be borne by shareholders who received a 23% total return on investment in 2013; and

WHEREAS, the Company requested a drastically high level of medical expense that is unreasonable and speculatively based upon estimates; and

WHEREAS, ACSC and the Company were unable to reach a compromise on the amount of additional revenues that the Company should recover under the 2014 RRM filing; and

WHEREAS, the ACSC Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities deny the requested rate increase; and

WHEREAS, the Company's current rates are determined to be just, reasonable, and in the public interest.

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

SECTION 1. That the findings set forth in this Resolution are hereby in all things approved.

SECTION 2. That the City Council finds that Atmos Mid-Tex was unable to justify the appropriateness or the need for the increased revenues requested in the 2014 RRM filing, and that existing rates for natural gas service provided by Atmos Mid-Tex are just and reasonable.

SECTION 3. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC Cities in processing the Company's RRM application.

SECTION 4. That in the event the Company files an appeal of this denial of rate increase to the Railroad Commission of Texas, the City is hereby authorized to intervene in such appeal, and shall participate in such appeal in conjunction with the ACSC membership. Further, in such event Atmos Mid-Tex shall reimburse the reasonable expenses of the ACSC Cities in participating in the appeal of this and other ACSC City rate actions resulting from the 2014 RRM filing.

SECTION 5. That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 6. That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

SECTION 7. That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Manager of Rates and Regulatory Affairs, at Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 19th day of May 2014.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

MODEL STAFF REPORT

The City, along with approximately 164 other cities served by Atmos Energy Mid-Tex Division (“Atmos Mid-Tex” or “Company”), is a member of the Atmos Cities Steering Committee (“ACSC”). On or about February 28, 2014, Atmos Mid-Tex filed with the City an application to increase natural gas rates pursuant to the Rate Review Mechanism (“RRM”) tariff renewed by the City in 2013 as a continuation and refinement of the previous RRM rate review process. This is the second annual RRM filing under the renewed RRM tariff.

The Atmos Mid-Tex RRM filing sought a \$45.7 million rate increase system-wide based on an alleged test-year cost of service revenue deficiency of \$49 million. Of the total amount requested, almost \$37 million is attributable to the affected cities. The City worked with ACSC to analyze the schedules and evidence offered by Atmos Mid-Tex to support its request to increase rates. Although a good faith attempt was made by ACSC to reach a compromise with Atmos Mid-Tex, an agreement was not reached. In the absence of an agreement, the ACSC Executive Committee and ACSC’s legal counsel have recommended that ACSC members adopt the attached Resolution denying the rate increase request.

The RRM tariff was adopted by the City as an alternative to the Gas Reliability Infrastructure Program (“GRIP”), the statutory provision that allows Atmos to bypass the City’s rate regulatory authority to increase its rates annually to recover capital investments. In past years, cities have been able to reach a compromise with Atmos to reduce the rate impact from the requested RRM increases, and these compromises have also been lower than the rates that Atmos would have been entitled to under the GRIP filing. In this case, the Company would have been entitled to an increase from GRIP of no more than \$31.5 million. The magnitude of the requested increase under the 2014 RRM filing, and the wide differences between it and the ACSC consultants’ recommendations made a compromise much more difficult and ultimately impossible. The Company demanded more than it would be entitled to if it had filed a GRIP case. For this reason, the ACSC Executive Committee and ACSC legal counsel recommend that all ACSC Cities adopt the Resolution denying the requested rate change.

RRM Background:

The RRM tariff was originally approved by ACSC Cities as part of the settlement agreement to resolve the Atmos Mid-Tex 2007 system-wide rate filing at the Railroad Commission. In early 2013, the City adopted a renewed RRM tariff for an additional five years. This is the second RRM filing under the renewed tariff. This filing was made by agreement less than one year after the first filing in order for the RRM rate-setting process to hereafter use a calendar year as the test period.

