

REGULAR CITY COUNCIL MEETING

April 19, 2016

7:00 P.M.

A Regular City Council Meeting was held on Tuesday, April 19, 2016, at 7:00 p.m. in the City Council Chambers located at 201 East Nash Street, Terrell, Texas with the following members present:

**COUNCILMEMBER #1 HAL RICHARDS
COUNCILMEMBER #2 TOMMY SPENCER
COUNCILMEMBER #3 SANDRA WILSON
COUNCILMEMBER #4 CHARLES WHITAKER
COUNCILMEMBER #5 VACANT**

1. Call to order.

Mayor Hal Richards called the meeting to order.

2. Invocation.

Mayor Hal Richards gave the opening prayer and Mayor Pro Tem Charles Whitaker led the Pledge of Allegiance.

3. Discuss and Consider Approval of Meeting Minutes of the Special City Council Meeting and Workshop of March 31, 2016 and the Regular City Council Meeting of April 5, 2016.

Mayor Pro Tem Charles Whitaker made a motion to approve Meeting Minutes of the Special City Council Meeting and Workshop of March 31, 2016 and the Regular City Council Meeting of April 5, 2016. Deputy Mayor Pro Tem Tommy Spencer seconded the motion. Ayes – Tommy Spencer, Charles Whitaker, Hal Richards. Sandra Wilson was not available for vote. Motion carried.

4. Presentation by Lisa Sudbury on Behalf of North Texas Kenshin Kan Karate.

Mayor Hal Richards presented a Proclamation to Lisa Sudbury on Behalf of North Texas Kenshin Kan Karate.

5. Presentation of Proclamation Declaring the Month of May as "Motorcycle Awareness Month".

Mayor Hal Richards presented a Proclamation Declaring the Month of May as "Motorcycle Awareness Month".

6. Hear Remarks from Visitors.

This time is set aside on the agenda to invite any person to address the Council on issues not subject to a public hearing. Routine administrative matters are best discussed with the appropriate City Staff before bringing them to the Council. Speakers should limit their comments to 3 minutes and are asked to speak into the microphone provided, identifying themselves for the record. The total amount of time set aside for this place on the agenda is 15 minutes. Comments of a personal nature directed at the Council or Staff are inappropriate.

There were no remarks from visitors.

7. Discuss and Consider Resolution No. 817; A Resolution Directing Oncor Electric Delivery Company, LLC To File Certain Information With The City Of Terrell; Setting A Procedural Schedule For The Gathering And Review Of Necessary Information In Connection Therewith; Setting Dates For The Filing Of The City's Analysis Of The Company's Filing And The Company's Rebuttal To Such Analysis; Ratifying The Hiring Of Legal Counsel And Consultants; Reserving The Right To Require The Reimbursement Of The City Of Terrell's Rate Case Expenses; Setting A Public Hearing For The Purposes Of Determining If The Existing Rates Of Oncor Electric Delivery Company Are Unreasonable Or In Any Way In Violation Of Any Provision Of Law And The Determination By The City Of Terrell Of Just And Reasonable Rates To Be Charged By Oncor Electric Delivery Company, LLC.

Mayor Hal Richards presented to Council for Discussion and Consideration Resolution No. 817; A Resolution Directing Oncor Electric Delivery Company, LLC To File Certain Information With The City Of Terrell; Setting A Procedural Schedule For The Gathering And Review Of Necessary Information In Connection Therewith; Setting Dates For The Filing Of The City's Analysis Of The Company's Filing And The Company's Rebuttal To Such Analysis; Ratifying The Hiring Of Legal Counsel And Consultants; Reserving The Right To Require The Reimbursement Of The City Of Terrell's Rate Case Expenses; Setting A Public Hearing For The Purposes Of Determining If The Existing Rates Of Oncor Electric Delivery Company Are Unreasonable Or In Any Way In Violation Of Any Provision Of Law And The Determination By The City Of Terrell Of Just And Reasonable Rates To Be Charged By Oncor Electric Delivery Company, LLC. Councilmember Sandra Wilson made a motion to approve Resolution No. 817; A Resolution Directing Oncor Electric Delivery Company, LLC To File Certain Information With The City Of Terrell; Setting A Procedural Schedule For The Gathering And Review Of Necessary Information In Connection Therewith; Setting Dates For The Filing Of The City's Analysis Of The Company's Filing And The Company's Rebuttal To Such Analysis; Ratifying The Hiring Of Legal Counsel And Consultants; Reserving The Right To Require The Reimbursement Of The City Of Terrell's Rate Case Expenses; Setting A Public Hearing For The Purposes Of Determining If The Existing Rates Of Oncor Electric Delivery Company Are Unreasonable Or In Any Way In Violation Of Any Provision Of Law And The Determination By The City Of Terrell Of Just And Reasonable Rates To Be Charged By Oncor Electric Delivery Company, LLC. Mayor Pro Tem Charles Whitaker seconded. Ayes – All. Nays – None. Motion carried.

