



AGENDA
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, JULY 8, 2019
CITY HALL COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:30 PM

This notice is posted pursuant to the Texas Open Meetings Act. Notice is hereby given that a **Regular City Council Meeting** of the City of Watauga, Texas will be held at which time the following subjects will be discussed and may be acted upon.

A. CALL TO ORDER (Council Members, City Staff, Members of the Public - when speaking during the meeting please speak directly into the microphones on the dais or podium)

B. ROLL CALL

C. INVOCATION

D. PLEDGE OF ALLEGIANCE United States and Texas Flags

E. ANNOUNCEMENTS

F. DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Consideration and action on approval of meeting agenda

G. PRESENTATIONS

1. Presentation of Government Finance Officer's Association Distinguished Budget Award to the City of Watauga for the 2018-19 Annual Budget document
Sandra Gibson, CGFO, CGFM, Director of Finance
2. Presentation of a Proclamation to the Watauga Parks and Community Services Department declaring July 2019 as National Parks and Recreation Month
Mayor Arthur L. Miner
3. Presentation of Service Awards for City of Watauga Employees celebrating a milestone anniversary during the month of July 2019
Andrea Gardner, City Manager

H. CITIZEN'S OPEN FORUM (The Citizens Open Forum section of the agenda is an opportunity for citizens to speak to the City Council regarding matters that are not posted on that particular meeting's agenda. Individual citizens addressing the City Council during the Citizens Open Forum shall not exceed three (3) minutes in their comments; however, the Chair may extend the speaker's allotted time. At the beginning of the Citizens Open Forum section of the meeting, citizens desiring to speak shall stand* when prompted by the Chair so that they may be recognized and recorded as the individuals who will speak. Only those citizens who stand* during this time of recognition will be allowed to speak. The Chair shall ask each citizen wishing to speak to come to the podium to speak in turn in an orderly manner. Before providing comments, each speaker must state his or her name and address for the record. If speaking for an organization or group, the speaker should identify the group represented. Because this section of the meeting is for matters not posted on that particular meeting's agenda, members of the City Council may only provide a statement of factual information in response to the inquiry or recite existing policy in response (e.g., to correct a factual misstatement made by the citizen or provide factual information requested by the citizen). Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a future meeting. If necessary, the Chair will task the City Manager to respond to the citizen and report back to the City Council within forty-eight (48) hours, or as soon as practicable. Such report to the City Council shall not constitute a meeting called by the City Council nor shall it constitute deliberation or formal action.)

I. REPORTS

1. Discuss and consider presentation on a report regarding the 86th Legislative Session for the State of Texas with emphasis on bills impacting the City of Watauga
Andrea Gardner, City Manager
2. Discuss and consider a report to provide a status of the picnic shade pads at Foster Village Park approved at the June 2018 Council meeting
Sal Torres, Parks and Community Services Director
3. Discuss and consider on the Watauga Fest 2019 After Action Report
Sal Torres, Parks and Community Services Director
4. Discuss and consider action to direct City Manager on any necessary amendments to the recently approved ordinance related to commercial vehicle parking on City streets
Andrea Gardner, City Manager

J. CONSENT AGENDA

All of the items on the consent agenda are considered to be self-explanatory by the Council and will be enacted with one motion, one second, and one vote. There will be no separate discussion of these items.

1. Consider action on the May 13, 2019, Council Regular Meeting Minutes; May 16, 2019 Chamber Luncheon Minutes; May 20, 2019 Council Orientation Minutes; June 10, 2019 Council Workshop Minutes; June 13, 2019 Council Special Meeting Minutes; June 14, 2019 Photo Shoot Minutes; June 17, 2019 Council Special Meeting Minutes; June 27, 2019 Chamber Big Business Mixer Minutes
Terri Johnson, City Secretary

2. Consider action on a resolution accepting and approving the Watauga Economic Development Corporation Bylaws {CAPTION}
Andrea Gardner, City Manager
3. Consider action on an Ordinance approving the Drought Contingency Plan as required by the State of Texas under the Texas Commission for Environmental Quality (TCEQ) Regulations {CAPTION}
Paul Hackleman, P.E., CFM, Director of Public Works
4. Consider action on an Ordinance approving the Water Conservation Plan as required by the State of Texas under the Texas Commission for Environmental Quality (TCEQ) Regulations {CAPTION}
Paul Hackleman, P.E., CFM, Director of Public Works
5. Consider action on an ordinance adopting the 2018 edition of the 2018 International Swimming Pool and Spa Code (ISPSC) as the City of Watauga Swimming Pool and Spa Code and making amendments thereto {CAPTION}
Randy Richards, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works
6. Consider action on a declaration of the 2019 Personal Property List as surplus assets for disposition
Paul Hackleman, P.E., CFM, Director of Public Works
7. Consider action on a Resolution adopting Written Investment Policies Standards Governing the City of Watauga's Investment Practices and Amending the Authorized Broker/Dealers list for the City of Watauga {CAPTION}
Sandra Gibson, CGFO, CGFM, Director of Finance
8. Consider action on the May 2019 Financial Report for the City of Watauga
Sandra Gibson, CGFO, CGFM, Director of Finance
9. Consider action on approving an Interlocal Agreement for the Design of Arcadia Trail Connection between the City of Fort Worth, Texas and the City of Watauga, Texas
Paul Hackleman, P.E., CFM, Director of Public Works
10. Consider action to Amend the Interlocal Agreement between the Northeast Fire Department Association (NEFDA) and the Cities of Bedford, Colleyville, Euless, Grapevin, Haltom City, Hurst, Keller, North Richland Hills, Richland Hills, Roanoke, Southlake, Trophy Club MUD #1, Watauga and Westlake for the efficient use of Fire Department Equipment entered into on August 14, 2014 in a form approved by the City Attorney
Shawn Fannan, Fire Chief
11. Consider action on an ordinance of the City Council of the City of Watauga, Texas amending the Code of Ordinances, Chapter 2, Article VI, Division 2, Records Management Program {CAPTION}
Andrea Gardner, City Manager

12. Consider action on a Professional Services Agreement between the City of Watauga, Texas and Burgess & Niple, Inc. for the 2019 Sanitary Sewer Evaluation Study (SSES) in a form to be approved by the City Attorney
Paul Hackleman, P.E., CFM, Director of Public Works
13. Consider action on accepting the Crime Control and Prevention District 2019-2020 Proposed Budget as adopted by the Watauga Crime Control and Prevention District Board of Directors
Sandra Gibson, CGFO, CGFM, Director of Finance
14. Consider action on setting the Public Hearing date for the Watauga Crime Control and Prevention District 2019-2020 for August 5, 2019 and the Watauga Crime Control and Prevention District Budget Adoption Date for August 12, 2019
Sandra Gibson, CGFO, CGFM, Director of Finance

K. PUBLIC HEARINGS

L. UNFINISHED BUSINESS

1. Discuss and consider action on an ordinance by the City Council of the City of Watauga, Texas amending the City of Watauga Code of Ordinances; providing rules and regulations related to the procedure for selection and appointment of members to the various commissions, boards, committees and corporations of the City {CAPTION}
Andrea Gardner, City Manager

M. NEW BUSINESS

1. Discuss and consider action to direct City Manager regarding the development of a policy for award nominations and presentations to include the Hometown Hero Program and the NE Tarrant Chamber Leadership Program
Mark Taylor
2. Discuss and consider action to create a Parks Advisory board, declaring the purpose of the board, establish membership size for the board and require bylaws be created by the board for Council approval
Sal Torres, Parks and Community Services Director
3. Discuss and consider action on a Resolution by the City Council of the City of Watauga, Texas authorizing and approving publication of Notice of Intention to issue Certificates of Obligation in an amount not to exceed \$8,850,000; complying with the requirements contained in Securities and Exchange Commission 15c2-12 {CAPTION}
Sandra Gibson, CGFO, CGFM, Director of Finance
4. Discuss and consider action authorizing a member(s) of Council to participate in the NE Tarrant Chamber Leadership NE Program.
Andrea Gardner, City Manager

5. Discuss and consider action on a Resolution to approving an Economic Development Grant Agreement for the installation of a Splash Pad between the Watauga Economic Development Corporation and the City of Watauga on the first of two readings
{CAPTION}

Andrea Gardner, City Manager

6. Discuss and consider action on a resolution approving an Economic Development Grant Agreement for the Installation of a Splash Pad between the Watauga Economic Development Corporation and the City of Watauga on second and final reading
{CAPTION}

Andrea Gardner, City Manager

N. ITEMS FOR FUTURE CITY COUNCIL MEETINGS

O. EXECUTIVE SESSION

The City Council may announce that it will adjourn the public meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on this agenda and/or as permitted by Chapter 551 of the Texas Government Code.

The City Council will convene in executive session pursuant to (Texas Open Meetings Act), Chapter 551 of the Texas Government Code, Section 551.071 Consultation with Legal Counsel, and Section 551.074 Discussion of personnel matters, which allows the following:

1. Texas Government Code Section 551.071 to deliberate upon, seek advice of the City Attorney regarding the specific powers of the council as provided by Section 3.07 of the Watauga City Charter
2. Texas Government Code Section 551.071 to deliberate upon and seek the advice of the City Attorney regarding United States vs. Brittney Ann Cole (001) in which the City is a related party.
3. Texas Government Code Section 551.074 Personnel Matters to deliberate regarding the duties of City Manager Andrea Gardner

P. RECONVENE

The City Council will return to open session in the City Council Chamber for possible discussion and action as a result of the Executive Session.

Q. ITEMS OF EXECUTIVE SESSION DELIBERATION

1. Discuss and consider action regarding United States vs. Brittney Ann Cole

2. Discuss and consider action regarding the duties for City Manager Andrea Gardner

R. ADJOURNMENT

Meeting Notices and Reservation of Rights

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code if the requisite information is otherwise posted; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code (as applicable) when determined necessary by the to address a subject matter on the agenda. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

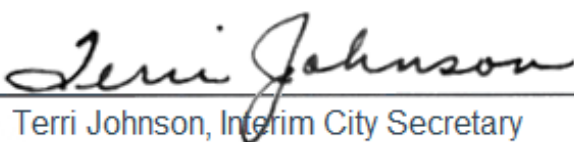
Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city council, boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the city council, boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that city council, body, board, commission or committee subject to the Texas Open Meetings Act.

NOTICE

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (817) 514-5825, OR FAX (817) 514-3625.

I, Terri Johnson, Interim City Secretary for the City of Watauga, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on Friday,

July 5, 2019 before 6:30 p.m., in accordance with Chapter 551 of the Texas Government Code.


Terri Johnson, Interim City Secretary





AGENDA MEMORANDUM

DATE: May 21, 2019
TO: Honorable City Council Members
FROM: Terri Johnson, City Secretary
SUBJECT: Consideration and action on approval of meeting agenda

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

None

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/3/2019

Final Approval - 7/3/2019



AGENDA MEMORANDUM

DATE: June 27, 2019

TO: Honorable City Council Members

FROM: Sandra Gibson, CGFO, CGFM, Director of Finance

THROUGH: Andrea Gardner, City Manager

SUBJECT: Presentation of Government Finance Officer's Association
Distinguished Budget Award to the City of Watauga for the 2018-19
Annual Budget document

BACKGROUND/INFORMATION:

The City of Watauga's 2018-2019 Budget document has been awarded the Distinguished Budget Presentation Award from the Government Finance Officer's Association (GFOA). This award is the highest form of recognition in governmental budgeting.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

No action is needed as this is a presentation/report.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

None

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/1/2019

Final Approval - 7/2/2019



AGENDA MEMORANDUM

DATE: June 28, 2019

TO: Honorable City Council Members

FROM: Mayor Arthur L. Miner

THROUGH: Sal Torres, Parks and Community Services Director
Andrea Gardner, City Manager

SUBJECT: Presentation of a Proclamation to the Watauga Parks and Community Services Department declaring July 2019 as National Parks and Recreation Month

BACKGROUND/INFORMATION:

Proclaiming July as Parks and Recreation Month is an opportunity for your community and local leadership to acknowledge the importance of parks and recreation and the benefits they provide to the people we serve.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

N/A

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Parks & Rec Month 2019

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/1/2019

Final Approval - 7/2/2019

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including the City of Watauga, Texas; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

NOW, THEREFORE, I, Arthur L. Miner, Mayor of the City of Watauga, Texas do hereby proclaim the month of July 2019 as,

“PARK AND RECREATION MONTH”

and encourage all citizens to become active participants in the many fantastic programs offered through the City of Watauga's Parks and Community Services Department.

Proclaimed this the 8th day of July, 2019.

IN WITNESS WHEREOF, I have
hereunto set my hand, and caused
the seal of the City of Watauga,
Texas to be affixed.

Arthur L. Miner, Mayor

Attest: _____
Terri Johnson, Interim City Secretary



AGENDA MEMORANDUM

DATE: June 27, 2019

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

SUBJECT: Discuss and consider presentation on a report regarding the 86th Legislative Session for the State of Texas with emphasis on bills impacting the City of Watauga

BACKGROUND/INFORMATION:

Please see the attached report.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

No action is required as this item is intended to serve as report.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. 86th Legislative Session Report to Council

REVIEWED BY:

Terri Johnson, City Secretary

Final Approval - 7/1/2019

Approved as to form for inclusion on Agenda

86th Texas Legislative Session

Texas Legislature Actions Impacting the City of Watauga

The 86th Legislative Session began in January 2019 with the Session concluding in May 2019. During the Session 7,541 Bills were introduced with 1,437 Bills being passed. Of the 7,541 Bills introduced, over 2,000 of them were City-Related Bills. Over 330 of the City-Related Bills were approved by the Legislature.

Some key observations to consider when reviewing the legislation that impacts cities and Watauga. It appeared the Legislature has less interest for true public policy than has been seen in 29 years. Furthermore, population brackets were used to determine a bills impact; meaning the big cities were more heavily impacted by bills such as SB2 which was based on population and revenue generation.

Not only is important to address the Bills that were passed and will have an almost immediate impact on Watauga, it is important to review some of the Bills that didn't pass due to the fact that those Bills are likely to be introduced in a future session and could have an impact on the City in the near future. Some of the failed Bills City staff will begin to brace for include SB29, which would have limited cities' ability to lobby on certain issues or join organizations that do so on their behalf. The Bill will most likely be introduced again next session. This Bill is concerning to Watauga City Administration because of our City's membership in the Texas Municipal League. The City is able to prepare for and respond to proposed legislation with the help of TML. The Watauga City Manager has served on various TML Legislative Committees and values the support received from TML Legislative staff. If cities were prohibited from joining such organizations, it would be devastating because TML consists of much more than the legislative division it has. TML provides training to local government officials, both elected and appointed at a very affordable rate for Watauga. If TML could no longer provide such training, the City would be forced to either not provide the training at all (require the elected official to cover the costs), employ a staff member that prepares and delivers the training or hire a third party to conduct the training. It is important to note that most of the training elected officials receive is required by State Law. Any of the scenarios described would create a cost burden to the City or the individual seeking public office. TML provides legal guidance to City staff on legal matters and works well with many City attorneys to guide them through difficult issues.

A Bill banning Short Term Rentals (BNBs) is expected to return next session although it didn't survive this session.

SB 15, Paid Sick Leave, passed the Senate but didn't move in the House. After the Bill failed to move in the House, it was revised and split into multiple smaller Bills, but those too failed and didn't make it out of committee.

Another Bill that failed was known as the "costly disease notice for animal shelters". This Bill would've required animal shelters/centers to provide written, electronic or telephonic notice to each person that adopts an animal from the shelter of any epizootic infectious disease that occurs among the animals in the shelter within the 15-day period. Such laws are considered to be unfunded mandates as it would force the City to either increase overtime costs or hire additional personnel.

Appearing on the Senate local and consent calendar, which is similar to Cities “consent agendas”, were several “super preemption bills”. Such Bills would’ve prevented cities from having tree ordinances, sexually oriented business ordinances, pay day lending ordinances, towing ordinances, alcohol ordinances and many others.

The 2019 Session continued the trend set over the past 10 years of adding more and more language to bond propositions placed on the ballot. Seems such legislation will only create confusion for voters, which will only cause them to become frustrated and potentially vote against the ballot proposition. Cities have never had as much transparency with bond propositions as is required now. Currently, cities must include election notice that is posted for each bond election.

Cities are now required to submit a report to the Texas Comptroller that includes a listing of all outstanding debt for the City. Voters can visit the State’s website now to obtain the information.

Other legislation that didn’t pass this Session and likely to return during the next is the mental health provisions and training for police officers, also known as the Sandra Bland Act. Because of her death, a bill was introduced to prevent arrests on Class C Misdemeanors. The Bill died due to controversy over where to draw the line.

Finally, a Bill requiring cities to allow 6 chickens for every backyard failed to pass this Session.

The 2019 Legislative Session was not full of good news for cities. SB 2, also known as the Texas Property Tax Reform and Transparency Act of 2019, which passed during the Session is expected to be harmful to cities. The Bill reforms property taxation in three primary ways: (1) lowering the tax rate a taxing unit can adopt without voter approval and requiring a mandatory election to go above the lowered rate; (2) making numerous changes to the procedure by which a city adopts a tax rate; and (3) making several changes to the property tax appraisal process. Some of the terminology changes created by the Bill include changing the terms “effective tax rate” and “effective maintenance and operations tax rate” to “no-new revenue tax rate” and “no-new revenue maintenance and operations tax rate”. Additionally, the term “rollback tax rate” was changed to “voter-approval tax rate”. More important than the change in terminology is the modification to both the voter-approval rate formula and the requirement that cities hold automatic elections to approve tax rates exceeding the voter-approval tax rate. SB 2 lowers the multiplier used in the “rollback rate” (“voter-approval rate”) from 8 percent to 3.5 percent for cities that aren’t considered to be “special taxing units”. The City of Watauga isn’t a “special taxing unit”; however, the Bill was designed to give smaller taxing units, including cities, some relief from the 3.5 percent voter-approval tax rate. City staff awaits the final certified tax roll in order to determine if Watauga will qualify for the relief, as the relief is formula based. The major provisions of the bill, including the new tax rate calculations takes effect on January 1, 2020. A few other provisions do not go into effect until January 1, 2021. This means that, with one minor exception, Watauga need not comply with any provisions of SB 2 during the upcoming tax rate setting process in 2019 for FY 2019-2020. Section 106 of the Bill requires Watauga to submit tax rate calculation forms/worksheets to the County Tax Assessor-Collector no later than September 25, 2019. The worksheets must be placed on the County’s website. A provision was included on end of the Bill that prohibits cities from reducing compensation of first responders in FY 2020; however, that provision doesn’t apply after FY 2020.