The RRM tariff and the process implementing that tariff were created collaboratively by ACSC and Atmos Mid-Tex as an alternative to the legislatively-authorized GRIP surcharge process. ACSC has opposed GRIP because it constitutes piecemeal ratemaking, does not allow any review of the reasonableness of Atmos’ expenditures, and does not allow participation by cities or recovery of cities’ rate case expenses. In contrast, the RRM process has allowed for a more comprehensive rate review and annual adjustment as a substitute for GRIP filings.

ACSC's consultants have calculated that had Atmos filed under the GRIP provisions, it would have received additional revenues from ratepayers of approximately \$31.5 million.

Purpose of the Resolution:

Rates cannot change without the adoption of rate ordinances by cities. No related matter is pending at the Railroad Commission. The purpose of the Resolution is to deny the rate increase requested by Atmos. Under the RRM tariff, Atmos may appeal the rate decision of the cities to the Railroad Commission; such appeal must be filed within thirty (30) days of the City action.

The RRM tariff also allows Atmos to implement its requested rates effective June 1 while any appeal at the Commission is pending, subject to refunds based upon the outcome of the appeal. This would represent a monthly increase of approximately \$2.02 for the average residential customer, subject to any refund if the Commission reduces the rates implemented by Atmos. The actual impact will be slightly less than \$2.02 for most residential customers because the Company has indicated it will not appeal and thus concedes several of the issues raised by Cities. The Resolution also authorizes the City to participate as a party to the appeal in conjunction with the ACSC, and requires the Company to reimburse the City for its rate case expenses associated with the City's review of the RRM filing, and with the appeal of the City's denial of the rate increase.

Rate Impact of Appeal by Atmos Effective June 1:

The RRM tariff constrains the annual increase in the residential customer charge to no more than \$0.50. The current \$17.70 customer charge will be increased to \$18.22 per month with the addition of an energy conservation program surcharge of \$0.02. The current \$17.70 customer charge for unincorporated area customers will become \$20.32 per month because all of the increase associated with a GRIP filing, which is applicable to all customers not covered by a RRM tariff, is placed on the customer charge. However, the commodity charge for unincorporated residential service will be less than one-half of the commodity charge for residents of incorporated areas—\$0.04172 per Ccf vs. \$0.08998 per Ccf.

A comparison of rates and rate impact of what Atmos initially proposed in its RRM filing is reflected in the following chart:

Customer Class	Current Bill	New Bill	Difference	New Customer Charge	New Commodity Charge	Base Rate Increase
Residential	48.09	50.11	2.02	\$ 18.22	\$0.08998 Ccf	9.41%
Commercial	254.85	260.91	6.06	\$ 38.85	\$0.07678 Ccf	9.59%
Industrial	4,680.30	4,837.10	156.80	\$675.00	declining block	9.70%
Transportation	2,836.84	2,993.64	156.80	\$675.00	declining block	9.70%

However, Atmos has indicated that it will not appeal all issues raised by Cities and thus the impact should be slightly less than what is reflected in the above chart. A precise impact statement cannot be presented until after the Company's appeal is filed.

Reasons Justifying Approval of the Resolution:

Consultants working on behalf of ACSC Cities have investigated the Company's requested rate increase. While the evidence does not support the \$45.7 million increase requested by the Company, ACSC's consultants agree that the Company can justify an increase in revenues of a much lesser amount—namely, an increase of only \$19 million. The Executive Committee authorized a settlement value considerably above the consultants' recommendation but it was insufficient to meet the Company's expectation. The Company and ACSC Cities were too far apart in their positions to reach a compromise, and rather than granting a partial increase that the Company will not accept, the option remaining is to deny the rate increase request in its entirety, and participate in the Company's appeal of this decision at the Railroad Commission.