RESOLUTION NO. 817

DIRECTING ONCOR ELECTRIC DELIVERY COMPANY, LLC TO FILE CERTAIN INFORMATION WITH THE CITY OF TERRELL; SETTING A PROCEDURAL SCHEDULE FOR THE GATHERING AND REVIEW OF NECESSARY INFORMATION IN CONNECTION THEREWITH; SETTING DATES FOR THE FILING OF THE CITY'S ANALYSIS OF THE COMPANY'S FILING AND THE COMPANY'S REBUTTAL TO SUCH ANALYSIS; RATIFYING THE HIRING OF LEGAL COUNSEL AND CONSULTANTS; RESERVING THE RIGHT TO REQUIRE THE REIMBURSEMENT OF THE CITY OF TERRELL'S RATE CASE EXPENSES; SETTING A PUBLIC HEARING FOR THE PURPOSES OF DETERMINING IF THE EXISTING RATES OF ONCOR ELECTRIC DELIVERY COMPANY ARE UNREASONABLE OR IN ANY WAY IN VIOLATION OF ANY PROVISION OF LAW AND THE DETERMINATION BY THE CITY OF TERRELL OF JUST AND REASONABLE RATES TO BE CHARGED BY ONCOR ELECTRIC DELIVERY COMPANY, LLC.

WHEREAS, the City of Terrell is a regulatory authority under the Public Utility Regulatory Act ("PURA") and has original jurisdiction over the rates of Oncor Electric Delivery Company, LLC ("Oncor") to determine if such rates are just and reasonable; and

WHEREAS, Sections 33.021, 36.003 and 36.151 of PURA empower a regulatory authority, on its own motion or on a complaint by any affected person, to determine whether the existing rates of any public utility for any service are unreasonable or in any way in violation of any provision of law, and upon such determination, to determine the just and reasonable rates; and

WHEREAS, the City of Terrell has reason to believe that Oncor is over-earning and its rates are excessive; and

WHEREAS, the City of Terrell is a member of the Steering Committee of Cities Served By Oncor; and

WHEREAS, the Executive Committee of the Steering Committee of Cities Served by Oncor has recommended that cities pass a resolution that requires Oncor to show cause why its transmission and distribution rates should not be reduced; and

WHEREAS, the City of Terrell, and the City Council of the City of Terrell desires, on its own motion, to exercise its authority under Sections 33.021, 36.003 and 36.151 of PURA; and

WHEREAS, a procedural schedule should be established for the filing of certain information by Oncor, procedures to be followed to obtain and review information from Oncor, the filing of an analysis of such information by the City, the filing of rebuttal information from Oncor, and a public hearing at which time the City shall make a determination whether the existing rates of Oncor are unreasonable or are in any way in violation of any provision of law, and if such rates should be revised, and just and reasonable rates determined for Oncor.

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

SECTION 1. This resolution constitutes notice of the City's intent to proceed with an inquiry into the transmission and distribution rates charged by Oncor. On or before September 1, 2016, Oncor shall file with the City of Terrell information that demonstrates good cause for showing that Oncor's transmission and distribution rates should not be reduced. Specifically, Oncor shall file with the City of Terrell information for the test year beginning January 1, 2015 and ending December 31, 2015, regarding Oncor's cost of service elements, including, but not limited to, the elements detailed by the Public Utility Commission as necessary for the filing of a Statement of Intent to Change Rates. The test year may be updated for more current data and shall be adjusted for known and measureable changes.

SECTION 2. City's designated representatives shall have the right to obtain additional information from Oncor through the filing of requests for information, which shall be responded to within fifteen (15) days from the receipt of such request for information.

SECTION 3. City's designated representatives shall file their analysis of Oncor's filing and information on or before October 13, 2016.

SECTION 4. Oncor shall file any rebuttal to the analysis of City's representatives on or before November 10, 2016. With its rebuttal, Oncor may present whatever additional information it desires to defend its current rates.