HB 3143, tax abatement, provided a program extension for another 10 years (2029) but requires new hearing and 30-day notice requirements. An interesting note will be whether Watauga will

be able to even consider offering such agreements should the 3.5% limitation apply, since an abatement is a return of a portion or all property tax revenues collected from the property.

During the Session, the Comptroller announced that the online sales tax ruling by the Supreme Court didn't strictly require legislation and the Comptroller issued Rules in late 2018 that will apply effective October 1, 2019. HB 2153 created the term and application of a blended rate. The initial blended rate has been set at 1.75. The blended rate will be recalculated each year.

Bills in the categories of purchasing, elections and open government include some of the following:

HB 1999 addresses construction defect claims. The bill states if a city decides to seek arbitration related to a construction project it must provide a right to cure by providing a written report and provide the party 120 days to remedy the problems; however, civil projects are exempt from bill requirements.

HB 793, known as the "can't boycott Israel" Bill, came from the 2017 session. Attempts to rollback 2017 legislation by stating it doesn't apply to sole proprietorships. A court case has been filed, thus awaiting a Federal ruling on the matter.

SB 1928 requires a complaint for lawsuit to include an affidavit to be prepared by an independent professional firm declaring what the contracted professional did wrong.

HB 1048 applies to November elections and states can't have early voting polling place that isn't a county voting place. This law doesn't apply to May elections.

HB 1067 allows removal of deceased candidates from the ballot if they die on or before filing deadline. Also requires extension of filing deadline to give others a chance to sign up to run in that seat.

HB 4129 allows for candidate withdrawal as long as ballot hasn't been published.

HB 81 requires information related to vendors/performers at municipal parades and concerts be subject to release under the public information act.

HB 305 is effective on 9/1/19 and requires cities to post additional information on website, to include city contact information, listing of each Officer for the City (not meaning Police), notice of each meeting, minutes of each meeting, election candidates and other items.

HB 2828 related to animal shelters, makes information of those that adopt animals from shelters exempt from release under the public information act.

HB 2840 requires cities to allow public to comment on agenda items at any open meeting. Cities may adopt reasonable rules related to the process utilized for citizen speakers on items. A city may not prohibit public criticism of the members of the governing body

SB 943 is a Bill based on issue with Boeing and allows cities to withhold information related to economic development issues. The legislature has worked on this matter for a while. Rolls back the law from 2015 court ruling.

SB 944 requires any information, whether on personal or city issued device, be subject to release. The Bill requires the retention of those records by the individual or the individual must forward the information to the City for retention. The law now requires the information to be turned over.

SB 1640 is an attempt to fix the Texas Open Meetings Act, but only applies to cities and counties, not the State Legislature.

HB 3834 was passed to protect cities from cyber attacks. Requires all city employees and elected officials to complete cyber security training each year. The training can be handled internally by the City or a consultant may be utilized.

The following bills are Debt Related:

HB 440 is a Bill that already applies to cities, which prohibits the use of proceeds for a different purpose other than the original issue purpose. The Bill extends to state that cities can't issue debt that would extend greater than the useful life of the asset the bonds are funding. Only applies to General Obligation Bonds.

HB 477 provides voters more time to petition on Certificate of Obligation issuances. The Bill extends the timeframe to publish newspaper notice of intention to issue Certificate of Obligation from 30 to 45 days before the passage of the ordinance. The Bill is effective 9/1/19.

HB 1495 is a Bill that originally passed in 2015 session and extends to include the requirement to include in the budget the amount spent for lobbying expenditures. What you used or attempted to use to influence legislative action to state agencies and the City's position on those bills. TML is working on a sample for cities.

SB 30 prevents local governments from grouping bond issuance together in one measure. This bill requires a debt obligation proposition to be separated out for each specific purpose to be voted on separately.

HB 2826 requires contingent fee contracts to be submitted and approved by the Attorney General's Office (previously was required to be submitted to State Comptroller's Office) and includes various notices and requirements a City must submit. Will also impact bond counsel agreements because bond legal services are contingent on the bond sale amount.

Food Related Bills include the following:

HB 1694 requires Farmer's Market to pay fees in certain situations and allows cities to conduct inspections of activities in a Farmer's Market.

SB 476 allows dogs in outdoor seating areas of restaurants, provided dog on leash and not on seat, table or countertop. City can't adopt more stringent requirements.

SB 932 is known as the "Farmer's Market" Bill. The Bill allows cities to require a permit if city issues permits. The permit must be valid for at least one year and permit fee can't exceed \$100 per year and must include all locations within the city.

SB 1978 became known as the "Save Chick fil a" Bill. The law prohibits adverse government action against a person for religious reasons. The Bill resulted due to San Antonio attempting to prevent CFA from locating in its airport because it is closed on Sundays. The Bill prohibits a city from taking adverse action and prohibits a City from altering tax treatment, imposing a special tax or assessment, etc. Federal requirements already in place, First Amendment. The Bill does waive sovereign immunity of a City if a suit is filed.

Court Related Bills include:

HB 1717/HJR 72 was introduced with language that stated one person may not serve as the MC Judge in more than one City but as it passed, it stated one person may serve as the MC Judge in more than one City. HJR will be on the ballot in November 2022 for voters to clarify.

HB 2048 repealed driver responsibility program and removes the points system from the driving record. The Bill is supposed to be revenue neutral.

SB 346 addresses fines, court costs, fees and Indigent Defendants. Completely updates municipal court costs, fines, and fees and makes numerous changes to a determination of a defendant's ability to pay. The Bill is supposed to be a neutral update for revenues and a detailed list is to be provided by the Comptroller. If a defendant requests a hearing, it must be granted and held to determine if the person would endure an undue hardship.

Community and Economic Development Related Bills include:

HB 347 ends most unilateral annexations by any city, regardless of population or location. Cities will only have 3 ways to annex; (1) request of each owner of the land (2) 200 or fewer people living in an area must have a petition from landowners to annex (3) an area with a population of at least 200 by election of voters and if required, petition of landowners. Prior Developer agreements and annexation agreements are not impacted by HB 347.

HB 852 prohibits calculating the value of a building to determine the permit fee on residential property. Cities will begin calculating a per square foot fee.

HB 2439 prohibits cities from regulating building materials that are more restrictive than national building codes. Bill will prevent cities from having a certain % masonry requirement. Doesn't just apply to aesthetic requirements, it also applies to health and safety requirements. Some exceptions include dark skies. Planned developments are required to follow meaning cities can negotiate but can't mandate to the development.

HB 2858 Adopts International Swimming Pool Code as the municipal code and this bill allows cities to make amendments to those codes.

HB 3167 was introduced because developers expressed that the city site plan review and subdivision plat approval was taking too long and in the minds of those that filed the bill this speeds up that process. Adds any type of site approval plan to the plat process. This bill removes the ability for cities to deal with the site approval separate and requires action within 30 days. City must articulate each issue with the submittal in writing and provides a cure period for the developer and another 15 days to submit for consideration.

SB 26/SJR 24 addresses Parks Funding. Since 1993, 90% of the sporting goods sales tax has been directed by the legislature. 94% is to be distributed to local governments and 6% for historical preservation. Up until 2015, only 40% went for Parks according to research. This bill appropriates that sales tax directly to Parks if the matter to be placed on the ballot is approved.

SB 1303 requires every city must maintain a map of city boundaries and City ETJ with the City Secretary and must be made available to the public at no charge. It must also be placed on the website. By 2028 it must be provided by digital mapping/GIS before implementing annexation proceedings.

The following Bills related to personnel matters include:

HB 872 provides that not later than the 30th day after the date of the death of a peace officer that occurs in the performance of duties in the officer's position or as a result of an action that occurs while the officer is performing those duties, the officer's employing entity must furnish to the Board of Trustees of Employees Retirement System of Texas proof of death in the form and with additional evidence and information required by the board.

HB 971 provides that the Texas Commission on Law Enforcement shall adopt rules to allow an officer who has served in the military to receive, based on that military service, credit toward meeting any training hours required for an intermediate, advanced, or master proficiency certification.

HB 2143 expands workers compensation presumption for PTSD to include PTSD caused by multiple, as well as single events.

HB 2584 allows Code Enforcement Officers to carry a club to handle or deter animal bites. The Bill is effective 9/1/19.

SB 1582 adds police to the Bill that passed for firefighters originally related to certain diseases.

SB 2551 expands the workers compensation coverage for cancers caused by firefighting. The Bill lists the 11 cancers covered.

Public Safety related Bills include:

HB 8 requires rape kits to be tested within 90 days of receipt and prohibits destroying the kit until statute of limitations has expired.

HB 1177 regulates the carrying of handguns during disaster. The Bills states a city with very limited exceptions can't limit the carrying of a handgun to include a convention center. Because convention centers are typically used as shelters during a disaster, this bill prevents a city from taking a citizen's handgun for up to 160 hours after a disaster is declared with or without a concealed carry license. The bill does allow the owner of a facility used for housing during a disaster to prohibit the carrying of a handgun.

HB 1631 prohibits any new red light cameras and allows for the existing cameras to remain until current contract expiration. The City of Watauga's contract allowed the vendor to disable the equipment should the Texas Legislature ever prohibit its use. As a result of the Bill passage, the vendor disabled the City's Red Light Camera system immediately. The revenue loss from this legislation is likely to be \$750,000 - \$900,000 a year.

HB 1791 addresses improper posting of handgun notifications and concealed carry notices. It allows Attorney General to investigate. The Bill is related to lawsuit pending involving the City of Austin.

HB 2203 requires a private company to report the release of a radioactive substance into the environment to immediately provide notice to each political subdivision of this state into which the substance was released. Bill was introduced due to a release within the city limits of Sugarland and the City wasn't notified. Prior to this Bill, companies were only required to report to the State agency to be notified, so this bill now requires the City to be notified.

HB 3231 prohibits a city from adopting regulations to possess, wear, carry, own, store, transport license or register firearms. Makes minor changes to laws that most cities wouldn't be getting

into any way. Cities can't prohibit the sale of silencers. Prohibits Cities from refusing to rent property to a gun show operator.

HB 4236 provides that law enforcement agencies may permit body worn camera recordings to relatives of the deceased.

Bills related to transportation/utilities/environment include:

HB 61 expands the current state law, which requires drivers to move over or slow down when law enforcement officer is present on the side of the road, to include many other vehicles (TxDOT, trash collection vehicles, escort flag vehicle and tow truck).

HB 1548 authorizes cities to allow golf carts and off-highway vehicles at speeds not greater than 30mph.

HB 2188 defines electric bikes as those that reach a top speed of 28 mph.

HB 3871 requires institution of higher education to hold public hearing on speed limits. Now expands to include charter schools.

SB 969 defines mobile delivery devices and pre-empts cities from regulating such devices except can set a speed limit and allows police enforcement of state laws.

HB 864/866 grants authority to the Texas Railroad Commission to create a rule that requires a distribution gas pipeline facility operator to notify the Commission of incidents that occur within one hour of becoming aware of such incident.

SB 1152 allows cable and telecom companies to stop paying the lower of cable or telecom franchise fees. The lowest is based on statewide fee and not each municipality. Must file by October 1 of each year which franchise fee they will no longer pay. The change is considered a gift and will be challenged by cities. Cities have been invited to join the lawsuit by contacting TML. Should the Council desire to participate, the Council should direct the City Manager to join the lawsuit.

City Administration appreciates the support received from the Texas Municipal League and the Watauga City staff and Council. Staff is committed to educating itself on legislative matters and addressing the impacts of legislation passed by the State of Texas.



AGENDA MEMORANDUM

DATE: June 28, 2019

TO: Honorable City Council Members

FROM: Sal Torres, Parks and Community Services Director

THROUGH: Sal Torres, Parks and Community Services Director
Andrea Gardner, City Manager

SUBJECT: Discuss and consider a report to provide a status of the picnic shade pads at Foster Village Park approved at the June 2018 Council meeting

BACKGROUND/INFORMATION:

At the June 2018 City Council meeting, three picnic pad shade structures were approved for installation at Foster Village Park. Work was awarded to Total Recreation Products in an amount of \$39,666 and was completed in March of 2019.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

The item is intended to serve as a report.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. FV Picnic pad 1
2. FV Picnic pad 2
3. FV Picnic pad 3

REVIEWED BY:

Andrea Gardner, City Manager
Terri Johnson, City Secretary

Approved - 7/3/2019
Final Approval - 7/3/2019

Approved as to form for inclusion on Agenda









AGENDA MEMORANDUM

DATE: June 28, 2019

TO: Honorable City Council Members

FROM: Sal Torres, Parks and Community Services Director

THROUGH: Sal Torres, Parks and Community Services Director
Andrea Gardner, City Manager

SUBJECT: Discuss and consider on the Watauga Fest 2019 After Action Report

BACKGROUND/INFORMATION:

This report is a review of the 2019 Watauga Fest event, that includes the event summary, sponsors and participating city departments, highlights and future plans, and festival revenues and expenditures.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

The item is intended to serve as report to the Council.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Watauga Fest After Action Report

REVIEWED BY:

Sandra Gibson, CGFO, CGFM, Director of Finance

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/3/2019

Approved - 7/3/2019

Final Approval - 7/3/2019



Sal Torres

P&CS Director

Emily Mead

Recreation Superintendent

Chad Stephens

Parks Superintendent

City of Watauga Parks & Community Services Department

7901 Indian Springs Rd.

Watauga, TX 76148

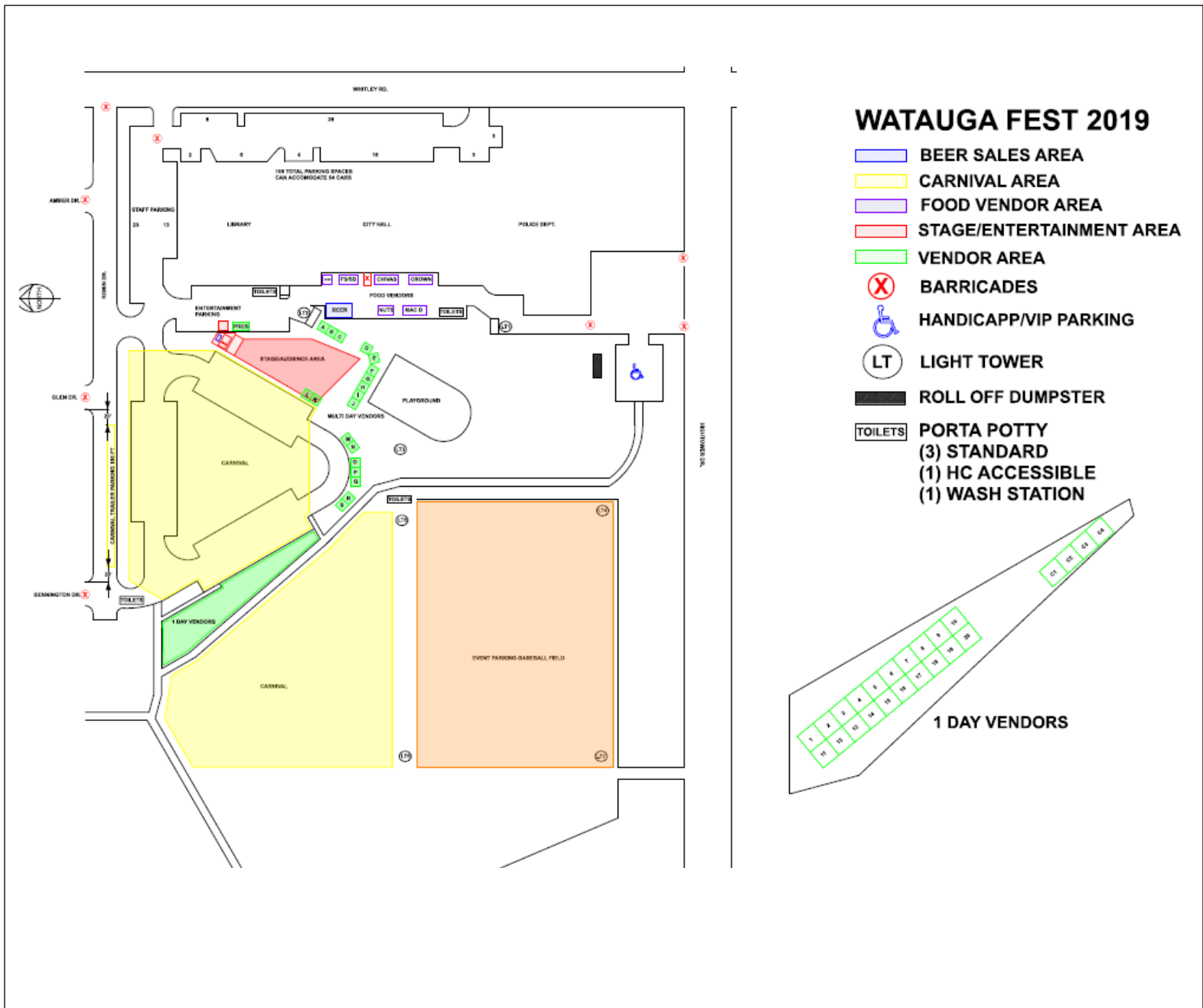
Capp Smith Park

5600 Robin Dr.

Watauga, TX 76148

1.....	Cover Page
2.....	Table of Contents
3.....	Site Plan
4.....	Event Summary
5.....	Entertainment Line Up
6.....	Vendors
7.....	Sponsors & Participating City Departments
8.....	Posters & Flyers
9.....	Watauga Fest Highlights & Future Plans
10.....	Festival Expenses