Explanation of "Be It Resolved" Paragraphs:

1. This paragraph approves all findings in the Resolution.
2. This section denies the requested rate increase, finds the proposed rates to be unreasonable and not in the public interest, and finds the existing rates to be just and reasonable.
3. This section requires the Company to reimburse ACSC Cities for reasonable ratemaking costs associated with reviewing and processing the RRM application.
4. This section authorizes participation by the City in conjunction with ACSC in any appeal filed by the Company at the Railroad Commission, and authorizes ACSC and its counsel to act on behalf of the City. This section also requires the Company to reimburse ACSC Cities for reasonable ratemaking costs associated with any appeal filed by the Company to the City's resolution.
5. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.
6. This section is a savings clause, which provides that if any section(s) is later found to be unconstitutional or invalid, that finding shall not affect, impair, or invalidate the remaining provisions of this Resolution. This section further directs that the remaining provisions of the Resolution are to be interpreted as if the offending section or clause never existed.
7. This paragraph directs that a copy of the signed Resolution be sent to a representative of the Company and legal counsel for ACSC.

LANCASTER CITY COUNCIL

Agenda Communication

May 19, 2014

Item 4

Consider a resolution canvassing the returns and declaring the results of the General Election for City Officers held on May 10, 2014.

This request supports the City Council 2013-2014 Policy Agenda.

City Charter Provision

Background

At a time posted in accordance with the Open Meetings Act and as required by the Texas Election Code § 67.004(a), the canvass of the returns is read and results declared. The Mayor asks for a motion and vote from the City Council approving the canvass and results of the general election held May 10, 2014. Only two members of the authority constitute a quorum for the purpose of canvassing an election. Election results must be canvassed not later than the 11th day (May 21) following the election.

Considerations

Under the Election Code, the last day to receive ballots from voters outside of the United States is Thursday, May 15. The Ballot Board has until Monday to count any overseas ballots. A copy of the canvass from Dallas County Elections may not be available until Monday, May 19.

I will provide a copy of the canvass at Monday's meeting and an updated canvass resolution.

Attachments

- Draft resolution of canvass in English and Spanish
-

Submitted by:

Sorangel O. Arenas, City Secretary

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION FOR THE OFFICE OF COUNCILMEMBER DISTRICT 2 HELD ON MAY 10, 2014.

GENERAL ELECTION

Lancaster, Texas

May 10, 2014

CANVASS OF RETURNS AND DECLARATION OF RESULTS OF ELECTION

BE IT REMEMBERED THAT on this the 19th day of May 2014, at a meeting of the City Council of the City of Lancaster, Texas, a quorum being present, the meeting was called to order and the following business was transacted.

Upon motion it was unanimously ordered that the City Council consider the official returns of a General Election held in the City on May 10, 2014, for the election of Councilmember for District 2 for a three-year term.

WHEREUPON said official returns were opened, examined, canvassed and the results declared as follows:

CANVASS OF RETURNS AND DECLARATION OF RESULTS

WHEREAS, heretofore, the City Council of the City of Lancaster, Texas, called a General Election to be held in the City on May 10, 2014, to elect a Councilmember for District 2 for a three-year term; and

WHEREAS, immediately after said election the Presiding Judge and other officials holding said election made their returns of the results thereof to the City Council as follows, and said returns being made according to law, and duly authenticated, and it being shown that written notice of said election was posted for the time and in the manner provided by law, and all other proceedings pertaining to said election having been shown to have been done and performed at and within the manner provided by law, and all papers pertaining thereto having been returned and filed with the City Council and no protest or objection being made to or regarding any matter pertaining to said election.

NOW, THEREFORE, be it resolved by the City Council of the City of Lancaster, Texas, after examining said returns and opening and canvassing the votes of said election, that the results of said election are as follows:

That the following number of votes was cast for the following named candidates for the office of Councilmember, District 2, to-wit:

	EARLY VOTING	ELECTION DAY	BY MAIL	PROVISIONAL VOTING	TOTAL VOTES	%
Lou Samuels	26	4	3	0	33	18.64%
Chaz Z. Rodgers	23	16	1	0	40	22.60%
Stanley M. Jaglowski	71	27	6	0	104	58.76%

It appearing that Stanley M. Jaglowski received a majority of all votes cast for the office of Councilmember, District 2, Stanley M. Jaglowski is hereby declared to be elected to the office of Councilmember, District 2, to serve a three-year term after qualifying.