SECTION 5. A public hearing shall be conducted by the City Council for the City of Terrell during a regular council meeting scheduled between November 15 and December 15. At such hearing a representative of Oncor and a representative of the City of Terrell's consultants will each be allowed to address the City Council and summarize previously filed reports for no more than 15 minutes. Based upon such hearing, a determination of the reasonableness of the existing rates of Oncor shall be made by the City Council and, if necessary, just and reasonable rates shall be determined to be thereafter observed and enforced for all services of Oncor within the City of Terrell, Texas.

SECTION 6. The City Council may, from time to time, amend this procedural schedule and enter additional orders as may be necessary in the public interest and to enforce the provisions hereof.

SECTION 7. Subject to the right to terminate employment at any time, the City of Terrell hereby ratifies the Steering Committee's selection of Geoffrey Gay with the law firm of Lloyd, Gosselink, Rochelle & Townsend as legal counsel to assist the City of Terrell in its ratemaking and to prosecute any appeals to the Texas Public Utility Commission or court. The Executive Committee of the Steering Committee of Cities Served by Oncor shall retain appropriate consultants to prepare a report and make rate recommendations.

SECTION 8. Fees and expenses of attorneys and consultants assisting the City in the Steering Committee's review of the reasonableness of Oncor's rates will be processed through the Steering Committee but the City reserves the right to seek reimbursement from Oncor pursuant to the PURA Section 33.023.

SECTION 9. That it is hereby officially found and determined that the meeting at which this resolution was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given all as required by Section 551.041, Texas Government Code.

AND IT IS SO ORDERED.

The above and foregoing resolution was passed and approved on this the 19th day of April 2016, by the following vote:

Ayes: All

Nays: None

Abstentions: None

At regular meeting April 19th, 2016.

8. Discuss and Consider Resolution No. 818; A Resolution Of The City Council Of The City Of Terrell, Texas, Approving And Supporting The Submission Of A 2016 Federal Tiger Grant Application.

Mike Sims, Assistant City Manager, presented to Council for Discussion and Consideration Resolution No. 818; A Resolution Of The City Council Of The City Of Terrell, Texas, Approving And Supporting The Submission Of A 2016 Federal Tiger Grant Application. Councilmember Sandra Wilson made a motion to approve Resolution No. 818; A Resolution Of The City Council Of The City Of Terrell, Texas, Approving And Supporting The Submission Of A 2016 Federal

Tiger Grant Application. Mayor Pro Tem Charles Whitaker seconded the motion. Ayes – All. Nays – None. Motion carried.

RESOLUTION NO. 818

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS, APPROVING AND SUPPORTING THE SUBMISSION OF A 2016 FEDERAL TIGER GRANT APPLICATION

WHEREAS, transportation projects in Terrell, Texas are vital to the mobility, safety, air quality, economic development interests and quality of life for all citizens, visitors and businesses in the City of Terrell and the State of Texas; and

WHEREAS, federal, state, regional and county funding assistance is greatly needed for transportation projects in Terrell, Texas; and

WHEREAS, the Federal Highway Administration has announced funding for the Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant program for capital investments in surface transportation infrastructure projects that will have a significant impact on job creation in the City of Terrell, Texas.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Terrell, Texas, approves and supports the submission of a Federal TIGER Grant Application requesting \$3,711,229 to support the following transportation projects in the City of Terrell, Texas:

1. Ramp relocation and signalization at FM148 and eastbound Spur 557 Ramp.
2. FM148 reconstruction and sidewalks, including capacity and safety improvements at the Apache Trail and FM148 intersection, along FM148 from Apache Trail to the Spur 557 bridge, and from the Spur 557 to transition to the existing 4-lane section south of the Spur 557 bridge.
3. Modify the existing 2-lane FM148 bridge over Spur 557 and build a new FM148 bridge with sidewalk over Spur 557.

PASSED AND APPROVED by the City Council of the City of Terrell, Texas, on this the 19th day of April, 2016.