Event Site Plan



Detailed Event Summary

Capp Smith Park

May 16-19, 2019

- Free Parking & Admission
 - Parking: Lifestyle Church Parking Lot, Capp Smith Field,
- Carnival: Carnival Americana
 - Amusement Rides, Games & Concessions
 - Prices for Rides
 - \$25 All Day Access Wristband(good for 1 day only)
 - \$1 per Ticket(Rides range from 3-5 tickets)

DAILY EVENT ACTIVITIES

- Thursday, May 16 6:00-10:00 PM
 - Carnival Amusement Rides, Games & Concessions
- Friday, May 17 6:00-11:00 PM
 - Carnival Amusement Rides, Games & Concessions
 - Food Vendors
 - Non- Food Vendors
 - Live Entertainment
- Saturday, May 18 10:00 AM-11:00 PM
 - Carnival Amusement Rides, Games & Concessions
 - Food Vendors
 - Arts/Crafts/Business Vendors
 - Live Entertainment Community & Youth Performances
 - Live Entertainment Bands/Live Music
- Sunday, May 19 12:00-8:00 PM
 - Carnival Amusement Rides, Games & Concessions
 - Food Vendors
 - Non- Food Vendors
 - Auto Show 2:00-5:00 PM
 - Live Entertainment



MAIN STAGE

FRIDAY 5/17	Little Skynard	6:30 PM
	Metal Shop	8:30 PM
SATURDAY 5/18	Watauga Hula	10:00 AM
	Watauga Hula	11:00 AM
	All-Star Dance Academy	12:00 PM
	Triple Motion Dance	12:30 PM
	Grace of Dance	1:30 PM
	Incognito	2:00 PM
	Ashmore	4 PM
SUNDAY 5/19	PooLive Crew	6:30 PM
	Infinite Journey	8:30 PM
	Hank FM Party Patrol	12-2pm
	Kraig Parker: Elvis	3-5pm
	Car Show	2-5PM

Vendors

Food Vendors

Chiaves Italian Street Food - *Tacos Pizza and Pandini, Drinks*

Crown Catering - *Mexican Fries, Tacos, Churros, Quesadillas, Nachos, Salad, Burrito, Torta and Drinks*

Hawaiian Honey Comb - *Hawaiian Honey Comb Ice Cream*

Mac Daddy's Grill - *BBQ Chopped Brisket Sandwich, Sliced Brisket Sandwich, Pulled Pork Sandwich, Brisket/Chicken/ Beef Tacos, Quesadillas, Grilled Cheese, Turkey Legs, Nachos, Sausage on a stick, Hamburger, Footlong Hot Dog, Chicken Strips, Fries, Hot link, Chips, Drinks*

Fat Stack/ Sno Buddies Shaved Ice - *Steak Kabobs, Funnel Cakes , Drinks, Shaved Ice Snow Cones*

Totally Nuts - *Cinnamon Glazed Pecans, Cashews and Almonds*

Multi Day Vendors: 19

JM Cube Art – *airbrush apparel, shirts, hats, and tank tops.*

Camp Gladiator – *information/4 week fitness program.*

Clairton Family Chiropractic – *health surveys and spinal screenings.*

Cork & Chime – *wind chimes, hanging planters, self-watering planters, candles.*

Cutco Cutlery – *cutlery, culinary tools, cookware, flatware, garden tools.*

Elegance in Glass – *3-D sculpture stained glass, and mosaic stained glass.*

Le-vel – *health and wellness information and vitamins.*

Reliant – *retail electricity plans.*

Shanley Family Chiropractic – *free massages, free posture analysis, discounted chiropractic packages.*

Sports Clips – *spin wheel giveaways, raffle.*

Stuck N Stone – *sandblasted stone designs repurposed metal art.*

Three Stone Gems – *jewelry made of natural stone; semi-precious; glass including necklaces, earrings, bracelets.*

TJ's Jewelry – *bracelets, earrings, necklace, rosary, hair accessories.*

Trinity Martial Arts & Fitness Academy – *information on karate programs and massage packages.*

Tupperware – *Tupperware storage solutions, canisters, bowls.*

Young Living Essential Oils – *essential oils, diffusers necklaces and bracelets diffusers.*

Younique by Cathy Bishop – *makeup and skin care.*

Next Century Dental (sponsor) – *giveaways and information.*

Fitness Connection (sponsor) – *raffle and information.*

1 Day Vendors: 18

AT&T (two spaces) – *Direct TV, Uverse TV, Internet, wireless, phones and devices.*

Beard Commander – *beard care products, balms, oils, conditioners, wash, wax.*

* Chalk Couture – *chalk transfers and finished products.*

* Clayton Youth Enrichment – *Information about school programs.*

Cords of Steel – *cords of steel phone chargers.*

Hawaiian Arts & Crafts – *handmade word carved tiki statues and Hawaiian shell jewelry.*

* MillieRue General Store – *children's clothing, handmade children's accessories.*

* Navy Recruiting Station Keller – *Navy awareness items and pamphlets, shirts, water bottles, Navy pride gear.*

One, Two, Three Salsa – *salsa and dip mixes, pickles.*

PPG Paints (two spaces) – *paint supplies.*

Razorblade Art – *fantasy originals and prints.*

Scentsy – *scentsy warmers, night lights, wax, oil, car scents, scensty products.*

The Southern Way Boutique – *women's clothing, jewelry, accessories, and footwear.*

Sparkled Light Boutique – *women's clothing and accessories.*

Turtle Dynasty – *baby Turtles, turtle lagoons, bird houses.*

Usborne Books & More – *children's books.*

Watauga Hula & Etiquette School – *information.*

Wells Fargo (Sponsor) – *information & giveaway*

City Booths: 4

Recreation/Active Senior Adult Center

Storm Drain

Library

Watauga Police Academy Alumni Assoc.

Animal Shelter

Sponsors & Participating City Departments

BURGESS & NIPLE
Engineers ■ Planners

Walmart

**WELLS
FARGO**



- | | | |
|--|------------------------------|-------------------------------------|
| • Burgess & Niple | Sponsor | \$2,500 |
| • Walmart | Sponsor | \$2,500 |
| • Wells Fargo | Sponsor | \$1,000 |
| • Allstorage | Sponsor | \$500 |
| • Fitness Connection | Sponsor | \$500 |
| • Next Century Dental | Sponsor | \$500 |
| • Progressive Waste Solutions | In Kind Donation | Donated Trash Receptacles for Event |
| • Mackay Advertising | In Kind Donation | Donated Advertising Space: Benches |
| • Sertoma Club of Watauga | Beer Service Distribution | |
| • City of Keller | In Kind Donation/Stage Usage | |
| • Watauga Parks Department | | |
| ○ Responsible for Event Preparation at Capp Smith on Fields, Parking Lots, Restrooms, etc. | | |
| ○ Responsible for Placement & Maintenance of | | |
| ▪ Dumpsters & Trash | | |
| ▪ Portable Restrooms | | |
| ▪ Electricity: Light Towers & Generators | | |
| ▪ Event Signage | | |
| • Watauga Police Department | | |
| ○ Provided Police Personnel for Event Security | | |
| ○ Animal Control Booth for Pet Adoptions | | |
| ○ V.I.P.S present for Additional Security of the Event | | |
| • Watauga Fire Department | | |
| ○ First Aide Vehicle & Emergency Personnel for the Event | | |
| • Watauga Library Department | | |
| ○ Library Booth for Summer Program Promotions | | |
| • Watauga Public Works Department | | |
| ○ Resident Information Booth | | |



MAY 16-19
WATAUGA FEST
2019

VENDORS ★ LIVE MUSIC ★ CARNIVAL
FRI • SAT • SUN
INFINITE JOURNEY | METAL SHOP
KRAIG PARKER
POOLIVE CREW | LITTLE SKYNARD | ASHMORE

CAPP SMITH PARK SPONSORS: Walmart BURGESS & NIPLE
 Engineers • Planners
 all storage FITNESS CONNECTION WELLS FARGO CenturyDENTAL
 Implants & orthodontics

- ★ Music, Games & Prizes with 92.1 Hank FM May 19 12-2pm
- ★ Carnival May 16-19
- ★ Live Entertainment May 17-19
- ★ Kraig Parker Elvis Tribute May 19
- ★ Car Show May 19
- ★ Food & Beer May 17-19
- ★ Shopping May 18-19



MAY 16-19
2019
Watauga Fest

92.1 HANK FM
 REAL COUNTRY
92.1HankFM.com

Capp Smith Park
 5800 Robin Dr. Watauga, TX 76148
COWTX.ORG/922




MACKAY Advertising Walmart BURGESS & NIPLE Engineers • Planners WELLS FARGO
 CenturyDENTAL Implants & orthodontics all storage City of KELLER Parks and Recreation Progressive Water Solutions FITNESS CONNECTION

Watauga Fest Highlights, Improvements & Future Event Plans

2019 Highlights

- Increased Monetary Sponsorships.
- Added more Live Entertainment.

2019 Short Comings

- Severe weather conditions delayed Saturday's festival 10am start time to 2pm and also hindered the carnival ticket sales.
- Due to weather conditions, the Saturday attendance was much lower than previous years.
- Due to the growth of the festival, other city department employees assisted in working the event. The Parks & Recreation staff also worked more hours than the previous years. The recreation department's additional overtime account is currently not budgeting to cover the needed staff and personnel for the event.

2018 Problems & Issues

Plan of Improvement

2019

Festival Flow/Festival Layout was not well received i.e.: business vendor area, stage location, car show location.	Re-evaluate existing site plan and make necessary changes to enhance festival traffic in vendors area and car show.	The event site plan was modified to create a better festival traffic flow by moving the arts/crafts/business vendors to the other side of the stage, around the carnival.
There were too many food vendors.	Limit food vendors to eight.	Five food vendors.
Bai Tent(a Dr. Pepper Company; passing out free drinks) was too close to Carnival concessions, which hurt carnival sales.	No city food vendors or sponsors within the carnival space.	All city food vendors were placed away from the carnival food vendors.
Heat caused lower attendance.		
Beer Sales were lower than last year.	Add an additional beer garden on the opposite side of the festival layout.	Changed back to domestic beer sales instead of craft beer sales.
More local business advertising.	Meet with Economic Development in advance next year to involve city businesses with the festival.	The Economic Development Department assisted in promoting the Event as well as notifying city businesses on vendor opportunities.
TML Liability Insurance issues with rental of equipment.	Educate staff on City guidelines and protocols.	Practiced the correct City Procedures with contact approvals.
Ran out of Parking for Entertainment.	Designate more entertainment parking spaces.	Added a larger parking area for entertainment vehicles.
Entertainment entrance & load in interfered with vendor space and festival traffic.	Re-evaluate existing site plan to designate a band load in area that will not interfere with vendor spaces.	By updating the event site plan, there was no issue with vehicles coming thru the festival grounds.

Watauga Fest 2020 Plan of Improvement

- In efforts to have enough funds to cover the festival's needed staff and personnel, the projected plan for fiscal year 2019-2020 is to reallocate the recreation department's additional overtime account funds to a city wide special events overtime account.
- Create a planning committee made up of recreation staff and employees from other city departments.
- Continue to build business relationships with Watauga Business and enhance local city business promotion at the festival.

Watauga Fest 2019 Revenue

Carnival Pre-Sale Discount	\$4,140.00
Carnival Pre-Sale	\$125.00
Carnival Pre-Sale Employee	\$700.00
Carnival Sales: May 16-19	\$6,475.85
Beer Sales	\$511
T-Shirt Sales	\$240.00
Food Vendor 3 Day	\$1,500.00
Food Vendor 2 Day	\$200.00
Arts/Crafts/Business Vendor 1 Day	\$1,800.00
Arts/Crafts/Business Vendor 2 Day	\$2,750.00
Sponsor: Burgess & Niple	\$2,500.00
Sponsor: Walmart	\$2,500.00
Sponsor: Wells Fargo	\$1,000.00
Sponsor: Fitness Connection	\$500.00
Sponsor: Next Century Dental	\$500.00
Sponsor: Allstorage	\$500.00
	\$25,941.85

Watauga Fest 2019 Expenditures

Hank FM Radio Commercials & Live Entertainment	\$5,000.00
Live Entertainment-Infinite Journey	\$3,500.00
Live Entertainment-Poolive Crew	\$2,500.00
Live Entertainment-Metal Shop	\$3,500.00
Live Entertainment-Ashmore	\$1,000.00
Live Entertainment-Little Skynard	\$1,250.00
Live Entertainment-Elvis	\$3,500.00
Live Entertainment-Incognito	\$2,000.00
Stage/Sound/Tech	\$3,120.00
Portable Toilets, Hand Washing Stations	\$1,560.00
Light Tower Generators	\$1,318.00
	\$28,248.00



AGENDA MEMORANDUM

DATE: July 1, 2019

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

THROUGH:

SUBJECT: Discuss and consider action to direct City Manager on any necessary amendments to the recently approved ordinance related to commercial vehicle parking on City streets

BACKGROUND/INFORMATION:

During the May 13, 2019 Regular Meeting, the Police Chief presented an ordinance “consideration and possible action of an ordinance amending Chapter 40 of the Code of Ordinances for the City of Watauga regarding Section 40-210(3) Commercial Vehicles, Section 40-211(A), Recreational Vehicles, and 40-212, Exceptions”.

Chief Parker explained during staff presentation of the agenda item that changes in verbiage and possible allowances for trailers being parked in the roadway during working hours while working on a project were recommended but that Council needed to determine if an exception for trailers parked overnight would be permitted.

Mr. Prescher pointed out that when the draft ordinance was discussed at the April Meeting that all issues raised by citizens hadn’t been addressed.

Chief Parker explained the only item not addressed with a recommendation was if Council wanted to allow people to park their trailers in front of their house overnight.

The item was eventually opened up for public comment and Barbara Martin stated her and her husband have operated a home business since 1986 out of their home. The trailer has been there since 1998. She requested Council look for a solution that would allow their trailer to be parked on the City street overnight when not in use for business purposes.

It was suggested by Mr. Prescher that a permit application be used for those individuals who needed to park business trailers overnight in the street.

CM Gardner expressed concern about arbitrary enforcement of an ordinance and



AGENDA MEMORANDUM

putting the PD in a policy making position rather than an enforcement position.

City Attorney Daniel stated the permitting process would be a nightmare.

Final Vote to approve as presented was 6 for and 1 absent.

During items for future meetings, Mr, Prescher requested a future item to get a firm "yes or no" on the trailer issue.

Staff met with the citizen on Wednesday, July 3, 2019 to discuss Mrs. Martin's concerns.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

The item is intended to provide an update to the City Council and allow the Interim City Attorney to provide legal guidance to the City Council in either open or closed session.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

None

REVIEWED BY:

Andrea Gardner, City Manager

Robert Parker, Chief of Police

Terri Johnson, City Secretary

Approved - 7/3/2019

Approved - 7/3/2019

Final Approval - 7/3/2019

Approved as to form for inclusion on Agenda



AGENDA MEMORANDUM

DATE: May 8, 2019

TO: Honorable City Council Members

FROM: Terri Johnson, City Secretary

SUBJECT: Consider action on the May 13, 2019, Council Regular Meeting Minutes; May 16, 2019 Chamber Luncheon Minutes; May 20, 2019 Council Orientation Minutes; June 10, 2019 Council Workshop Minutes; June 13, 2019 Council Special Meeting Minutes; June 14, 2019 Photo Shoot Minutes; June 17, 2019 Council Special Meeting Minutes; June 27, 2019 Chamber Big Business Mixer Minutes

BACKGROUND/INFORMATION:

This item contains the draft for Meeting Minutes for Council review and approval.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

Respectfully recommend the Council review and take action on the item presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. 05132019 REG CC MIN
2. 05162019 CC MIN Chamber Luncheon
3. 05202019 Council Orientation MIN.
4. 06102019 WKSHP
5. 06132019 SP CC MIN
6. 06142019 Council Photo Shoot MIN
7. 06172019 SP CC MIN
8. 06272019 CC MIN Chamber Big Business Mixer

REVIEWED BY:

Andrea Gardner, City Manager
Terri Johnson, City Secretary

Approved - 7/3/2019
Final Approval - 7/3/2019

Approved as to form for inclusion on Agenda

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, MAY 13, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITELEY ROAD
6:30 PM**

CALL TO ORDER

The City Council of the City of Watauga, Texas convened in the Regular Meeting at 6:41 p.m. with the following members present:

Mayor	Arthur L. Miner
Council Member, Place 1	Scott Prescher
Council Member, Place 2	Tom Snyder
Council Member, Place 3	Lovie Downey
Council Member, Place 4	Andrew Neal
Council Member, Place 5	Juanita King
Council Member, Place 6	Mark Taylor (absent)
Council Member, Place 7	Kim Irving

and

Andrea Gardner, City Manager
Mark Daniel, City Attorney
Terri Johnson, Interim City Secretary
Robert Parker, Chief of Police
Shawn Fannan, Fire Chief
Sandra Gibson, Director of Finance
Paul Hackelman, Director of Public Works
Sal Torres, Director of Parks and Community Services
Marcia Reyna, Director of Human Resources/Civil Service
Lana Ewell, Library Director
Bradley Fraley, Chief Information Officer/PIO

INVOCATION

Council Member Scott Prescher gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Arthur L. Miner led the pledges of allegiance to the United States flag and the State of Texas flag.

ANNOUNCEMENTS

City Staff did not have any announcements.

Council Member Prescher reminded everyone of Watauga Fest scheduled for this upcoming weekend and the Alzheimer's Walk on June 22, 2019 at Capp Smith Park.

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Consideration and action on approval of meeting agenda

Council Member Prescher made a motion to approve the agenda as presented.

Council Member Tom Snyder seconded the motion, which passed 6-0-1-0 as follows:

AYES: Prescher, Snyder, Downey, Neal, King, Irving
NAYS: None
ABSENT: Taylor
ABSTAIN: None

PRESENTATIONS

1. Presentation of Service Awards for City of Watauga Employees celebrating a milestone anniversary during the month of May 2019.

