

**CITY OF KOSSE
CITY COUNCIL MEETING
TUESDAY, MARCH 13, 2018- 7:00 P.M.**

Council Members Present:

Trish Roy Harley Leazer Ronnie Funderburk

Council Members Absent:

Ricky Wright LB Perry

Mayor Jarrod Eno opened the meeting with the pledge of allegiance. Brooks Valls said the prayer. A quorum was present with three members present. Proper posting of the meeting was confirmed.

Consent Items: Minutes from the last meeting, accounts payable, and current bank statements were reviewed. A motion by Ronnie Funderburk was made to approve. It was seconded by Trish Roy. Motion carried.

Discuss and Take Action on Resolution NO. 03132018- ATMOS. Chace Murphy Rep. for Atmos was present and explained the Resolution, this is not a rate increase but a resolution of rules on how to address rates going forward. Ronnie Funderburk made a motion to pass Resolution NO. 03132018. Harley Leazer seconded. Motion carried.

RESOLUTION NO. 03132018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KOSSE, TEXAS, (“CITY”) APPROVING AND ADOPTING RATE SCHEDULE “RRM – RATE REVIEW MECHANISM” FOR ATMOS ENERGY CORPORATION, MID-TEX DIVISION AS A SUBSTITUTION FOR THE ANNUAL INTERIM RATE ADJUSTMENT PROCESS DEFINED BY SECTION 104.301 OF THE TEXAS UTILITIES CODE; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY.

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

WHEREAS, the City is a regulatory authority under the Gas Utility Regulatory Act (“GURA”) and under § 103.001 of GURA has exclusive original jurisdiction over the rates, operations and services of Atmos Mid-Tex within the municipality; and

WHEREAS, the City previously approved a Rate Review Mechanism (“RRM”) Tariff that allows for an expedited rate review process to facilitate annual changes in gas utility rates reflective of Atmos Mid-Tex’s annual system-wide cost of providing service; and

WHEREAS, the RRM process permits City review of requested rate changes and provides for a review of Atmos Mid-Tex’s total cost of service on an annual basis; and

WHEREAS, the initial RRM tariff expired in 2017; and

WHEREAS, the new RRM tariff attached to this Resolution reflects the ratemaking standards and methodologies authorized by the Railroad Commission in the most recent Atmos rate cases, G.U.D. No. 10170; and G.U.D. No. 10580;

WHEREAS, the renewal of the RRM process may avoid costly rate case litigation; and

WHEREAS, the attached Rate Schedule “RRM – Rate Review Mechanism” (“RRM Tariff”) provides for a reasonable expedited rate review process that has been shown to result in just and reasonable gas utility rates; and

WHEREAS, the attached RRM Tariff as a whole is in the public interest;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KOSSE, 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 the RRM Tariff, **which is attached hereto and incorporated herein as Attachment A**, is reasonable and in the public interest, and is hereby in force and effect in the City.

Section 3. That to the extent any Ordinance or Resolution previously adopted by the City Council is inconsistent with this Resolution, it is hereby repealed.

Section 4. 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 5. That if any one or more sections or clauses of this Resolution is judged 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 6. That this Resolution shall become effective from and after its passage.

Section 7. That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Christopher Felan, Vice President of Rates and Regulatory Affairs, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1800, Dallas, Texas 75240.

PASSED AND APPROVED this 13th day of March, 2018.

s/Jarrold Eno
Mayor

ATTEST:

s/Christina Lockhart
City Secretary

Discuss and Take Action on Order of Cancellation - May 5,2018 Election. Mayor and three council seats are unopposed. Harley Leazer made a motion to cancel election. Ronnie Funderburk seconded. Motion carried.

Discuss and Take Action on Police Department Racial Profile Report. Chief Ensminger gave a copy of the report to all council members. Report is also turned into the state. Ronnie

Funderburk made a motion to accept the Racial Profile Report. Harley Leazer seconded. Motion carried.

Discuss and Take Action on Kosse Community Center Requests. President Brooks Valls presented the KCC requests.

Request for 2 beer licenses for homecoming, one Friday night at the Fiddle Festival and one for Saturday at the Street Dance. Harley Leazer made a motion to allow the KCC to obtain the beer license. Ronnie Funderburk seconded. Motion carried.

Request to wave \$25 permit fee for vendors for Homecoming weekend only. Trish Roy made a motion to wave fee. Ronnie Funderburk seconded. Motion carried.

Request to pay and install power box on power pole next to Post Office for Homecoming. Cost is \$775.00. Harley Leazer made a motion to purchase. Ronnie Funderburk seconded. Motion carried.

Discuss and Take Action on Ordinance Requiring a Certificate of Occupancy and Utilities. Mayor Eno wants to set up an Ordinance workshop. City Secretary will contact everyone and get a date together. TABLED.

Discuss and Take Action on Water Rates, Water/Sewer Taps Rates-Councilmember Trish Roy. Trish Roy asked if we are looking at an increase in water bill rates? Discussion took place on rates in the past and why they were raised and that at this point the City is not looking to raise rates. Trish also asked about giving away water and sewer taps? Mayor Eno explained that is an Economic Incentive to commercial or residential site-built projects that the Council passed.

Water Dept. Report/Update, Municipal Court Report, Police Dept. Report, Community Center Report were given.

Ronnie Funderburk made a motion to adjourn and Harley Leazer seconded it. Motion carried and meeting adjourned.

ATTEST:

Mayor

Date

City Secretary

Date