CONSENT AGENDA

9. Discuss and Consider Adoption on Second Reading No. 2659; An Ordinance Of The City Of Terrell, Kaufman County, Texas Amending Chapter 5, Business Regulations By Repealing Ordinance No. 2517 And Adding Section 17, Credit Access Businesses; Setting Forth Registration Requirements And Credit Extension Guidelines For Credit Access Business; Providing For Severability; Providing For A Penalty; And Providing An Effective Date. Councilmember Sandra Wilson made a motion to approve on Second

Reading No. 2659; An Ordinance Of The City Of Terrell, Kaufman County, Texas Amending Chapter 5, Business Regulations By Repealing Ordinance No. 2517 And Adding Section 17, Credit Access Businesses; Setting Forth Registration Requirements And Credit Extension Guidelines For Credit Access Business; Providing For Severability; Providing For A Penalty; And Providing An Effective Date. Mayor Pro Tem Charles Whitaker seconded the motion. Ayes – All. Nays – None. Motion carried.

ORDINANCE NO. 2659

AN ORDINANCE OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS AMENDING CHAPTER 5, BUSINESS REGULATIONS BY REPEALING ORDINANCE NO. 2517 AND ADDING SECTION 17, CREDIT ACCESS BUSINESSES; SETTING FORTH REGISTRATION REQUIREMENTS AND CREDIT EXTENSION GUIDELINES FOR CREDIT ACCESS BUSINESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, certain credit access businesses engage in abusive and predatory lending practices, offering easy money to those members of our community who are in a difficult financial situation with onerous terms and fees; and

WHEREAS, the practices of certain credit access businesses cause members of our community to become trapped in a cycle of short term, high interest loans resulting in large debt and huge payments; and

WHEREAS, the Pew Charitable Trusts, in the publication entitled *Payday Lending in America: Who Borrows, Where they Borrow, and Why* (July 2012), wrote that “payday loans are sold as two-week credit products that provide fast cash, but borrowers are actually indebted for an average of five months per year.” The report further noted that “on average, a borrower takes out eight loans of \$375 each per year and spends \$520 on interest;” and

WHEREAS, the Pew Charitable Trusts, in their publication entitled *Payday Lending in America: Who Borrows, Where they Borrow, and Why* (July 2012) also noted: “How much borrowers spend on loans depends heavily on the fees permitted by their state. The same \$500 storefront loan would generally cost about \$55 in Florida, \$75 in Nebraska, \$87.50 in Alabama, and \$100 in Texas, even if it were provided by the same national company in all those states. Previous research has found that lenders tend to charge the maximum permitted in a state;” and

WHEREAS, the Pew Charitable Trusts, in their publication entitled *Payday Lending in America: Who Borrows, Where they Borrow, and Why* (July 2012) also stated that “the vast majority of borrowers use the loans on a long-term basis, not temporary one; thus it seems that the payday loan industry is selling a product few people use as designed and that imposes debt that is consistently more costly and longer lasting than advertised;” and

WHEREAS, the Community Financial Services Association of America (CFSA), the national trade association for companies that offer small dollar, short-term loans or payday advances includes the following in the “Members Best Practices” as listed on its internet site (<http://cfsaa.com/cfsa-member-best-practices.aspx>): “Members shall not allow customers to rollover a payday advance (the extension of an outstanding advance by payment of only a fee) unless expressly authorized by state law, but in such cases where authorized will limit rollovers to four or the state limit, whichever is less.” The need for consumer understanding was also outlined on the website: “A contract between a member and the customer must fully outline the terms of the payday advance transaction. Members agree to disclose the cost of the service fee both as a dollar amount and as an annual percentage rate (“APR”);” and

WHEREAS, the Center for Responsible Lending, a non-profit, not partisan organization, states on its internet site (<http://www.responsiblelending.org/other-consumer-loans/tools-resources/fact-facts.html>) that: “car title loans are based on the value of a borrower’s car - the ability to repay the loans is not a factor on the lending decision...”; “loan rates for a car title are typically 20-30 times that of rates charged by credit card issuers...”; “the average car title customer renews their loan 8 times...”; and, “on a \$500 title loan, this average customer will pay back \$650 in interest over eight months; the principal borrowed will be in addition;” and

WHEREAS, lenders hold onto the motor vehicle title and when borrowers cannot continue to pay the fees, they can lose their vehicles, which can negatively affect the borrower’s means of transportation for work and other essential household functions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS;

ARTICLE I.

THAT Chapter 5, Business Regulations be amended by repealing Ordinance No. 2517 and adding Section 17, Credit Access Businesses, as follows:

Section 5-17: CREDIT ACCESS BUSINESSES.