Andrea Gardner, City Manager, presented a Service Award to City of Watauga Firefighter Justin Morris for celebrating a ten-year anniversary during the month of May 2019.

2. Presentation, discussion and direction on creating a Youth Advisory Council, (YAC).

Sal Torres, Director of Parks and Community Service, reminded Council that a presentation was given by Council Member Prescher at the March 7, 2019 Regular Council meeting on the potential development of a Youth Advisory Council for the City of Watauga. With direction from the City Manager, the Parks & Recreation staff was given the task of formulating the information and presenting it to the Council tonight.

Mr. Torres introduced Magenta Landers, Recreation Programmer for the City, who was at the forefront of formulating and presenting the information.

Ms. Landers gave an overview of a Youth Advisory Council with a power point presentation.

Following discussion by the City Council and receiving details of the process, Council Members unanimously supported the development of a Youth Advisory Committee.

Mr. Torres stated that in a month or two, City staff would submit an ordinance for consideration by the City Council.

3. Presentation, discussion and direction on Water Wells and possible use at public water source.

Brandon Dupree, Utilities Superintendent, gave a presentation covering water well options. He included the major aquifers of Texas, approximate costs to install a water well, as well as estimated annual costs of utilizing the water well. Mr. Dupree reviewed challenges and benefits of the City having their own water well.

Mayor Miner asked who had brought this item forward for the agenda and it was reported that Council Member Prescher asked about it months ago.

The Council Members discussed the issues about a proposed water well with Mr. Dupree.

The Mayor asked Mr. Dupree to bring back additional information for Council consideration.

4. Presentation on a roundabout roadway intersection for Hightower Drive and Whitley Road

Mr. Billy Windham with Burgess & Niple addressed the Council. He explained that he worked with the City on Capital Improvements Projects (CIPs).

Mr. Windham gave a presentation about roundabouts, including safety and efficiency. He discussed the phases of Whitley Road construction and two conceptual designs for a roundabout at Hightower Drive.

Council Member Irving felt that the citizens should be asked how they feel about a roundabout.

Public Works Director, Paul Hackelman, stated that City staff was looking for City Council direction on whether or not to proceed with the planning of a roundabout at Hightower Drive and Whitley Road.

Council Member Prescher stated that all the cities around Watauga were doing them and he supported a roundabout.

Council Member Downey agreed with Mrs. Irving that she would also like to have more citizen input.

Council Member Neal asked if a bike path would be included in the traffic circle. Mr. Hackelman reported that the City was trying to put dedicated bike paths everywhere possible. Mr. Neal stated he was in favor of a roundabout.

Council Member Snyder asked about the accident history at the intersection of Hightower Drive and Whitley Road. Mr. Hackelman stated that he has the information but did not bring it to this meeting. Mr. Snyder also asked if that intersection was a high-traffic area and if the roundabout would accommodate emergency vehicles.

Mr. Hackelman explained that a roundabout would be less expensive to maintain than a signalized intersection.

It was Council's consensus to proceed with more information, including the cost of a roundabout versus a signalized intersection.

5. Presentation of a Proclamation to the Watauga Public Works Department in honor of National Public Works Week, May 19-25, 2019.

Mayor Miner presented a proclamation in honor of National Public Works Week, May 19-25, 2019 to members of the City's Public Works Department.

6. Presentation of a Proclamation to the Watauga Police Department in honor of National Police Week, May 12-18, 2019.

Mayor Miner presented a proclamation in honor of National Police Week, May 12-18, 2019 to members of the City's Police Department.

7. Presentation of Proclamation to The Lifeguard Your Child Campaign, an initiative of Safe Kids North Texas led by Cook Children's Health Care System proclaiming June 2019 as Lifeguard Your Child Month.

Item #7 was pulled from the agenda for this meeting.

CITIZEN'S OPEN FORUM

Citizens addressing the City Council included:

Christy McCauly, 6320 Hunter Glen – welcomed the new Mayor and Council Members. She hoped that the City would come together after all of the politics. She discussed the Explorer Post which is sponsored by the Watauga Police Department. She asked that that program not be neglected.

Chris Campagna, 6600 Brookdale – discussed the Hometown Hero award presented to Scott Prescher and asked why the City Council did not vote on it. Last month, there

were protests for the City receiving an award. He asked about the number of emails between a Council Member and the City Manager.

Danielle Tucker, 5952 Highcrest Drive – has been a resident for 37 years and has never seen this much political warfare in a town of 25,000 people. It saddened her that her own daughter did not like to attend City Council meetings because of how adults acted last month. She spoke on problems she saw in the City of Watauga. She asked that everyone put their differences aside, put their phones down and pay attention to people who are speaking.

Lori Campagna, 6600 Brookdale – requested some information that is highly disturbing regarding the disloyalty, disrespect and humiliation of certain Council Members toward City employees and the use of derogatory names. She stated that the City leaders are not to be disrespected. Mrs. Campagna also talked about threatening letters being sent to her daughter's school.

Kim Foster, 6505 Lampe Drive – wanted to defend herself since Scott Prescher was allowed by the City Council to air out her formal complaint to the citizens during a Council meeting, she felt entitled to tell her side of the truth. She talked about being approached by Scott Prescher, Morris Neal Cooper and Lyndsey Neal with concerns about her running for election against Andrew Neal. She stated that her running was not part of an accused conspiracy by the former Mayor Pro Tem. She said she would be happy to take a lie detector test.

David Griffin, 6401 Kennedy Court – spoke on the issue concerning the citizens. They had always been his priority even when he was retaliated against for doing his job when a citizen made a complaint. This issue is something that has impacted the citizens and that deserve an answer. He wanted to make it clear that he planned to discuss on the April 15, 2019 meeting but was blocked by several Council members. He said that anything he shared with the City Manager in the recent months ended up on Scott Prescher's social media page and was twisted for their own gain. He was approached by several citizens about the water billing issue that happened when citizens were not charged the correct amount. He gave a background on the \$400,000 software issue and asked why a claim had never been filed by the City.

REPORTS

1. Report on Comprehensive Plan Update Timeline and Cost

City Manager Gardner presented a timeline and budget for updating the City's Comprehensive Plan.

2. Report on the 2019 Texas Legislative Session

The City Manager gave a brief review of how a bill is considered in the Texas Legislature. She then gave a detailed review of the 2019 bills in the House of Representative and the Texas Senate.

Mrs. Gardner stated that she would update the City Council through her Bi-Weekly reports.

3. Report on Economic Development Activities

City Manager Gardner introduced Denise Wilkerson, Economic Development Specialist, who presented a report on the first Watauga Business Expo and Fair.

Mayor Miner stated he thought it was an outstanding event and was executed very well.

CONSENT AGENDA

The Mayor asked that Item #7 be removed from the Consent Agenda and moved to New Business.

Mayor Miner read the captions for the Consent Agenda items.

Council Member Snyder made a motion to approve the consent agenda as presented with the removal of Item #7 to New Business. The motion was seconded by Council Member Neal and passed 6-0-1-0 as follows:

AYES: Snyder, Neal, Prescher, Downey, King, Irving

NAYS: None

ABSENT: Taylor

ABSTAIN: None

1. Consideration of January 28, 2019 Public Hearing Minutes
2. Consideration of February 21, 2019 Council Workshop Minutes
3. Consideration of March 7, 2019 Council Workshop Minutes
4. Consideration of March 7, Council Regular Meeting Minutes
5. Consideration of March 26, 2019 Council Special Meeting Minutes
6. Consideration of April 8, 2019 Council Workshop Minutes
7. Consideration of April 8, 2019 Council Regular Meeting Minutes

This item was moved to the last item under New Business. Council Member Irving had left the meeting before this item was considered.

Mayor Miner corrected an error on the minutes for the April 8, 2019 Council Regular Meeting.

Council Member Prescher made the motion to approve the April 8, 2019 Council Regular Meeting minutes as amended.

The motion was seconded by Council Member Snyder and passed with the following vote of 5-0-2-0:

AYES: Prescher, Snyder, Downey, Neal, King
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

8. Consideration of April 15, 2019 Council Special Meeting Minutes
9. Consideration of an ordinance adopting the 2018 International Building Code (IBC) with local amendments {CAPTION}

ORDINANCE NO. 1689

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE II, SECTIONS 103-19 AND 103-20 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE SHALL BE ADOPTED AS THE CITY OF WATAUGA BUILDING CODE; PROVIDING THAT THE CITY OF WATAUGA INCORPORATE THE RECOMMENDED AMENDMENTS TO THE 2018 INTERNATIONAL BUILDING CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS DATED SEPTEMBER 2018 INTO THE 2018 INTERNATIONAL BUILDING CODE; AMENDING THE ADDITIONAL REQUIREMENTS UNDER SECTION 103-20 REGARDING PERMIT REQUIREMENTS FOR DETACHED BUILDINGS AND DECKS; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

10. Consideration of an ordinance adopting the 2018 International Residential Code (IRC with local amendments {CAPTION}

ORDINANCE NO. 1690

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE III, SECTION 103-44 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE SHALL BE ADOPTED AS THE CITY OF WATAUGA RESIDENTIAL CODE; PROVIDING THAT THE CITY OF WATAUGA INCORPORATE THE RECOMMENDED AMENDMENTS TO THE 2018 INTERNATIONAL RESIDENTIAL CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS DATED SEPTEMBER 2018 INTO THE 2018 INTERNATIONAL RESIDENTIAL CODE; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

11. Consideration of an ordinance adopting the 2018 International Energy Conservation Code (IECC) with local amendments {CAPTION}

ORDINANCE NO. 1691

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE IV, SECTION 103-62 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THE 2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE SHALL BE ADOPTED AS THE CITY OF WATAUGA ENERGY CONSERVATION CODE; PROVIDING THAT THE CITY OF WATAUGA INCORPORATE THE RECOMMENDED AMENDMENTS TO THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS DATED SEPTEMBER 2018 INTO THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

12. Consideration of an ordinance adopting the 2017 National Electrical Code (NEC) with local amendments {CAPTION}

ORDINANCE NO. 1692

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE V, SECTION 103-83 AND SECTION 103-84 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE SHALL BE ADOPTED AS THE CITY OF WATAUGA ELECTRICAL CODE; PROVIDING THAT THE CITY OF WATAUGA INCORPORATE THE RECOMMENDED AMENDMENTS TO THE 2017 NATIONAL ELECTRICAL CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS INTO THE 2017 NATIONAL ELECTRICAL CODE DESIGNATED AS 2017 NEC REGIONAL AMENDMENTS; PROVIDING FOR THE AMENDMENT OF SECTION 103-84 TO INCORPORATE ADDITIONAL LOCAL REQUIREMENTS; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

13. Consideration of an ordinance adopting the 2018 International Plumbing Code (IPC) with local amendments {CAPTION}

ORDINANCE NO. 1693

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE VI, DIVISION 2, SECTION 103-140 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THE 2018 EDITION OF THE INTERNATIONAL PLUMBING CODE SHALL BE ADOPTED AS THE CITY OF WATAUGA PLUMBING CODE; PROVIDING THAT THE CITY OF WATAUGA INCORPORATE THE RECOMMENDED AMENDMENTS TO THE 2018 INTERNATIONAL PLUMBING CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS DATED SEPTEMBER 2018 INTO THE 2018 INTERNATIONAL PLUMBING CODE; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

14. Consideration of an ordinance adopting the 2018 International Fuel Gas Code (IFGC) with local amendments {CAPTION}

ORDINANCE NO. 1694

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE VII, SECTION 103-223 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THE 2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE SHALL BE ADOPTED AS THE CITY OF WATAUGA FUEL GAS CODE; PROVIDING THAT THE CITY OF WATAUGA INCORPORATE THE RECOMMENDED AMENDMENTS TO THE 2018 INTERNATIONAL FUEL GAS CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS DATED SEPTEMBER 2018 INTO THE 2018 INTERNATIONAL FUEL GAS CODE; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

15. Consideration of an ordinance adopting the 2018 International Mechanical Code (IMC) with local amendments {CAPTION}

ORDINANCE NO. 1695

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE VIII, DIVISION 2, SECTIONS 103-276, 103-277 AND 103-278 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE SHALL BE ADOPTED AS THE CITY OF WATAUGA MECHANICAL CODE; PROVIDING THAT THE CITY OF WATAUGA INCORPORATE THE RECOMMENDED AMENDMENTS TO THE 2018 INTERNATIONAL MECHANICAL CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS DATED SEPTEMBER 2018 INTO THE 2018 INTERNATIONAL MECHANICAL CODE; PROVIDING FOR THE REMOVAL OF A SECTION DEDICATED TO RELATED APPEALS AND REPLACING IT WITH THE RESERVATION OF SECTIONS 103-278 THROUGH 103-304 FOR FUTURE UTILIZATION; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

16. Consideration of an ordinance repealing Chapter 103, Article IX Sections 103-305 through 103-330 (Housing Code) of the City of Watauga Code of Ordinances

providing the Housing Code is no longer relevant or necessary given the adoption of both the 2018 edition of the International Building Code (IBC) and 2018 edition of the International Residential Code (IRC) with local amendments {CAPTION}

ORDINANCE NO. 1696

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS REPEALING CHAPTER 103, ARTICLE IX, SECTIONS 103-305 THROUGH 103-330 (“HOUSING CODE”) OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THAT THE HOUSING CODE IS NO LONGER RELEVANT OR NECESSARY GIVEN THE ADOPTION OF BOTH THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE AND THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

17. Approval of the Quarterly Investment Report for the period ending March 31, 2019
18. Approval of the Monthly Financial Report for the period ending March 31, 2019
19. Consideration and action of Ordinance to amend Chapter 12 Fee Schedule, Section 12-30, Chapter 30 to add a fee for the Youth Fire Camp {CAPTION}

ORDINANCE NO. 1697

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 12 FEE SCHEDULE OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

20. Consideration of an Interlocal Agreement for Blue-Green-Grey Project (Rain Gardens on Hightower Drive) between the North Central Texas Council of Governments (NCTCOG) and the City of Watauga

This item was pulled from the agenda prior to tonight's meeting.

21. Consideration of an ordinance amending the City of Watauga Code of Ordinances, Chapter 111 – Signs, Section 111-85 in relation to Changeable Electronic Variable Message Signs (CEVMS) {CAPTION}

ORDINANCE NO. 1698

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 111 (SIGNS), SECTIONS 115-85 OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, REGARDING GENERAL STANDARDS; PROVIDING FOR CONDITIONS FOR THE UTILIZATION AND ISSUANCE OF PERMITS FOR CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

22. Consideration of an ordinance amending Chapter 26, Sections 26-301, 26-302 and 26-303 in relation to Electronic Cigarettes. The amendments to Chapter 26 provide for additional definitions as well as provide clarification regarding the prohibited uses of electronic cigarettes in City facilities and in public places {CAPTION}

ORDINANCE NO. 1699

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 26, SECTIONS 26-301, 26-302 AND 26-303 OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, REGARDING ELECTRONIC CIGARETTES; PROVIDING FOR AMENDMENTS TO THE DEFINITIONS SECTION AS WELL AS CLARIFYING THE PROHIBITION OF USING ELECTRONIC CIGARETTES IN CITY FACILITIES AND PUBLIC PLACES; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

23. Consideration of an ordinance amending Chapter 26, adopting proposed Article VII in order to establish a Smoking Ordinance; and repealing existing Section 28-1, which currently regulates smoking in City facilities {CAPTIONS}

ORDINANCE NO. 1700-A

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ADOPTING CHAPTER 26, ARTICLE VII OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, ESTABLISHING THE CITY OF WATAUGA SMOKING ORDINANCE; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 1700-B

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS REPEALING CHAPTER 28, SECTION 28-1 ("SMOKING AND USE OF TOBACCO IN CITY FACILITIES") OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THAT SECTION 28-1 IS NO LONGER NECESSARY GIVEN THE ADOPTION OF CHAPTER 26, ARTICLE VII ("SMOKING ORDINANCE"); PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

Mayor Miner called for a 12-minute recess. The Mayor reconvened the Regular Meeting at 9:04 p.m.

PUBLIC HEARING

1. **Planning and Zoning Case Z-19-03:** Consider request for a zoning change for a new 70-lot single family home subdivision named Hightower Estates, from SF-6 to Planned Development. The subject property is located at 6000 and 6001 Hightower Drive. Watauga Commons, LLC, Sunny Partovi, owner/applicant

The Mayor opened the Public Hearing at 9:04 p.m and stated that he would first allow Staff comments, followed by the property owner. Then public comments in favor of the request would be taken first, following by public comments against the request.

Randy Richards, Building Official presented a power point presentation on P&Z Case Z-19-03 for a requested zoning change from SF-6 to Planned Development for property located at 6000 and 6001 Hightower Drive which will become a new 70-lot single family home subdivision. Mr. Richards stated that the P&Z Commission considered this request on April 2, 2019. He reported that all requirements were met. The notice was published in the newspaper on March

15, 2019 and notices sent to properties within 200' of the requested change. Staff received a total of five responses. Four responses recommended denial and one recommended approval.

The P&Z Commission reviewed Case Z-19-03 on April 2, 2019 with the first public hearing and recommended approval of the zoning change to the Council.

Mr. Richards reviewed details of the proposed development.

Property owner Sunny Partovi was present and his developer, Mr. John Pierret addressed the Council on his behalf. He addressed the concerns voiced by the P&Z about drainage in the area. A slide was reviewed that showed the drainage going away from any existing lots.

Mr. Pierret asked for City Council approval per the P&Z recommendation.

There were no questions from the City Council, nor the anyone from the public.

Mayor Miner closed this Public Hearing at 9:10 p.m.

2. **Planning and Zoning Case Z-19-04:** Consider recommendation for a FLUM (Future Land Use Map) revision for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020, from "Parks and Open Space" to "Local Office/Retail/Commercial".

The Mayor opened the Public Hearing at 9:11 p.m.