IT IS FURTHER ORDERED that this canvass and declaration of results of said election be entered in the Minutes of the City Council.

This Resolution, declaring the results of the general election, shall become effective immediately after its passage.

DULY PASSED by the City Council of the City of Lancaster, Texas, on this the 19th day of May 2014.

APPROVED:

Marcus E. Knight, Mayor

ATTEST:

Sorangel O. Arenas, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

RESOLUCIÓN NO.

RESOLUCIÓN DEL CONSEJO MUNICIPAL DE LA CIUDAD DE LANCASTER, TEXAS, EL ESCRUTINIO DE LOS DEVOLUCIONES Y LA DECLARACIÓN DE LOS RESULTADOS DE LAS ELECCIONES GENERALES PARA LA OFICINA DE CONCEJAL DISTRITO 2 CELEBRADA EL 10 DE MAYO 2014.

ELECCIÓN GENERAL

Lancaster, Texas

10 DE MAYO 2014

SONDEO DE LOS RESULTADOS Y LA DECLARACIÓN DE RESULTADOS DE LA ELECCIÓN

Debe recordarse que, en este día 19 de mayo de 2014, en una reunión del Consejo Municipal de la Ciudad de Lancaster, Texas, habiendo quórum, la reunión fue llamada al orden y el siguiente negocio fue tramitado.

Tras moción se ordenó por unanimidad que el Ayuntamiento considere los resultados oficiales de las elecciones generales celebrada en la ciudad el 10 de mayo de 2014, para la elección de Concejales de Distrito 2, por un período de tres años.

LO CUAL, fueron abiertos los resultados oficiales, examinados, escrutados y los resultados declaran como sigue:

ESCRUTINAR LOS RESULTADOS Y DECLARACIÓN DE RESULTADOS

VISTO QUE, antes, el Consejo de la ciudad de Lancaster, Texas, la ciudad ordenar una elección general que se celebrará en la ciudad el 10 de mayo de 2014, para elegir a los concejales de Distrito 1 por un período de tres años ; y

VISTO QUE, inmediatamente después de dicha elección, el Juez Presidente y otros funcionarios de la celebración de dicha elección hizo sus declaraciones sobre los resultados de la misma al Ayuntamiento de la siguiente manera, y dijeron retornos se hacen de acuerdo a la ley, y debidamente legalizados, y se muestra que la notificación por escrito de dicha elección fue publicada por el tiempo y en la forma prevista por la ley, y todos los demás procedimientos relativos a dicho que se ha demostrado que las elecciones se han realizado y realiza en y dentro de la forma prevista por la ley, y todos los documentos relativos a la misma hayan sido devueltos y presentar ante el Ayuntamiento y no protesta u objeción que se realizan para o con respecto a cualquier cuestión relacionada con dicha elección.

Visto Que que, el 10 de marzo de 2014, Concejo Municipal aprobó la Resolución NO. 2014-03-18 que declaró los candidatos sin oposición en el Distrito 4 (James Daniels) y Distrito 6 (Nina Morris) y por lo tanto ser declarados para ser elegidos para dicho cargo.

AHORA, POR LO TANTO, se resuelto por el Consejo Municipal de la Ciudad de Lancaster, Texas, después de examinar dicho resultados y la apertura y el escrutinio de los votos de dicha elección, los resultados de dicha elección son los siguientes:

Que el siguiente número de votos fueron emitidos por los siguientes candidatos nombrados para el cargo de concejal del Distrito 2, a saber:

	Votacion Temprana	Dia de Eleccion	Por Correo	Votacion Provisional	Total de Votos	%
Lou Samuels	26	4	3	0	33	18.64%
Chaz Z. Rodgers	23	16	1	0	40	22.60%
Stanley M. Jaglowski	71	27	6	0	104	58.76%

Apareciendo que Stanley M. Jaglowski recibió la mayoría de los votos emitidos para el cargo de concejal del Distrito 2, Stanley M. Jaglowski se declara electo para el cargo de Concejal, Distrito 2, para cumplir un mandato de tres años después de la calificación.