A. Purpose And Intent

2. This article may be known and cited as “Credit Access Business Regulation.”

3. The purpose of this article is to protect the welfare of the citizens of the City of Terrell, Texas by monitoring credit access businesses in an effort to reduce abusive and predatory lending practices. To this end, this article establishes a registration program for credit access business, imposes restrictions on extensions of consumer credit made by credit access businesses, and imposes record keeping requirements on credit access businesses.

B. Definitions.

1. **Certificate of Registration** means a certificate of registration issued by the Director under this article to the owner or operator of a credit access business.
2. **Consumer** means an individual who is solicited to purchase or who purchases the services of a credit access business.
3. **Consumer's Language of Preference** is the language the consumer understands best.
4. **Credit Access Business** has the meaning given that term in §393.601 of the Texas Finance Code.
5. **Deferred Presentment Transaction** has the meaning given that term in §393.601 of the Texas Finance Code.
6. **Director** means the director of the department designated by the City Council, City Manager, or City Council or City Manager's Designee to enforce and administer this chapter.
7. **Extension of Consumer Credit** has the meaning given that term in §393.001 of the Texas Finance Code.
8. **Motor Vehicle Title Loan** has the meaning given that term in §393.601 of the Texas Finance Code.
9. **Person** means any individual, corporation, organization, partnership, association, financial institution, or any other legal entity.
10. **Registrant** means a person issued a certificate of registration for a credit access business under this chapter and includes all owners and operators of the credit access business identified in the registration application filed under this chapter.
11. **State License** means a license to operate a credit access business issued by the Texas Consumer Credit Commission under Chapter 393, Subchapter G of the Texas Finance Code.

C. Violations; Penalty

1. A person who violates a provision of this chapter, or who fails to perform an act required of the person by this chapter, commits an offense. A person commits a separate offense for each and every violation relating to an extension of

consumer credit, and for each day during which a violation is committed, permitted, or continued.

2. An offense under this chapter is punishable by a fine of not more than Five Hundred Dollars (\$500).

3. A culpable mental state is not required for the commission of an offense under this article and need not be proved.

4. The penalties provided for in subsection two above are in addition to any other remedies that the city may have under city ordinances and state law.

D. Defenses

It is a defense to prosecution under this article that at the time of the alleged offense the person was not required to be licensed by the state as a credit access business under Chapter 393, Subchapter G of the Texas Finance Code.

E. Registration Required

A person commits an offense if the person acts, operates, or conducts business as a credit access business without a valid certificate of registration. A certificate of registration is required for each physically separate credit access business.

F. Registration Application

1. To obtain a certificate of registration for a credit access business, a person must submit an application on a form provided for that purpose to the director. The application must contain the following:

(a) The name, street address, mailing address, facsimile number, and telephone number of the applicant.

(b) The business or trade name, street address, mailing address, facsimile number and telephone number of the credit access business.

(c) The names, street addresses, mailing addresses, and telephone numbers of all owners of the credit access business, and the nature and extent of each person's interest in the credit access business.

(d) A copy of a current, valid state license held by the credit access business pursuant to Chapter 393, Subchapter G of the Texas Finance Code.

(e) A copy of a current, valid certificate of occupancy showing that the credit access business is in compliance with the Terrell City Code of Ordinances.

(f) A non-refundable application fee for the amount established.

2. An applicant or registrant shall notify the director within 45 days after any material change in the information contained in the application for a certificate of registration, including, but not limited to, any change of address and any change in the status of the state license held by the application or registrant.

G. Issuance and Display of Certificate of Registration; Presentment Upon Request.

1. The director shall issue to the applicant a certificate of registration upon receiving a completed application under section F above.

2. A certificate of registration issued under this section must be conspicuously displayed to the public in the credit access business. The certificate of registration must be presented upon request to the director or any peace officer for examination.

H. Expiration and Renewal of Certificate of Registration

1. A certificate of registration expires on the earliest of:

(a) One year after the date of issuance; or

(b) The date of revocation, suspension, surrender, expiration without renewal, or other termination of the registrant's state license.

2. A certificate of registration may be renewed by making application in accordance with Section F above. A registrant shall apply for renewal at least thirty days before the expiration of the registration.

II. Non-transferability

A certificate of registration for a credit access business is not transferable.

J. Maintenance of Records

1. A credit access business shall maintain a complete set of records of all extensions of consumer credit arranged or obtained by the credit access business, which must include the following information:

(a) The name and address of the consumer.

(b) The principal amount of cash actually advanced.

(c) The length of the extension of consumer credit, including the

number of installments and renewals.