Paul Hackelman, Director of Public Works, addressed the Council on this item. He announced that this is the 6200 Watauga Road property next to the BSD school to the north.

Mr. Hackelman explained the City's Future Land Use Map and stated that after any re-zoning this map was updated to match that re-zoning. He reported that it had been advertised in the newspaper and notices had been sent to property owners within 200' as required. There were two responses: one against and one in favor.

This property was acquired by the City in May, 1996 as open space. In March 2019, the Council recommended the property be transferred to the Watauga Economic Development Corporation (previously named the Parks Development Corporation).

The revision to the City's Future Land Use Map was approved by the Planning & Zoning Commission on April 23, 2019 with a five to one vote from "Parks and Open Space" to "Local Office/Retail/Commercial".

Public Comments in favor: None

Public Comments against:

Paul Hopkins, 7509 Meadowbrook Drive – not so much in favor or against the property being sold. He did not have a problem with the land being sold but felt that at least some of the monies should go to the Parks.

Christy McCauley – is a member of the P&Z and was the vote against the change. She expressed her feelings about the unethical change in the use of this property and discussed the need of this property being developed of some sort of park. She did not like the idea that the monies would be put into the General Fund.

She encouraged the Council to walk Nat Brooks Park. More greenspace is needed.

City Manager Gardner stated that the funds will not be going into the General Fund. They would be going in the Economic Development Fund which is separate from the City's General Fund.

The Mayor closed the Public Hearing at 9:18 p.m.

3. Planning and Zoning Case Z-19-05: Consider recommendation to a zoning change for 3.2444 acres out of the William J Miller Survey, Abstract No 1020 from GU (Government Use) to GB (General Business). The subject property is located at 6200 Watauga Road. City of Watauga, owner/applicant
Mayor Miner opened the Public Hearing at 9:18 p.m.

Director of Public Works Hackelman addressed the Council. This is the same property as the previous Public Hearing. The rezoning is for property located at 6200 Watauga Road and the request is to change from GU (Government Use) to GB (General Business).

Council Member Prescher asked if the property could have been used for any government use other than a park.

Mr. Hackelman explained that the City has basically had the property since May 1996 but had never developed it as a park. Sometime in 2018, the City did approach the heirs to correct the deed so the property could serve a different benefit the citizens of Watauga.

The City Manager stated this was included in a broad look at the vacant land owned by the City.

Mr. Prescher asked if anyone knew why the property was never developed as a park.

Sal Torres, Director of Parks and Community Services, spoke to the Council and explained the considerations of the City for developing the property. He stated that with the school across the street, there were safety concerns for children crossing a major thoroughfare. He reported that the land is totally undeveloped with no electrical and no water available. Park funding was reduced in 2012 when the voters changed the way the sales tax was distributed. Budgetary issues were part of the concern.

Mayor Miner added that as President of the Watauga Parks Development Corporation during that time, economics was a big issue, as well as location and Police Chief Parker's input on safety issues.

There were no public comments in favor.

Public Comments against:

Christy McCauley discussed how safe the school had made their property for the children. She gave suggestions for different types of parks, rather than just one where children could play. She asked the Council not to get rid of this property. She felt like that side keeps getting neglected and that everything was put into Capp Smith park. A greenspace is needed in this area.

The Mayor closed the Public Hearing at 9:27 p.m.

UNFINISHED BUSINESS

1. Consideration and possible action of an ordinance amending Chapter 40 of the Code of Ordinances for the City of Watauga regarding Section 40-210(3) Commercial Vehicles, Section 40-211(A), Recreational Vehicles, and 40-212, Exceptions {CAPTION}

Chief Parker addressed the Council and announced that this proposed ordinance was developed after last month's Council meeting. They had recommended changes in verbiage and possible allowances for trailers being parked in the roadway during working hours while working on a project. It would be up to Council if they would like to see an exception for trailers parked overnight.

Council Member Prescher stated that this proposed ordinance did not address the issues people from the last meeting were having.

Chief Parker said the question was to really allow people to park their trailers in front of their house.

Prescher suggested that a permit application be used for those individuals who needed to park business trailers overnight in the street.

City Manager Gardner stated that the City could not arbitrarily enforce an ordinance. It is an all-or-none. It would put the Police Department in a policy making position instead of an enforcement position.

City Attorney Daniel stated that the permitting process would be a nightmare.

Council Member Downey asked if the residents could get a variance to the ordinance and the City Attorney reported that this is not an issue covered by variances.

Council Member Prescher made the motion to approve the ordinance as presented.

The motion was seconded by Council Member Neal and passed 6-0-1-0 as follows:

AYES: Prescher, Neal, Snyder, Downey, King, Irving
NAYS: None
ABSENT: Taylor
ABSTAIN: None

ORDINANCE NO. 1701

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS REGARDING SECTION 40-210(3), COMMERCIAL VEHICLES, SECTION 40-211(A), RECREATIONAL VEHICLES, AND 40-212, EXCEPTIONS; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AND EFFECTIVE DATE.

Mayor Miner announced that he had failed to ask for public comments prior to the vote, so he opened the floor at this time for comments:

Barbara Martin, 6808 Richardson Drive – operate a home business since 1986 out of their home. The trailer has been there since 1998. She gave a brief history of this issue with their business trailer. She stated that she didn't know

what the solution was. All of the neighbors have stated that they do not have a problem with it. She would like the Council to give them suggestions on solving their problem.

2. Consideration and possible action on a proposed ordinance adopting Chapter 6, Article VII, Division 3 of the Watauga Code of Ordinances, providing for the creation of regulations concerning backyard chickens {CAPTION}

City Manager Gardner reported that Council Member Prescher asked that this be placed on the agenda.

Public Comments in favor:

Paul Hopkins, 7509 Meadowbrook – stated that he had been pro-chickens from the start. He mentioned that the State Legislature is considering a bill about backyard chickens in this session. Mr. Hopkins said the ordinance looked good for everyone and it was time to stop talking and pass the ordinance.

Chris Campagna, 6600 Brookdale – was concerned about stray dogs attacking the chickens.

Council Member Prescher stated that everyone had seen the ordinance and made the motion to approve with the following changes:

Sec. 6-375 (a): strike the words “not less than three (3) and” and just leave no more than six (6) backyard chickens.

This same change would need to be made on page 3 under Sec. 6-376 (a).

Just above that in the first paragraph of Sec. 6-376, second line, delete the word “or” before an education facility and add a comma after facility with the addition of “or a not for profit organization”. This would allow a church.

On page 4, paragraph (c) would have this wording added on the second line after rear half of the lot “; however, the use of a garage or indoor space may be utilized for extreme cold or brooding.”

Paragraph (d) on page 4 would state that not less than “four (4)” would replace “six (6)”.

Paragraph (e) would have additional wording at the end of the paragraph following the word height, change the semi-colon to a comma and add “excluding the height of any structure utilized to store and maintain the chicken coop;”

On page 5, Sec. 6-377 (a) (3) delete the words “above grade, measured at the lowest elevation property line in the rear yard, even if located on top of the exercise yard”. Then add the same language as paragraph (e) on page 4.

The motion was seconded by Council Member Snyder.

City Manager Gardner asked that the ordinance become effective at least 60 days out in order to get the process in place.

Council Member Irving wanted the record to reflect that there were residents that are not in favor of this ordinance.

Council Member Neal made the motion to amend the original motion to make the ordinance effective date 60 days from today’s date. The motion to amend was seconded by Council Member Prescher and passed 5-1-1-0 as follows:

AYES: Neal, Prescher, Snyder, Downey, King
NAYS: Irving
ABSENT: Taylor
ABSTAIN: None

The vote on the amended main motion to approve the ordinance with following changes listed by Council Member Prescher, as well as making the effective date 60 days out passed 5-1-1-0 as follows:

AYES: Prescher, Snyder, Downey, Neal, King
NAYS: Irving
ABSENT: Taylor
ABSTAIN: None

ORDINANCE NO. 1702

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ADOPTING CHAPTER 6, ARTICLE VII, DIVISION 3 OF THE CODE OF ORDINANCES OF THE CITY OF WATAUGA, TEXAS; PROVIDING FOR THE CREATION OF REGULATIONS CONCERNING THE KEEPING AND HARBORING OF BACKYARD CHICKENS; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

3. Consideration and action on a proposed ordinance amending Chapter 12, Section 12-6 of the Watauga Code of Ordinances, establishing fees and fines regarding Backyard Chickens {CAPTION}

Police Chief Parker reminded the Council that this was a companion item to the previous ordinance allowing backyard chickens. He stated that the Finance Department and the Police Department had worked together to make sure these fees and fines lined up with other animal fees and fines.

There were no public comments on this item.

Council Member Neal made the motion to approve the ordinance as presented.

The motion as seconded by Council Member Snyder and passed 5-1-1-0 as follows:

AYES: Neal, Snyder, Prescher, Downey, King
NAYS: Irving
ABSENT: Taylor
ABSTAIN: None

ORDINANCE NO. 1703

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 12, SECTION 12-6 OF THE CODE OF ORDINANCES OF THE CITY OF WATAUGA, TEXAS; PROVIDING FOR THE CREATION OF FEES AND FINES IN RELATION TO THE KEEPING AND HARBORING OF BACKYARD CHICKENS; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

NEW BUSINESS

1. Consideration, discussion and action on amending the City of Watauga Code of Ordinances Sections 30-19, 30-20 and 30-21 regarding the Watauga Park Development Corporation members, responsibilities, and duties of members to include broader language allowing for all State authorized Type B projects to be conducted by the Board in accordance with Texas Local Government Code Chapters 501 502, and 505 {CAPTION}

City Manager Gardner reported that these changes were approved by the WEDC at their meeting on March 19, 2019 and they recommended approval of this ordinance.

There were no citizen comments on this item.

Council Member Downey made a motion to approve the item as presented. The motion was seconded by Council Member Snyder and passed 6-0-1-0 as follows:

AYES: Downey, Snyder, Prescher, Neal, King, Irving
NAYS: None
ABSENT: Taylor
ABSTAIN: None

ORDINANCE NO. 1704

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 30, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF WATAUGA, TEXAS; PROVIDING FOR THE RENAMING OF ARTICLE II TO "THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION"; PROVIDING FOR AMENDMENTS TO SECTIONS 30-19, 30-20 AND 30-21 REGARDING NEW MEMBERS, RESPONSIBILITIES AND DUTIES OF MEMBERS IN CONNECTION TO THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

2. **Planning and Zoning Case No. A-19-03:** Discussion and action on approval of a proposed ordinance for a new 70-lot single family home subdivision named Hightower Estates, from SF-6 to Planned Development. The subject property is located at 6000 and 6001 Hightower Drive. Watauga Commons, LLC, Sunny Partovi, owner/applicant {CAPTION}

There were no citizens who requested to speak on this item.

Council Member Snyder made a motion to approve this item as presented.

Council Member Irving seconded the motion, which passed 6-0-1-0 as follows:

AYES: Snyder, Irving, Prescher, Downey, Neal, King
NAYS: None
ABSENT: Taylor

ABSTAIN: None

ORDINANCE NO. 1705

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS FOR THE PURPOSE OF AUTHORIZING A ZONING CHANGE FOR THE PROPERTY LOCATED AT 6000 AND 6001 HIGHTOWER DRIVE FROM SINGLE-FAMILY DISTRICT (SF-6) TO PLANNED DEVELOPMENT DISTRICT (PD) AS DESCRIBED IN PLANNING AND ZONING CASE #Z-19-03; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

3. Consideration and action on approval of a proposed resolution to establish a City Secretary Search Sub-Committee and select three (3) members to serve on the sub-committee {CAPTION}

HR Director Marcia Reyna reported that the City Secretary position reports to the City Council. It was Staff suggestion that the City Council establish a City Secretary Search Sub-Committee of three members to review the applications and recommend the ones to be interviewed. The City Manager will also be part of the committee.

She announced that over 40 applications had been received for the open position and over half are very well qualified.

There were no public comments on this item.

Council Member Prescher nominated Kim Irving, Andrew Neal and Art Miner to make up this sub-committee. All agreed to serve in this capacity.

Council Member Snyder made the motion to approve this item. The motion was seconded by Council Member Downey.

Council Member Prescher amended the main motion to select Council Member Kim Irving, Council Member Andrew Neal and Mayor Art Miner to serve on this sub-committee.

Council Member Snyder seconded the motion to amend with a 6-0-1-0 vote as follows:

AYES: Prescher, Snyder, Downey, Neal, King, Irving
NAYS: None

ABSENT: Taylor
ABSTAIN: None

The vote on the amended main motion to approve this item with Council Members Kim Irving, Andrew Neal and Mayor Art Miner serving on the committee was 6-0-1-0 as follows:

AYES: Snyder, Downey, Prescher, Neal, King, Irving
NAYS: None
ABSENT: Taylor
ABSTAIN: None

RESOLUTION NO. 19-05-13-02

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS PROVIDING FOR THE CREATION OF A CITY SECRETARY SEARCH SUB-COMMITTEE TO SCREEN APPLICANTS FOR THE POSTION OF CITY SECRETARY OF THE CITY OF WATAUGA AND MAKE RECOMMENDATIONS TO THE CITY COUNCIL; PROVIDING FOR THE MEMBERS, DUTIES AND OPERATING PROCEDURES, PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE

4. Consideration and action on selection of a Mayor Pro Tem per the City of Watauga Home Rule Charter, Section 3.06 (d).

Mayor Miner nominated Council Member Mark Taylor to serve as Mayor Pro Tem until May 2020.

Council Member Irving nominated herself.

There were no other nominations.

The vote on Council Member Mark Taylor to serve as Mayor Pro Tem until May 2020 was 5-1-1-0 as follows:

AYES: Prescher, Snyder, Downey, Neal, King
NAYS: Irving
ABSENT: Taylor
ABSTAIN: None

Council Member Mark Taylor was duly elected to serve as Mayor Pro Tem until May 2020.

5. Consideration and action on appointing citizen members to serve on the City Manager's Workgroup for the purpose of completing the Comprehensive Plan Update

City Manager Gardner asked the Council to appoint a minimum of four (4) citizens to this workgroup.

There were no citizens who addressed the Council on this item.

Council Member Prescher made the motion to authorize the City Manager to pick the members of her Workgroup from the applications submitted. The motion was seconded by Council Member Neal and passed unanimously 6-0-1-0 as follows:

AYES: Prescher, Neal, Snyder, Downey, King, Irving
NAYS: None
ABSENT: Taylor
ABSTAIN: None

Council Member Irving left the meeting at this time.

6. Consideration and action on the purchase of four total 2019 trucks from Sam Pack's Five Star Ford for the Public Works Department in the amount not to exceed \$125,202

Jennifer Walls, Purchasing Agent, presented this item to the City Council.

Council Member Neal asked what the expected life usage was of the City's vehicles.

Paul Hackelman explained that typically City policy was 6-8 years and/or 100,000 miles. The vehicles being replaced include a 1997 Ford F150, a 1998 Ford F150, a 2002 Ford F150, and a 2003 Ford F150. All of the vehicles have somewhere between 80,000-115,000 miles. They are well past the end of their life.

There were no citizens' comments on this item.

Council Member Neal made the motion to approve the purchase of four 2019 trucks from Sam Pack's Five Star Ford for the Public Works Department in the amount not to exceed \$125,202.

Council Member Prescher seconded the motion which passed 5-0-2-0 as follows:

AYES: Neal, Snyder, Prescher, Downey, King
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

7. **Planning and Zoning Case No. Z-19-04:** Discussion and action on approval of a proposed ordinance for a FKLUM (Future Lane Use Map) revision for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020, from "Parks and Open Space" to "Local Office/Retail/Commercial" {CAPTION}

No citizens spoke on this item.

The motion was made by Council Member Snyder to accept the ordinance as presented. The motion was seconded by Council Member Downey as passed 5-0-2-0 as follows:

AYES: Snyder, Downey, Prescher, Neal, King
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

ORDINANCE NO. 1706

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING THE FUTURE LAND USE MAP ("FLUM") IN CONNECTION WITH THE REZONING OF 3.2444 ACRES OUT OF THE WILLIAM J MILLER SURVEY, ABSTRACT NO. 1020, LOCATED AT 6200 WATAUGA ROAD FROM GOVERNMENTAL USE DISTRICT (GU) TO GENERAL BUSINESS DISTRICT (GB) AS DESCRIBED IN PLANNING AND ZONING CASE #Z-19-05; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

8. **Planning and Zoning Case No. Z-19-05:** Discussion and action on approval of a proposed ordinance for a Zoning Change for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020 from GU (Government Use) to GB (General Business){CAPTION}

There were no citizen comments on this item.

Council Member Snyder made the motion to accept this item as presented.

The motion was seconded by Council Member Downey and passed 5-0-2-0 as follows:

AYES: Snyder, Downey, Prescher, Neal, King
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

ORDINANCE NO. 1707

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS FOR THE PURPOSE OF AUTHORIZING A ZONING CHANGE FOR 3.2444 ACRES OUT OF THE WILLIAM J MILLER SURVEY, ABSTRACT NO. 1020, LOCATED AT 6200 WATAUGA ROAD FROM GOVERNMENTAL USE DISTRICT (GU) TO GENERAL BUSINESS DISTRICT (GB) AS DESCRIBED IN PLANNING AND ZONING CASE #Z-19-05; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

9. Consideration and action to amend Chapter 42-82 and Chapter 12, Fee Schedule, Section 12-42 of the Code of Ordinances to allow for a water and sewer discount for seniors over 65 that are renting property in the City of Watauga and disabled citizens who receive the disability exemption through the Tarrant Appraisal District {CAPTIONS}

Sandra Gibson, Finance Director gave the Council a brief update of the current monthly discounts offered on the water and sewer bills. This proposed ordinance would extend the \$5.00 discount on water and \$5.00 discount on sewer to property owners or renters. A disabled discount under Tarrant Appraisal District disability exemption is also included.