ADEMÁS SE ORDENA que este escrutinio y la declaración de resultados de dicha elección se consignará en el acta del Concejo Municipal. Esta Resolución, declarando los resultados de las elecciones generales, entrará en vigencia inmediatamente después de su aprobación.

DEBIDAMENTE APROBADA por el Consejo Municipal de la Ciudad de Lancaster, Texas, en este día 19 de mayo de 2014.

DAR FE:

APROBADO:

Sorangel O. Arenas, Secretaria de la Ciudad

Marcus E. Knight, Alcalde

APROBADA EN FORMA:

Robert E. Hager, Abogado de la Ciudad

LANCASTER CITY COUNCIL

Agenda Communication

May 19, 2014

Item 5

Administer oaths of office; present Certificates of Election; and seat newly elected councilmembers.

Background

In accordance with Texas Election Code, after the completion of a canvass, the local canvassing authority prepares a Certificate of Election for each candidate who is elected to office. The oath of office is administered, followed by the presentation of the Certificate of Election.

After the City Council has approved the Canvass of the May 10, 2014 General Election, the newly elected councilmembers will be given the Oath of Office and presented with a Certificate of Election.

Submitted by:

Sorangel O. Arenas, City Secretary

LANCASTER CITY COUNCIL

Agenda Communication

May 19, 2014

Item 6

Consider election of a Mayor Pro Tempore.

This request supports the City Council 2013-2014 Policy Agenda.

City Charter Provision

Background

Section 3.05 (b) of the City Charter provides for the election of a Mayor Pro Tem and a Deputy Mayor Pro Tem. Section 3.05 (c) of the City Charter provides that the Mayor Pro Tem shall act as Mayor during the disability or absence of the Mayor and in this capacity shall have the rights conferred upon the Mayor.

Options/Alternatives

Council may elect a Mayor Pro Tem at this time or defer the action until the next regular meeting.

Recommendation

No staff recommendation. This matter is at Council's discretion.

Attachments

- Section 3.05 *Mayor, Mayor Pro Tem and Deputy Mayor Pro Tem* from the City's Home Rule Charter

Submitted by:

Sorangel O. Arenas, City Secretary

- (2) have resided in their district for a minimum of one (1) year prior to the date of the election and shall reside in that district during the term of office.

In the event that a citizen's residence is changed solely as a result of an approved redistricting plan in accordance with law, the one (1) year district residency requirement shall not apply.

SECTION 3.03 Compensation

The City Council shall serve without compensation. The City Council shall be entitled to reimbursement for actual expenses incurred in the performance of official duties.

SECTION 3.04 Mayor and the City Councilmember; Qualifications; How Nominated and Elected; Official Ballot.

(A) The names of candidates for City Councilmember and Mayor shall be placed on the official ballot upon the filing of a petition, in accordance with the TEXAS ELECTION CODE, with the City Secretary stating the candidate has resided in the City of Lancaster for a period of at least one year prior to such election. If filing for a Council district, the candidate must have also resided within the district for which the candidate is filing for a period of at least one (1) year prior to such election, except as provided herein. The petition shall be signed, in addition to the candidate, by twenty-five (25) qualified voters residing within the district for which the candidate is seeking election, or in the case of the Mayor, twenty-five (25) qualified voters of the City. Upon filing, such name shall be printed upon the official ballot. The order in which the names of the candidates for City Council shall appear on the ballot shall be determined by lot, in a drawing held under the supervision of the City Secretary.

(B) If a member of the Council shall file as a candidate for nomination or election to any public office other than his current office on the City Council, such candidacy shall constitute an automatic resignation.