(d) The fees charged by the credit access business to arrange or obtain an extension of consumer credit; and

(e) The documentation used to establish a consumer's income under Section K of this ordinance.

1. A credit access business shall maintain a copy of each written agreement between the credit access business and a customer evidencing an extension of a consumer credit (including, but not limited to, any refinancing or renewal granted to the customer).

2. A credit access business shall maintain copies of all quarterly reports filed with the Texas Consumer Credit Commission under §393.627 of the Texas Finance Code.

3. The records required to be maintained by a credit access business under this section must be retained for at least three years and made available for inspection by the city upon request during the usual and customary business hours of the credit access business.

K. Restriction on Extension of Consumer Credit.

1. The cash advanced under an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining in the form of a deferred presentment transaction may not exceed twenty percent (20%) of the consumer's gross monthly income.

2. The cash advanced under the extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining in the form of a motor vehicle title loan may not exceed the lessor of:

(a) Three percent (3%) of the consumer's gross annual income; or

(b) Seventy percent (70%) of the retail value of the motor vehicle.

3. A credit access business shall use a paycheck or other documentation establishing income to determine a consumer's income.

4. An extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining and that provides for repayment in installments may not be payable in more than four (4) installments. Proceeds from each installment must be used to repay at least twenty five percent (25%) of the principal amount of the extension of consumer credit. An extension of consumer

credit that provides for repayment in installments may not be refinanced or renewed.

5. An extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining and that provides for a single lump sum repayment may not be refinanced or renewed more than three (3) times. Proceeds from each refinancing or renewal must be used to repay at least twenty five percent (25%) of the principal amount of the original extension of consumer credit.

6. For purposes of this section, an extension of consumer credit that is made to a consumer within seven (7) days after a previous extension of consumer credit has been paid by the consumer will constitute a refinancing or renewal.

L. Requirement of Consumer Understanding of Agreement

1. Every agreement between the credit access business and a consumer evidencing an extension of consumer credit (including, but not limited to, any refinancing or renewal granted to the consumer), must be written in the consumer's language of preference. Every credit access business location must maintain on its premises, to be available for use by consumers, agreements in the English and Spanish languages.

2. For every consumer who cannot read, every agreement between the credit access business and a consumer evidencing an extension of consumer credit (including, but not limited to, any refinancing or renewal granted to the consumer) must be read to the consumer in its entirety in the consumer's language of preference, prior to the consumer's signature.

3. For every consumer who cannot read, every disclosure and notice required by law must be read to the consumer in its entirety in the consumer's language of preference, prior to the consumer's signature.

M. Referral to Consumer Credit Counseling

A credit access business shall provide a form, to be prescribed by the Director, to each consumer seeking assistance in obtaining an extension of consumer credit which references non-profit agencies that provide financial education and training programs and agencies with cash assistance programs. The form will also contain information regarding extensions of consumer credit, and must include the information required by Paragraph J 1 (a) - (e) of this ordinance specific to the loan agreement with the consumer. If the Director has prescribed a form not in the consumer's language of preference, the form must be provided in the consumer's language of preference.

ARTICLE II.

All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

ARTICLE III.

It is hereby declared to be the intention of the City Council of the City of Terrell, Texas, that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not effect any of the remaining phrases, clauses, sentences, paragraphs and sections.

ARTICLE IV.

This Ordinance will take effect on May 31, 2016 following its passage and the publication of the caption, as the law in such cases provides.

PASSED AND APPROVED this the 5th day of April, 2016.

PASSED AND ADOPTED this the 19th day of April, 2016.

END CONSENT AGENDA

10. Adjourn into Executive Session in Accordance with Section 551 of the Texas Government Code to Discuss the following:
 - a. Section 551.072 - Deliberation Regarding Real Property – 502 W. College.

This Item Passed by Council.

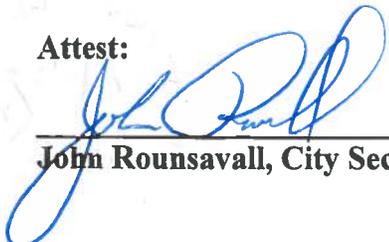
11. Reconvene into Regular Session and Consider Action, if any, on Items Discussed in Executive Session.
12. Adjourn.

There were no other matters discussed or acted on at this meeting. There being no further business the meeting was adjourned.



Hal Richards, Mayor

Attest:



John Rounsavall, City Secretary