Council Member Prescher asked what the cost would be if the discounts would be extended to the disabled. Mrs. Gibson reported that it would probably run approximately \$8,400/year. That would bring the total discounts for over 65 and disabled citizens to approximately \$210,000/annually.

Council Member Neal asked Mrs. Gibson if they had projected what that number would look like over the next several years. She stated that the number is growing with about 100-200 over 65 added each year. They haven't kept track of the disabled numbers.

No one in the audience addressed this item.

Council Member Prescher made the motion to accept the ordinance as presented excluding the disability discount.

The motion was seconded by Council Member King and passed 5-0-2-0 as follows:

AYES: Prescher, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

ORDINANCE NO. 1708-A

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 12 (FEE SCHEDULE), SECTION 12-42(A) AND (B) OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, REGARDING WATER AND SEWER RATES FOR THE CITY OF WATAUGA WATER AND WASTEWATER SYSTEM; PROVIDING FOR DISCOUNTS FOR RESIDENTIAL CUSTOMERS OVER THE AGE OF 65; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 1708-B

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 42 (UTILITIES), SECTIONS 42-81 AND 42-82 OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, REGARDING WATER AND SEWER RATES FOR THE CITY OF WATAUGA WATER AND WASTEWATER SYSTEM; PROVIDING FOR DISCOUNTS FOR RESIDENTIAL CUSTOMERS OVER THE AGE OF 65; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

10. Consideration and Possible action to amend section 22.1- Charitable donation collection containers to include Keller Independent School District property within the City of Watauga as an exception {CAPTION}

Police Chief Parker explained to the Council that this was a clean-up of this ordinance that would include both Birdville Independent School District and Keller School District.

There were no citizens' comments.

Council Member Andrew Neal made the motion to accept the ordinance as presented.

The motion was seconded by Council Member Downey and passed 5-0-2-0 with the following vote:

AYES: Prescher, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

ORDINANCE NO. 1709

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING ARTICLE I, SECTION 22-1(c) OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, REGARDING CHARITABLE DONATION COLLECTION CONTAINERS AND EXCEPTIONS THERETO; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AND EFFECTIVE DATE.

11. Consideration and possible action regarding legal services for the City of Watauga

Council Member Prescher asked for this item to be placed on the agenda. He reported that a letter of resignation had been presented by the City Attorney effective June 30, 2019.

There were no citizen comments on this item.

Council Member Prescher made a motion to accept the resignation from the City Attorney Mark Daniel effective June 30, 2019 and authorize the City Manager to engage interim legal services for the City and to begin the process for searching for a permanent replacement for an attorney and/or law firm.

Council Member Snyder seconded the motion.

Council Member Neal made a motion to amend the main motion to add an RFQ for legal services for the City of Watauga. The amendment was seconded by Council Member Downey and passed 5-0-2-0 as follows:

AYES: Prescher, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

The vote on the amended main motion to accept the resignation from City Attorney Mark Daniel effective June 30, 2019 and authorize the City Manager to engage interim legal services for the City, and to add an RFQ to begin the process for searching for a permanent replacement for an attorney and/or law firm was 5-0-2-0 as follows:

AYES: Prescher, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

City Attorney Daniel told the Council that there would be a transition period, especially with Public Information requests that he would complete. He stated that he had a volume of files that was staggering if the City ever needed anything.

Consent Agenda Item #7 was considered at this time in the meeting. Please see the details above.

ITEMS FOR FUTURE CITY COUNCIL MEETINGS

Council Member Prescher would like to get a firm yes or no on the trailer issue.

The Regular meeting was recessed at 10:58 p.m. and Council went into Executive Session.

EXECUTIVE SESSION

The City Council will convene in executive session pursuant to (Texas Open Meetings Act), Chapter 551 of the Texas Government Code, Section 551.072, which allows the following:

1. Deliberation regarding real property (Texas Government Code, Sec. 551.072) – 0.45 acres Astor Heights Addition Block 16 Lot 12R
2. Deliberation regarding real property (Texas Local Government Code, Sec. 551.072) – 0.27 acres vacant land described as follows: Condra, John Survey, Abstract 309 Tract 1A02B

3. Deliberation regarding real property (Texas Government Code, Sec. 551.072) – 0.27 acres described as follows: Condra, John Survey, Abstract 309, Tract 1A02B

RECONVENE

The Regular meeting was reconvened at 11:12 p.m.

ITEMS OF EXECUTIVE SESSION DELIBERATION

1. Consideration and action as a result of the Executive Session deliberating the following: 0.45 acres Astor Heights Addition Block 16 Lot 12R

Council Member Snyder made the motion to authorize the City Manager send letter of declination.

The motion was seconded by Council Member King and passed 5-0-2-0 with the following vote:

AYES: Prescher, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

2. Consideration and action as a result of the Executive Session deliberating the following: 0.27 acres vacant land described as follows: Condra, John Survey, Abstract 309 Tract 1A02B

Council Member Neal made the motion to authorize the City Manager send letter of declination.

The motion was seconded by Council Member Downey and passed 5-0-2-0 with the following vote:

AYES: Prescher, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

3. Consideration and action as a result of the Executive Session deliberating the following: 0.27 acres described as follows: Condra, John Survey, Abstract 309, Tract 1A02B

Council Member Snyder made the motion to authorize the City Manager send declination.

The motion was seconded by Council Member Neal and passed 5-0-2-0 with the following vote:

AYES: Prescher, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

ADJOURNMENT

With no further business at hand, Mayor Miner adjourned the Regular Meeting at 11:16 p.m.

APPROVED: this the 8th day of July, 2019

SIGNED: this the _____ day of July, 2019

APPROVED:

Arthur L. Miner, Mayor

ATTEST:

Terri Johnson, Interim City Secretary

NOTE: Original Audio and Video Recording of this meeting is preserved and maintained by the City Secretary's Office

**MINUTES
WATAUGA CITY COUNCIL
ATTENDANCE AT NORTHEAST TARRANT CHAMBER OF COMMERCE
GRAND HALL, NRH CENTRE
6000 HAWK AVENUE
NORTH RICHLAND HILLS, TX
THURSDAY, MAY 16, 2019
11:30 AM**

The following members of the Watauga City Council attended the monthly luncheon for the Northeast Tarrant Chamber of Commerce:

Mayor	Art Miner
Council Member, Place 1	Scott Prescher
Council Member, Place 3	Lovie Downey
Council Member, Place 5	Juanita King

Chamber of Commerce President & CEO, Jack Bradshaw briefly introduced the newly elected Council members for the City of Watauga.

No City business was discussed or conducted at this social event.

APPROVED: this the 10th day of June, 2019

SIGNED: this the 13th day of June, 2019

APPROVED:

/s/ Arthur L. Miner
Arthur L. Miner, Mayor

ATTEST:

/s/ Terri Johnson
Terri Johnson, Interim City Secretary

**MINUTES
COUNCIL ORIENTATION
WATAUGA CITY COUNCIL
CITY HALL COUNCIL CHAMBERS
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
MAY 20, 2019
9:00 AM**

The following members of the Watauga City Council attended the Council Orientation held on Monday, May 20, 2019 at 9:00 a.m. in the City Hall Council Chambers:

Mayor	Art Miner
Council Member, Place 1	Scott Prescher
Council Member, Place 3	Lovie Downey
Council Member, Place 4	Andrew Neal
Council Member, Place 5	Juanita King

and

Andrea Gardner, City Manager
Terri Johnson, Interim City Secretary

A meet and greet was held for the newly elected City Council members to meet the City's Department Heads.

Following the meet and greet, City Manager Andrea Gardner presented the Council Orientation.

There was no action taken on any City business at this orientation.

APPROVED: this the 8th day of July, 2019

SIGNED: this the _____ day of July, 2019

APPROVED:

Arthur L. Miner, Mayor

ATTEST:

Terri Johnson, Interim City Secretary

**MINUTES
WATAUGA CITY COUNCIL
WORKSHOP
MONDAY, JUNE 10, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
5:30 P.M.**

The City Council of the City of Watauga, Texas convened at 5:30 p.m., for the purpose of conducting a workshop with the following members present:

Mayor Arthur L. Miner
Mayor Pro Tem, Council Member, Place 6 Mark Taylor
Council Member, Place 1 Scott Prescher (arrived at 5:33 p.m.)
Council Member, Place 2 Tom Snyder
Council Member, Place 3 Lovie Downey
Council Member, Place 4 Andrew Neal (arrived at 5:40 p.m.)
Council Member, Place 5 Juanita King
Council Member, Place 7 Kim Irving

and

Andrea Gardner, City Manager
Terri Johnson, Interim City Secretary
Mark Daniel, City Attorney (arrived at 5:34 p.m.)
Shawn Fannan, Fire Chief
Lana Ewell, Library Director
Bradley Fraley, Chief Information Officer/PIO

Presentation and discussion of Fire & EMS Operations

Mayor Miner yielded the floor to Fire Chief Shawn Fannan who gave an overview of the Watauga Fire Department.

The City Council asked questions and discussed the Fire Department operations.

ADJOURNMENT

Mayor Miner adjourned the workshop at 5:56 p.m.

APPROVED: this 8th day of July, 2019

SIGNED: this _____ day of July, 2019

APPROVED:

Arthur L. Miner, Mayor

Minutes
City Council Workshop
June 10, 2019
Page 2 of 2

ATTEST:

Terri Johnson, Interim City Secretary

NOTE: Original Audio and Video Recording of this meeting is preserved and maintained by the City Secretary's Office

**MINUTES
WATAUGA CITY COUNCIL
SPECIAL MEETING
THURSDAY, JUNE 13, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:00 P.M.**

CALL TO ORDER

The City Council of the City of Watauga, Texas convened at 6:02 p.m., for the purpose of conducting a special meeting with the following members present:

Mayor Arthur L. Miner
Mayor Pro Tem/Council Member, Place 6 Mark Taylor
Council Member, Place 1 Scott Prescher
Council Member, Place 2 Tom Snyder (absent)
Council Member, Place 3 Lovie Downey
Council Member, Place 4 Andrew Neal
Council Member, Place 5 Juanita King
Council Member, Place 7 Kim Irving

and

Andrea Gardner, City Manager
Terri Johnson, Interim City Secretary
Marcia Reyna, Director of Human Resources/Civil Service
Bradley Fraley, Chief Information Officer/PIO

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Consideration and action on approval of meeting agenda

Council Member Kim Irving made a motion to accept the meeting agenda as presented. The motion was seconded by Council Member Lovie Downey.

The vote was called and the motion to accept the meeting agenda as presented passed as follows:

AYES: Irving, Downey, Prescher, Neal, King, Taylor
NAYS: None
ABSENT: Snyder
ABSTAIN: None

EXECUTIVE SESSION

The City Council convened in executive session at 6:04 p.m., pursuant to (Texas Open Meetings Act), Chapter 551 of the Texas Government Code, Section 551.074 Personnel Matters, which allows the following:

1. Personnel Matters – Deliberate the appointment or employment and compensation of a City Secretary by interviewing applicants for the position and to receive input from the City Secretary Search Sub-Committee (Texas Government Code, Sec. 551.074)

RECONVENE

The Mayor reconvened the open meeting at 8:23 p.m.

ITEMS OF EXECUTIVE SESSION DELIBERATION:

1. Consideration and possible action regarding the appointment or employment and compensation of a City Secretary as discussed in Executive Session

No action was taken on this item.

ADJOURNMENT

Mayor Miner adjourned the Special Meeting at 8:24 p.m.

APPROVED: this 8th day of July, 2019

SIGNED: this the _____ day of July, 2019

APPROVED:

Arthur L. Miner, Mayor

ATTEST:

Terri Johnson, Interim City Secretary

NOTE: Original Audio and Video Recording of this meeting is preserved and maintained by the City Secretary's Office

**MINUTES
PHOTO SHOOT
WATAUGA CITY COUNCIL
CITY HALL & COUNCIL CHAMBER
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
FRIDAY, JUNE 14, 2019
2:40 PM**

The following members of the Watauga City Council attended the Photo Shoot held on Friday, June 14, 2019 at 2:40 p.m. in the City Hall and Council Chambers:

Mayor	Art Miner
Council Member, Place 1	Scott Prescher
Council Member, Place 2	Tom Snyder
Council Member, Place 3	Lovie Downey
Council Member, Place 4	Andrew Neal
Council Member, Place 5	Juanita King
Council Member, Place 6	Mark Taylor
Council Member, Place 7	Kim Irving

There was no action taken on any City business at this photo shoot.

APPROVED: this the 8th day of July, 2019

SIGNED: this the _____ day of July, 2019

APPROVED:

Arthur L. Miner, Mayor

ATTEST:

Terri Johnson, Interim City Secretary

**MINUTES
WATAUGA CITY COUNCIL
SPECIAL MEETING
MONDAY, JUNE 17, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:00 P.M.**

CALL TO ORDER

The City Council of the City of Watauga, Texas convened at 6:01 p.m., for the purpose of conducting a special meeting with the following members present:

Mayor Arthur L. Miner
Mayor Pro Tem/Council Member, Place 6 Mark Taylor
Council Member, Place 1 Scott Prescher (absent)
Council Member, Place 2 Tom Snyder (joined the meeting at 7:03 p.m.)
Council Member, Place 3 Lovie Downey
Council Member, Place 4 Andrew Neal
Council Member, Place 5 Juanita King
Council Member, Place 7 Kim Irving (absent)

and

Andrea Gardner, City Manager
Terri Johnson, Interim City Secretary
Marcia Reyna, Director of Human Resources/Civil Service
Deby Woodard, Assistant Finance Director
Raquel Guajardo, Assistant to the City Secretary
Trang Nguyen, Systems Administrator

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Consideration and action on approval of meeting agenda

Mayor Miner asked that the order of the agenda be changed in order to go into Executive Session prior to New Business.

Council Member Andrew Neal made a motion to amend the meeting agenda to move the Executive Session before New Business. The motion was seconded by Council Member Juanita King.

The vote was called and the motion to accept the meeting agenda as presented passed as follows:

AYES: Neal, King, Downey, Taylor
NAYS: None
ABSENT: Prescher, Snyder, Irving
ABSTAIN: None

EXECUTIVE SESSION

Council Member Mark Taylor made the motion to adjourn into Executive Session and the motion was seconded by Council Member Lovie Downey. The vote was unanimous as follows:

AYES: Taylor, Downey, Neal, King
NAYS: None
ABSENT: Prescher, Snyder, Irving
ABSTAIN: None

The City Council convened in executive session at 6:05 p.m., pursuant to (Texas Open Meetings Act), Chapter 551 of the Texas Government Code, Section 551.074 Personnel Matters, which allows the following:

1. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Secretary position (Texas Government Code, Sec. 551.074)

Council Member Tom Snyder arrived at the meeting and joined the Executive Session at 7:03 p.m.

City Manager Gardner was not present for all portions of the Executive Session discussion. HR Director Reyna was present during the time(s) the City Manager was out-of-the room.

RECONVENE

The Mayor reconvened the open meeting at 7:33 p.m.

ITEMS OF EXECUTIVE SESSION DELIBERATION:

1. Consideration and possible action regarding the appointment or employment and compensation of a City Secretary as discussed in Executive Session

Council Member Taylor stated that given the fact that the interim City Secretary had tendered her final notice and given the issues Council is currently facing with the City Secretary search, he made the motion to appoint Andrea Gardner as the City Secretary until such time as a Deputy City Secretary position is created, staffed and properly trained and qualified to assume the duties of City Secretary.

The motion was seconded by Council Member King. The vote was unanimous as follows:

AYES: Taylor, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Prescher, Irving
ABSTAIN: None

NEW BUSINESS

1. Discuss and consider a Resolution of the City Council of the City of Watauga, Texas consolidating and integrating the position of City Secretary with the position of City Manager, amending the General Government Employees Fiscal Year 2018-2019 Classification Plan for Full-Time Employee Positions and creating a new full-time Deputy City Secretary position. {CAPTION}

Citizens' Comments:

David Griffin, 6401 Kennedy Court – asked why the City Manager and City Secretary position needed to be integrated together. He stated that the City Secretary position is a very challenging position. Both positions require a lot of time. He also wanted to know if it was because agendas could be hidden. He praised the former City Secretary and stated the City of Watauga lost one of the best staff members they'd ever had all because an individual Council member targeted a staff member. The policy in place stated that the City Secretary reported to the Council. It worked and he questioned why it had to be changed.

Steve Welch, 6925 Bernadine Drive – asked how the City Manager would have time to do the City Secretary job too. He asked if she would get paid for doing both jobs and how long she would be doing both jobs. He hoped the City Council would diligently look for a City Secretary. He hoped it would be reviewed at least every six months. He stated that he had a very uneasy feeling about the Council doing this.

Kristi Gregory, 6933 Declaration – stated that it was State-mandated to have a City Secretary and to combine the two together would be giving one person too much power and could end up being a deadly combination. She didn't believe it was wise for the City.

Chris Campagna, 6600 Brookdale – he stated that Council Member Mark Taylor had told him and another person that there were reasons behind the City Secretary leaving. He found out later that it was because of a situation with Council Member Scott Prescher. He hoped Council would not let that happen again. He stated that things don't line up right.

Mayor Miner addressed one factual inaccuracy that several people mentioned. He stated that it had to do with reporting authority and with the City Manager also functioning as the City Secretary; she will not have any greater authority. Anything the City Secretary had to come to the Council to get authority for would remain in place.

Council Member Taylor made the motion to create the position of Deputy City Secretary. We are going to create a Resolution to consolidate the City Manager and City Secretary position with the intent of the Deputy City Secretary position once created, once staffed, once trained and is qualified to assume the role of City Secretary, at which time if that person has met the qualifications will be appointed to the City Secretary position. In the interim, the intent is to state the

City Manager is to serve as the designated City Secretary with the functions of that office being split between the Deputy City Secretary to be trained, the Assistant to the City Secretary which is already a filled position, and the City Manager.

Marcia Reyna, HR Director, explained to the Council that the purpose of this agenda item is to amend the Classification Plan so the position of Deputy City Secretary can be added since the Council came out of Executive Session and took action to appoint Ms. Gardner as City Secretary.