SECTION 3.05 Mayor, Mayor Pro-Tem and Deputy Mayor Pro-Tem

(A) The Mayor shall preside at all meetings of the City Council, and shall be recognized as head of the City government for all ceremonial purposes, and by the Governor for purposes of military law, but shall have no regular administrative duties. The Mayor may participate in the discussion of all matters coming before the City Council. The Mayor shall be entitled to vote as a member thereof on all legislative or other matters. He shall sign resolutions/ordinances and conveyances made or entered into by the City and all bonds issued under the provisions of this Charter; and such other documents that he/she may be authorized by Council or by law. The Mayor shall not have power to veto any legislative or other matter.

(B) The City Council shall elect a Mayor Pro Tem and a Deputy Mayor Pro Tem at the first meeting as provided herein.

(C) The Mayor Pro-Tem shall be a Councilmember elected by the City Council at the first regular meeting after each election of Councilmembers and/or Mayor. The Mayor Pro-Tem shall act as Mayor during the disability or absence of the Mayor, and in this capacity shall have the rights conferred upon the Mayor.

(D) The Deputy Mayor Pro-Tem shall be a Councilmember elected by the City Council at the first regular meeting after each election of Councilmembers and/or Mayor. The Deputy Mayor Pro-Tem shall act as Mayor during the disability or absence of the Mayor and Mayor Pro-Tem, and in this capacity shall have the rights conferred upon the Mayor.

SECTION 3.06 Vacancies, Forfeiture and Filling of Vacancies

(A) The office of a Councilmember or the Mayor shall become vacant upon his/her death, resignation, forfeiture of, or removal from office by any manner authorized by law.

(B) Any person on the City Council who ceases to possess the required qualifications for office or who is convicted of a felony or is convicted of violating any State laws regulating conflicts of interest of municipal officers shall forfeit his/her office. Every forfeiture shall be declared and enforced by the City Council.

(C) If there is a vacancy in the office of Mayor, a new Mayor shall be elected as provided by state law.

(D) A vacancy in the office of any Councilmember shall be filled by special election in accordance with the TEXAS ELECTION CODE. If the vacated office is that of Mayor Pro-Tem (or Deputy Mayor Pro-Tem), the City Council shall elect a new Mayor Pro-Tem (or Deputy Mayor Pro-Tem) at the next regular meeting.

(E) Vacancies filled by special election shall be for the remainder of the term that was vacated.

SECTION 3.07 Duties and Powers of the City Council

(A) The City Council shall have all powers necessary and incident to the proper discharge of the duties imposed upon it and is hereby invested with all powers necessary to carry out the terms of this Charter; it being intended that the City Council and Mayor shall have and exercise all powers enumerated in this Charter or implied thereby and all powers that are or hereafter may be granted to municipalities by this Charter, the Constitution or laws of the State of Texas.

(B) Any member of the City Council shall have the unabridged right to place an item on the agenda of a duly convened meeting of the Council; nothing contained in this Charter shall be construed to limit or circumscribe such right.

(C) During each calendar year, the City Council shall undertake one (1) annual review of the performance of the City Manager in writing. The City Manager shall be responsible for

LANCASTER CITY COUNCIL

Agenda Communication

May 19, 2014

Item 7

Consider election of a Deputy Mayor Pro Tempore.

This request supports the City Council 2013-2014 Policy Agenda.

City Charter Provision

Background

Section 3.05 (b) of the City Charter provides for the election of a Mayor Pro Tem and a Deputy Mayor Pro Tem. Section 3.05 (d) of the City Charter provides that the Deputy Mayor Pro Tem shall act as Mayor during the disability or absence of the Mayor and Mayor Pro Tem and in this capacity shall have the rights conferred upon the Mayor.

Options/Alternatives

Council may elect a Deputy Mayor Pro Tem at this time or defer the action until the next regular meeting.

Recommendation

No staff recommendation. This matter is at Council's discretion.

Submitted by:

Sorangel O. Arenas, City Secretary