Council Member Taylor made a motion to approve a Resolution to create the position of Deputy City Secretary for the City of Watauga and amend the Employees' Classification Plan.

The motion was seconded by Council Member Andrew Neal with the following vote:

AYES: Taylor, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Prescher, Irving
ABSTAIN: None

RESOLUTION NO. 19-06-17-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS CONSOLIDATING AND INTEGRATING THE POSITION OF CITY SECRETARY WITH THE POSITION OF CITY MANAGER; AMENDING THE GENERAL GOVERNMENT EMPLOYEES CLASSIFICATION PLAN FOR FULL-TIME EMPLOYEE POSITIONS; CREATING A NEW FULL-TIME, ADM 00-110 DEPUTY CITY SECRETARY POSITION; PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Council Member Neal announced that the City Manager would not be paid for the City Secretary position. This position is unfunded at this time.

ADJOURNMENT

Mayor Miner adjourned the Special Meeting at 7:57 p.m.

APPROVED:

this 8th day of July, 2019

SIGNED:

this the _____ day of July, 2019

APPROVED:

Arthur L. Miner, Mayor

ATTEST:

Terri Johnson, Interim City Secretary

NOTE: Original Audio and Video Recording of this meeting is preserved and maintained by the City Secretary's Office

**MINUTES
WATAUGA CITY COUNCIL
ATTENDANCE AT NORTHEAST TARRANT CHAMBER OF COMMERCE
BIG BUSINESS MIXER
SOUTHWEST ADI/FW GRILLS
6550 WULIGER WAY
NORTH RICHLAND HILLS, TX 76180
THURSDAY, JUNE 27, 2019
5:00 PM**

The following members of the Watauga City Council attended the Big Business Mixer for the Northeast Tarrant Chamber of Commerce:

Mayor	Art Miner
Mayor Pro Tem	Mark Taylor
Council Member, Place 3	Lovie Downey
Council Member, Place 4	Andrew Neal

No City business was discussed or conducted at this social event.

APPROVED: this the 8th day of July, 2019

SIGNED: this the ____ day of July, 2019

APPROVED:

Arthur L. Miner, Mayor

ATTEST:

Terri Johnson, Interim City Secretary



AGENDA MEMORANDUM

DATE: June 26, 2019

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

THROUGH:

SUBJECT: Consider action on a resolution accepting and approving the Watauga Economic Development Corporation Bylaws {CAPTION}

BACKGROUND/INFORMATION:

At the April 2019 WEDC Board Meeting, the bylaws were reviewed and changes requested by the Board. During the May 21, 2019 meeting, the Board requested two additional changes to the bylaws as follows:

- Remove language from Section 2.04 that permits governing body members from serving on the Board.
- Remove the "Treasurer" position

On June 10, 2019, the City Council rejected the change to the bylaws that removed the language from Section 2.04 with comments to amend to allow no more than 3 members of the governing body to serve on the WEDC Board.

on June 18, 2019, the WEDC approved the bylaws as attached with the recommended changes from the Watauga City Council.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommends the City Council approve a resolution, after consideration of legal advice from the City Attorney regarding additional edits of the bylaws of the Watauga Economic Development Corporation.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. WEDC Bylaws Resolution 2019-001
2. WEDC Bylaws Final July 2019

REVIEWED BY:



AGENDA MEMORANDUM

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 6/26/2019

Final Approval - 6/26/2019

CITY OF WATAUGA, TEXAS
RESOLUTION NO.

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS APPROVING THE _____ AMENDED BYLAWS OF THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION; PROVIDING FOR REPEAL; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 501.064 of the Texas Local Government Code requires that amendments to bylaws of a corporation created pursuant to the Development Corporation Act of 1979 be approved by the governing body; and

WHEREAS, on _____, the directors of the Watauga Economic Development Corporation adopted amendments to its bylaws and submitted same for approval to the City Council of the City of Watauga; and

WHEREAS, the City Council of the City of Watauga finds the proposed amendments are consistent with state law and the certificate of formation of the Watauga Economic Development Corporation; and

WHEREAS, the City Council finds it appropriate and prudent to approve the _____ Amended Bylaws of the Watauga Economic Development Corporation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Watauga, Texas that:

I.

The facts and recitations set forth in the preamble of this resolution are hereby found to be true and correct.

II.

The _____ Amended Bylaws of the Watauga Economic Development Corporation are hereby approved and adopted by the City Council of the City of Watauga, Texas as reflected in "EXHIBIT A" attached hereto.

III.

This Resolution shall be and is hereby cumulative of all other resolutions of the City of Watauga, Texas and this resolution shall not operate to repeal or affect any such other resolutions except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this resolution, in which event such conflicting provisions, if any, in such other resolution or resolutions are hereby repealed.

IV.

If any section, subsection, sentence, clause or phrase of this resolution shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

V.

This resolution shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council of the City of Watauga, Texas.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas on this 8th day of July 2019.

APPROVED:

Arthur L. Miner, Mayor

ATTEST:

Andrea Gardner, City Secretary

APPROVED AS TO FORM AND LEGALITY:

George Hyde, Interim City Attorney

WATAUGA ECONOMIC DEVELOPMENT CORPORATION
BYLAWS

ARTICLE ONE: POWERS & PURPOSES

- 1.01 In order to implement the purposes for which the Corporation was formed as set forth in the Articles of Incorporation, the Corporation is organized exclusively for the purposes of benefitting and accomplishing public purposes of, and to act on behalf of the City of Watauga, Texas and the specific purposes for which the Corporation is organized and may issue bonds on behalf of the City of Watauga, Texas for the promotion and development of commercial, industrial and manufacturing enterprises to promote and encourage employment and public welfare, pursuant to the Development Corporation Act of 1979, Article 5190.6, Section 4B, Vernon's Annotated Civil Statutes, as now or hereafter amended.
- 1.02 The Corporation is not a political subdivision or political corporation of the State of Texas within the meaning of its constitution, and no agreements, bonds, debts, or obligations or the lending of credit, or grant of public money or anything of value, of or by the City of Watauga, Texas or any other political corporation, subdivision, or agency of the State of Texas, or a pledge of faith and credit of any of them.
- 1.03 The registered office of the corporation is located at 7105 Whitley Road, Watauga, Texas 76148, and the name of the registered agent of the corporation at such address is Andrea Gardner, City Manager. The principal office for the transaction of the business of the corporation is located at 7105 Whitley Road, Watauga, Texas 76148.

ARTICLE TWO: DIRECTORS
Powers

- 2.01 The Directors shall act only as a board, and an individual Director shall have no power to act for the corporation. All corporate powers of the corporation shall be exercised by the Board of Directors or under its authority. The business and affairs of the corporation shall be controlled by the Board of Directors, subject, however, to such limitations as are imposed by law, the Articles of Incorporation or these Bylaws. The Board of Directors may, by contract or otherwise, give general or limited or special power and authority to the officers and employees of the corporation to transact the general business or any special business of the corporation and may give powers of attorney to agents of the corporation to transact any special business requiring such authorization.

Number and Qualification of Directors

- 2.02 The authorized number of Directors of this corporation shall be seven (7). Each Director must be a resident of the City of Watauga at the time of appointment and maintain that residency during entire tenure on the Board.

Election and Term of Office

- 2.03 The Directors shall be appointed by the Watauga City Council and serve at the pleasure of the Watauga City Council. A director is appointed to hold office for two (2) year terms.
- 2.04 Board Membership shall comply with Texas Local Government Code Subchapter B Sections 501.051, 505.052 and 505.053, with the exception that the number of members from the City's governing body serving as a Director/Board of the WEDC shall be limited to three.

Vacancies

- 2.05 Vacancies on the Board of Directors may be filled by a majority vote of the Watauga City Council at a regular meeting or special meeting called for that purpose.

Removal of Directors

- 2.06 The entire Board of Directors or any individual Director may be removed from office with or without cause by majority vote of the Watauga City Council.

Place of Meetings

- 2.07 All meetings of the Board of Directors shall be held within the City limits of Watauga.

Annual Meetings

- 2.08 The annual meeting of the corporation shall be held in the month of February each year. At such meetings, officers shall be appointed, reports of the corporation's affairs shall be considered and any other business may be transacted which falls within the power of the Directors. All provisions herein pertaining to the Board of Directors meetings shall also apply to the annual meeting.

Regular Meetings

- 2.09 Regular meetings of the Board of Directors shall be held on the third Tuesday of each month between annual meetings of the corporation, and at such dates and times as the Directors may determine. Meetings shall be held no less than quarterly. Roberts Rules of Order shall be used to conduct and govern meetings. The City of Watauga Council Rules of Procedure apply to the Board. Regular meetings shall be

conducted in accordance with the Texas Open Meetings Act, Government Code Chapter 551, as now or hereafter amended.

Special Meetings - Call and Notices

- 2.10 Special meetings of the Board of Directors for any purpose shall be called at any time by the President or, if the President is absent or unable or refuses to act, by any two Directors. Written notices of the special meetings, stating the time and place and in general terms the purpose or purposes thereof, shall be mailed or telegraphed or personally delivered to each Director not later than the day before the day appointed for the meeting. Special meetings shall be conducted in accordance with the Texas Open Meetings Act, Government Code Chapter 551, as now or hereafter amended.

Quorum

- 2.11 A majority of the authorized number of Directors shall be necessary to constitute a quorum for the transaction of business, except to adjourn or recess a meeting. Every act or decision done or made by a majority of the Directors present shall be regarded as the act of the Board of Directors, unless a greater number is required by law or by the Articles of Incorporation. Each Director who is present at a meeting will be deemed to have assented to any action taken at the meeting unless the Director's dissent to the action is entered in the minutes of the meeting.

Board Action

- 2.12 Any action required or permitted to be taken by the Board of Directors must be taken pursuant to a lawfully convened meeting.

Adjournment - Notice

- 2.13 A quorum of the Directors may adjourn or recess any Directors' meeting to meet again at a stated hour on a stated day. In the absence of a quorum, a majority of the Directors present at any Directors' meeting, either regular or special, may adjourn or recess from time to time until the time fixed for the next regular meeting of the Board. All meetings of the Board of Directors shall be conducted in accordance with the Texas Open Meetings Act, Government Code Chapter 551, as now or hereafter amended.

Conduct of Meetings

- 2.1 The President or, in the President's absence, the Vice President, or in the absence of both, any Director selected by the Directors present, shall preside at the meeting of the Board of Directors. The President, or presiding officer in the absence of the President, shall not make motions and shall vote only in case of a tie. The Secretary

of the corporation or, in the Secretary's absence, any person appointed by the presiding officer, shall act as Secretary of the Board of Directors' meetings.

Power of Eminent Domain

- 2.1 The corporation may exercise the power of eminent domain only on approval of the action by the Watauga City Council. The power must be exercised with and subject to the laws applicable to the City of Watauga.

Liability

- 2.1 The corporation, individual Directors, the City of Watauga, the individual Watauga City Council Members, employees of the City of Watauga or of the Corporation are not liable for damages arising from governmental function of the corporation or the City of Watauga.

Indemnification of Directors and Officers

- 2.1 The Board of Directors may authorize the corporation to indemnify and/or pay expenses incurred by, or to satisfy a judgment or settle a claim or pay a fine rendered or levied against present or former Directors, officers, employees or agents of this corporation based upon his or her action as a director, officer, employee or agent of the corporation as authorized by State law.

ARTICLE THREE: OFFICERS

Title and Appointment

- 3.01 The officers of the corporation shall be a President, one or more Vice Presidents, Secretary, and such assistants and other officers as the Watauga City Council deems necessary to carry out the business and purposes of the corporation. All officers shall be appointed by and hold office at the pleasure of the Board of Directors.

Powers and Duties of Officers

- 3.02 The officers of the corporation shall have the powers and duties generally ascribed to the respective offices and such additional authority or duty as may from time to time be established by the Board of Directors. The Secretary is encouraged to furnish to new members the telephone numbers of other WEDC board members and staff, the governing regulations, and any other pertinent information concerning the WEDC to the new board member within seven (7) days of the new director's appointment.

ARTICLE FOUR: FISCAL PROVISIONS

- 4.01 The Corporation shall review and upon approval by the Board submit monthly financial reporting in a format utilized by the City of Watauga. All books and records of the Corporation shall be maintained by the City's Finance Department in accordance with Section 501.073 of the Texas Local Government Code. The Watauga City Council and the Corporation acknowledge and agree that the management of the Corporation's financial records shall be administered by the City pursuant to the terms of the Financial Services Agreement.
- 4.02 All expenditures of the Corporation shall be completed in accordance with Texas Local Government Code Chapter 501, Subchapter A, Section 501.073 and Chapter 505. The Corporation shall have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit. The audit shall be completed by an independent auditor selected by the City of Watauga.
- 4.03 The Executive Director shall prepare each year a Corporation itemized budget to cover the proposed expenditures of the Corporation for the succeeding year. The proposed budget shall be submitted to the Board the 90th day prior to the Board adoption of the budget. The Board shall submit the proposed itemized budget to the City Secretary, for record and placement on the Council agenda, before the 30th day the City of Watauga City Council is scheduled to approve the Corporation's budget. The itemized budget shall provide as clear a comparison as practicable between expenditures included in the proposed budget and actual expenditures for the same or similar purposes made for the preceding year. The budget must show as definitively as possible each of the projects for which expenditures are set up in the budget and the estimated amount of money carried in the budget for each project. The budget must contain a complete financial statement of the Corporation that shows (1) the outstanding obligations of the Corporation; (2) the cash on hand to the credit of each fund; (3) the funds received from all sources during the preceding year; and (5) the estimated revenue available to cover the proposed budget. A public hearing shall be held by the governing body. The governing body shall set the public hearing date after the 15th day after the date the Board files the proposed budget with the City Secretary. The Corporation shall provide notice of the date, time and location of the hearing and the approval date by the City of Watauga's City Council on the Corporation's website.
- 4.04 The Executive Director with the approval of the City Manager shall be authorized to complete line item transfers within the Budget, without increasing the total budget. These line item transfers will be completed by budget reallocation, as needed, and will be presented to the Board of Directors for approval. Estimated expenditures shall not exceed estimated resources. If at any time the budget needs to be amended through an increase, a majority vote of the Board of Directors and approval of the City of Watauga City Council.
- 4.05 Temporary or idle funds of the Watauga Economic Development Corporation which are undesignated, may be invested in any legal manner authorized by the Public Funds Investment Act and authorized by the Corporation's approved Investment Policy. The Corporation's Investment Policy must be reviewed and approved annually by the Board of Directors.

ARTICLE FIVE: EXECUTION OF INSTRUMENTS

- 5.01 The Board of Directors may, in its discretion, authorize an officer or officers, or other person or persons, to execute any corporate instrument or document, or to sign the corporate name without limitation, except where otherwise provided by law and such execution or signature shall be binding on the corporation.

ARTICLE SIX: RECORDS AND REPORTS

Inspection of Books and Records

- 6.01 The corporation shall keep at the principal place of business a book of minutes of all meetings, adequate business records and notices of all its transactions.
- 6.02 All books and records of the corporation shall be open to inspection to the extent expressly provided by the Texas Open Records Act, Chapter 551 of the Government Code, as now or hereafter amended, and not otherwise. All books and records may be examined by Directors and Watauga City Council members at reasonable times.

ARTICLE SEVEN: AMENDMENT OF BYLAWS

Amendment of Bylaws

- 7.01 The power to alter, amend, or repeal these bylaws is vested in the Directors, subject to the approval of the City Council or changes in State law.

Recommended for Approval by the Board of Directors on the 21st day of May, 2019.



AGENDA MEMORANDUM

DATE: June 10, 2019

TO: Honorable City Council Members

FROM: Paul Hackleman, P.E., CFM, Director of Public Works

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consider action on an Ordinance approving the Drought Contingency Plan as required by the State of Texas under the Texas Commission for Environmental Quality (TCEQ) Regulations {CAPTION}

BACKGROUND/INFORMATION:

The State of Texas requires the City of Watauga to have Council adopt the Water Conservation and Drought Contingency plans, and update every 5 years.

The current Drought Contingency Plan was adopted by City Council on June 23, 2014. The next update was due to the state by May 1, 2019. The City of North Richland Hills filed for an extension and since they are the water provider for the City of Watauga we also filed for an extension. The only changes made to the plans were to the Utility Profile and the water rate structure.

TCEQ rule Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.1 (4) defines a drought contingency plan as "a strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies."

TCEQ rules governing development of and minimum requirements for drought contingency plans for municipal water suppliers and wholesale water suppliers are contained in Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 and Rule 288.22, respectively.

Drought or a number of other uncontrollable circumstances can disrupt normal availability of the City's water supply. Even though the City may have an adequate water supply, the supply could become contaminated or a disaster could destroy the supply.

The purpose of this Drought Contingency and EWMP (subsequently referred to as the



AGENDA MEMORANDUM

Plan) is as follows:

- To conserve the available water supply in times of drought and emergency.
- To maintain supplies for domestic water use, sanitation, and fire protection.
- To protect and preserve public health, welfare, and safety.
- To minimize the adverse impacts of water supply shortages.
- To minimize the adverse impacts of emergency water supply conditions.

The legal review of the attached documents was completed by Mark Daniel during his tenure and hasn't been reviewed by the Interim City Attorney.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

City staff respectfully requests to the City Council adopt an ordinance approving the City of Watauga Drought Contingency Plan with an effective date of July 1, 2019.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Attorney Review Letter - MX-3115N_20190604_163656
2. Ordinance - Drought Contingency Plan 2019

REVIEWED BY:

Paul Hackleman, P.E., CFM, Director of Public Works
Andrea Gardner, City Manager
Terri Johnson, City Secretary

Approved - 7/3/2019
Approved - 7/3/2019
Final Approval - 7/3/2019

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER

(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

SUNDANCE SQUARE
115 WEST SECOND STREET, SUITE 202
FORT WORTH, TEXAS 76102

(817) 332-3822
FACSIMILE (817) 332-2763

OF COUNSEL:
TIM EVANS
TIM MOORE
LANCE T. EVANS
WILLIAM R. BIGGS
ANDREW J. DECKER

June 4, 2019

Via Email

Ms. Andrea Gardner
City Manager
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

*Re: Ordinance adopting the City of Watauga Water Conservation Plan
Ordinance adopting City of Watauga Drought Contingency Plan
Utility Profile for Retail Water Supplier*

Dear Ms. Gardner:

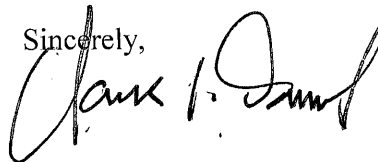
Please find attached the following Ordinances prepared for the City of Watauga:

1. Ordinance adopting the City of Watauga Water Conservation Plan with an effective date of July 1, 2019, amending Chapter 13, Article 13.04, Section 13.04.001(A) of the Code of Ordinances establishing a Water Conservation Plan; and
2. Ordinance adopting the City of Watauga Drought Contingency Plan with an effective date of July 1, 2019 amending Chapter 13, Article 13.04, Section 13.04.003(A) of the Code of Ordinances of the City of Watauga establishing a Drought Contingency Plan.

I have also reviewed and approve the Utility Profile for Retail Water Supplier which will be included as Appendix B to the Watauga Water Conservation Plan. I would recommend that you forward the Ordinances and documents to the City Council for consideration and approval.

Thank you for your attention to the above and the opportunity to be of assistance. Should you have any questions, please do not hesitate to contact my office.

Sincerely,



MARK G. DANIEL

MGD/tp

cc: Mayor Arthur Miner
Mr. Paul Hackleman, Public Works Director
Ms. Terri Johnson, Interim City Secretary

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ADOPTING THE CITY OF WATAUGA WATER CONSERVATION PLAN WITH AN EFFECTIVE DATE OF JULY 1, 2019; AMENDING CHAPTER 13, ARTICLE 13.04, SECTION 13.04.001(A) OF THE CODE OF ORDINANCES OF THE CITY OF WATAUGA, TEXAS ESTABLISHING A WATER CONSERVATION PLAN; PROVIDING THAT THE WATER CONSERVATION PLAN WITH AN EFFECTIVE DATE OF JULY 1, 2019 IS ADOPTED; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Watauga, Texas ("City") recognizes the necessity to establish procedures to aid in water conservation; and

WHEREAS, the City of Watauga, Texas is required to develop a Water Conservation Plan that complies with the rules promulgated by the Texas Commission on Environmental Quality, contained in the Texas Administrative Code, Title 30, Part 1, Chapter 288, Subchapter A.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Watauga, Texas as follows:

I.

The City of Watauga Water Conservation Plan with an effective date of July 1, 2019, a copy of which is attached hereto as Exhibit "A" and incorporated by reference, is hereby adopted.

II.

Chapter 13, Article 13.04, Section 13.04.001(a) of the Code of Ordinances of the City of Watauga, Texas is hereby amended to read as follows:

- (a) Adoption. The City hereby adopts the City of Watauga Water Conservation Plan with an effective date of July 1, 2019, a copy of which is one file in the Office of the City Secretary and available for inspection.
 - (1) The City of Watauga Water Conservation Plan establishes efficient water use practices, which should be implemented insofar as practical, in order to reduce the quantity of water used by the City.
 - (2) The City Manager, or the City Manager's duly appointed representative, shall have the authority to enact and promulgate any and all of the prescribed procedures, and to adopt and promulgate rules and regulations if necessary to protect health and safety in case of system failure.

III.

This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Watauga, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other ordinance(s) are hereby repealed.

IV.

If any section, sub-section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

V.

This Ordinance shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council and upon approval thereof by the Mayor of the City of Watauga, Texas and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas, on the _____ day of _____, 2019.

APPROVED:

ART MINER, MAYOR

ATTEST:

TERRI JOHNSON, INTERIM CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

MARK G. DANIEL, CITY ATTORNEY

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ADOPTING THE CITY OF WATAUGA DROUGHT CONTINGENCY PLAN WITH AN EFFECTIVE DATE OF JULY 1, 2019; AMENDING CHAPTER 13, ARTICLE 13.04, SECTION 13.04.003(A) OF THE CODE OF ORDINANCES OF THE CITY OF WATAUGA, TEXAS ESTABLISHING A DROUGHT CONTINGENCY PLAN; PROVIDING THAT THE DROUGHT CONTINGENCY PLAN WITH AN EFFECTIVE DATE OF JULY 1, 2019 IS ADOPTED; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Watauga, Texas ("City") recognizes the necessity to establish a drought contingency plan; and

WHEREAS, the City of Watauga, Texas is required to develop a drought contingency plan pursuant to the Texas Administrative Code, Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 and Rule 288.22 and to submit the same to the Texas Commission on Environmental Quality; and

WHEREAS, the City Council of the City of Watauga, Texas recognizes the necessity to quickly identify when drought conditions are present; and

WHEREAS, the regulation and monitoring of water use during drought conditions serves an important public interest.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Watauga, Texas as follows:

I.

The City of Watauga Drought Contingency Plan with an effective date of July 1, 2019, a copy of which is attached hereto as Exhibit "A" and incorporated by reference, is hereby adopted.

II.

Chapter 13, Article 13.04, Section 13.04.003(a) of the Code of Ordinances of the City of Watauga, Texas is hereby amended to read as follows:

- (a) *Adoption; implementation.* The City hereby adopts the City of Watauga Drought Contingency Plan with an effective date of July 1, 2019, a copy of which is one file in the Office of the City Secretary and available for inspection.
- (1) The Drought Contingency Plan establishes criteria to determine certain drought conditions and actions to be taken by the City administration and the citizens of the City during the stages of defined drought conditions.
 - (2) This Section authorizes the City Manager, or his duly appointed representative, to define the condition as detailed in the plan, to upgrade the condition, to initiate the appropriate actions as detailed in the plan, and to terminate the condition when the emergency has subsided and/or ended.
 - (3) The City Manager, or the City Manager's duly appointed representative, shall have the authority to enact and promulgate any and all of the prescribed procedures, and to adopt and promulgate rules and regulations if necessary to protect health and safety in case of system failure.
 - (4) The prescribed procedures to protect the health and safety of the citizens shall be promulgated by posting at the City Hall and at several key public facilities within the City. The procedures shall be binding upon all water customers of the City water system. Any customer violating any posted procedure, limitation or ban shall be deemed guilty of a misdemeanor and fined in accordance with the fines and penalties provision in this Section. Each day of the violation shall be a separate offense.

III.

This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Watauga, Texas, and this Ordinance shall not operate to repeal or affect any of such other

ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other ordinance(s) are hereby repealed.

IV.

If any section, sub-section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

V.

This Ordinance shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council and upon approval thereof by the Mayor of the City of Watauga, Texas and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas, on the _____ day of _____, 2019.

APPROVED:

ART MINER, MAYOR

ATTEST:

TERRI JOHNSON, INTERIM CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

MARK G. DANIEL, CITY ATTORNEY

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ADOPTING THE CITY OF WATAUGA DROUGHT CONTINGENCY PLAN WITH AN EFFECTIVE DATE OF JULY 1, 2019; AMENDING CHAPTER 13, ARTICLE 13.04, SECTION 13.04.003(A) OF THE CODE OF ORDINANCES OF THE CITY OF WATAUGA, TEXAS ESTABLISHING A DROUGHT CONTINGENCY PLAN; PROVIDING THAT THE DROUGHT CONTINGENCY PLAN WITH AN EFFECTIVE DATE OF JULY 1, 2019 IS ADOPTED; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Watauga, Texas (“City”) recognizes the necessity to establish a drought contingency plan; and

WHEREAS, the City of Watauga, Texas is required to develop a drought contingency plan pursuant to the Texas Administrative Code, Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 and Rule 288.22 and to submit the same to the Texas Commission on Environmental Quality; and

WHEREAS, the City Council of the City of Watauga, Texas recognizes the necessity to quickly identify when drought conditions are present; and

WHEREAS, the regulation and monitoring of water use during drought conditions serves an important public interest.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Watauga, Texas as follows:

I.

The City of Watauga Drought Contingency Plan with an effective date of July 1, 2019, a copy of which is attached hereto as Exhibit “A” and incorporated by reference, is hereby adopted.

II.

Chapter 13, Article 13.04, Section 13.04.003(a) of the Code of Ordinances of the City of Watauga, Texas is hereby amended to read as follows:

- (a) *Adoption; implementation.* The City hereby adopts the City of Watauga Drought Contingency Plan with an effective date of July 1, 2019, a copy of which is one file in the Office of the City Secretary and available for inspection.
- (1) The Drought Contingency Plan establishes criteria to determine certain drought conditions and actions to be taken by the City administration and the citizens of the City during the stages of defined drought conditions.
 - (2) This Section authorizes the City Manager, or his duly appointed representative, to define the condition as detailed in the plan, to upgrade the condition, to initiate the appropriate actions as detailed in the plan, and to terminate the condition when the emergency has subsided and/or ended.
 - (3) The City Manager, or the City Manager’s duly appointed representative, shall have the authority to enact and promulgate any and all of the prescribed procedures, and to adopt and promulgate rules and regulations if necessary to protect health and safety in case of system failure.
 - (4) The prescribed procedures to protect the health and safety of the citizens shall be promulgated by posting at the City Hall and at several key public facilities within the City. The procedures shall be binding upon all water customers of the City water system. Any customer violating any posted procedure, limitation or ban shall be deemed guilty of a misdemeanor and fined in accordance with the fines and penalties provision in this Section. Each day of the violation shall be a separate offense.

III.

This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Watauga, Texas, and this Ordinance shall not operate to repeal or affect any of such other

ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other ordinance(s) are hereby repealed.

IV.

If any section, sub-section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

V.

This Ordinance shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council and upon approval thereof by the Mayor of the City of Watauga, Texas and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas, on the _____ day of _____, 2019.

APPROVED:

ART MINER, MAYOR

ATTEST:

TERRI JOHNSON, INTERIM CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

MARK G. DANIEL, CITY ATTORNEY



AGENDA MEMORANDUM

DATE: June 10, 2019

TO: Honorable City Council Members

FROM: Paul Hackleman, P.E., CFM, Director of Public Works

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consider action on an Ordinance approving the Water Conservation Plan as required by the State of Texas under the Texas Commission for Environmental Quality (TCEQ) Regulations {CAPTION}

BACKGROUND/INFORMATION:

The State of Texas requires the City of Watauga to have Council adopt the Water Conservation and Drought Contingency plans, and update every 5 years.

The current Water Conservation Plan was adopted by City Council on June 23, 2014. The next update was due to the state by May 1, 2019. The City of North Richland Hills filed for an extension and since they are the water provider for the City of Watauga we also filed for an extension. The only changes made to the plans were to the Utility Profile and the water rate structure.

TCEQ rule Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 defines a water conservation plan as "A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water."

TCEQ rules governing development of and minimum requirements for water conservation plan for municipal water suppliers and wholesale water suppliers are contained in Texas Administrative Code Title 30, Part 1, Chapter 288, Rule 288.2.

The goals of the Water Conservation plan include the following:

* Current five (5) year average per capita use for the City of Watauga is 106 gallons per capita per day. The projected reduction for the City is 1% per year due to elements in this plan. An anticipated 1% reduction per year will keep the per capita municipal water use below 102 gallons per capita per day in 2024 (5-year goal) and 96 gallons per



AGENDA MEMORANDUM

capita per day in 2029 (10-year goal).

* Keep the level of unaccounted water in the system below 10% annually in 2024 and subsequent years, as discussed on page 5, Section 5.4.

* Maintain meter replacement and repair programs, as discussed on page 4, Section 5.2.

* Decrease waste in lawn irrigation by continuing enforcement of the lawn and landscape irrigation ordinance, as discussed on page 8, Section 8.4.

* Raise public awareness of water conservation and encourage responsible public behavior with a public education and information program, as discussed on page 6, Section, 6.0.

Legal Review and approval of the attached documents was completed by Mark Daniel and hasn't been reviewed by the Interim City Attorney.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

City staff respectfully request the City Council approve an ordinance adopting the City of Watauga's Water Conservation Plan with an effective date of July 1, 2019.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Attorney Review Letter - MX-3115N_20190604_163656 (Ltr Only)
2. Ordinance - Water Conservation Plan 2019

REVIEWED BY:

Paul Hackleman, P.E., CFM, Director of Public Works
Andrea Gardner, City Manager
Terri Johnson, City Secretary
Approved as to form for inclusion on Agenda

Approved - 7/3/2019
Approved - 7/3/2019
Final Approval - 7/3/2019

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER

(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

SUNDANCE SQUARE
115 WEST SECOND STREET, SUITE 202
FORT WORTH, TEXAS 76102

(817) 332-3822
FACSIMILE (817) 332-2763

OF COUNSEL:

TIM EVANS
TIM MOORE
LANCE T. EVANS
WILLIAM R. BIGGS
ANDREW J. DECKER

June 4, 2019

Via Email

Ms. Andrea Gardner
City Manager
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

Re: *Ordinance adopting the City of Watauga Water Conservation Plan*
Ordinance adopting City of Watauga Drought Contingency Plan
Utility Profile for Retail Water Supplier

Dear Ms. Gardner:

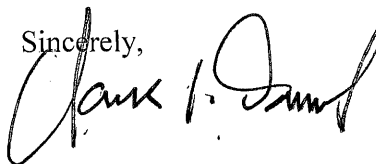
Please find attached the following Ordinances prepared for the City of Watauga:

1. Ordinance adopting the City of Watauga Water Conservation Plan with an effective date of July 1, 2019, amending Chapter 13, Article 13.04, Section 13.04.001(A) of the Code of Ordinances establishing a Water Conservation Plan; and
2. Ordinance adopting the City of Watauga Drought Contingency Plan with an effective date of July 1, 2019 amending Chapter 13, Article 13.04, Section 13.04.003(A) of the Code of Ordinances of the City of Watauga establishing a Drought Contingency Plan.

I have also reviewed and approve the Utility Profile for Retail Water Supplier which will be included as Appendix B to the Watauga Water Conservation Plan. I would recommend that you forward the Ordinances and documents to the City Council for consideration and approval.

Thank you for your attention to the above and the opportunity to be of assistance. Should you have any questions, please do not hesitate to contact my office.

Sincerely,



MARK G. DANIEL

MGD/tp

cc: Mayor Arthur Miner
Mr. Paul Hackleman, Public Works Director
Ms. Terri Johnson, Interim City Secretary

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ADOPTING THE CITY OF WATAUGA WATER CONSERVATION PLAN WITH AN EFFECTIVE DATE OF JULY 1, 2019; AMENDING CHAPTER 13, ARTICLE 13.04, SECTION 13.04.001(A) OF THE CODE OF ORDINANCES OF THE CITY OF WATAUGA, TEXAS ESTABLISHING A WATER CONSERVATION PLAN; PROVIDING THAT THE WATER CONSERVATION PLAN WITH AN EFFECTIVE DATE OF JULY 1, 2019 IS ADOPTED; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Watauga, Texas (“City”) recognizes the necessity to establish procedures to aid in water conservation; and

WHEREAS, the City of Watauga, Texas is required to develop a Water Conservation Plan that complies with the rules promulgated by the Texas Commission on Environmental Quality, contained in the Texas Administrative Code, Title 30, Part 1, Chapter 288, Subchapter A.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Watauga, Texas as follows:

I.

The City of Watauga Water Conservation Plan with an effective date of July 1, 2019, a copy of which is attached hereto as Exhibit “A” and incorporated by reference, is hereby adopted.

II.

Chapter 13, Article 13.04, Section 13.04.001(a) of the Code of Ordinances of the City of Watauga, Texas is hereby amended to read as follows:

- (a) Adoption. The City hereby adopts the City of Watauga Water Conservation Plan with an effective date of July 1, 2019, a copy of which is one file in the Office of the City Secretary and available for inspection.
 - (1) The City of Watauga Water Conservation Plan establishes efficient water use practices, which should be implemented insofar as practical, in order to reduce the quantity of water used by the City.
 - (2) The City Manager, or the City Manager's duly appointed representative, shall have the authority to enact and promulgate any and all of the prescribed procedures, and to adopt and promulgate rules and regulations if necessary to protect health and safety in case of system failure.

III.

This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Watauga, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other ordinance(s) are hereby repealed.

IV.

If any section, sub-section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

V.

This Ordinance shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council and upon approval thereof by the Mayor of the City of Watauga, Texas and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas, on the _____ day of _____, 2019.

APPROVED:

ART MINER, MAYOR

ATTEST:

TERRI JOHNSON, INTERIM CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

MARK G. DANIEL, CITY ATTORNEY



AGENDA MEMORANDUM

DATE: May 7, 2019

TO: Honorable City Council Members

FROM: Randy Richards, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consider action on an ordinance adopting the 2018 edition of the 2018 International Swimming Pool and Spa Code (ISPSC) as the City of Watauga Swimming Pool and Spa Code and making amendments thereto {CAPTION}

BACKGROUND/INFORMATION:

In 2001, the City Council adopted the 1997 edition of the Uniform Swimming Pool, Spa and Hot Tub Code as the official reference regarding swimming pool and hot tub construction within the corporate limits.

Editions of the Uniform Swimming Pool, Spa and Hot Tub Codes are no longer available for adoption. Adoption of the 2018 Edition of the International Swimming Pool and Spa Code (ISPSC) with NCTCOG Region and Local Amendments would ensure that the most current information will be available to assist the Building and Fire Code Officials as they evaluate swimming pools and spas within the city.

The additions to the 2018 ISPSC are shown in the NCTCOG Amendments (Attached).

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Respectfully recommend the Council review and take action on the item presented

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. 2018 ISPSC Ordinance Final
2. 2018 ISPSC Ordinance Exhibit A

REVIEWED BY:

Paul Hackleman, P.E., CFM, Director of Public Works
Andrea Gardner, City Manager

Approved - 7/3/2019
Approved - 7/3/2019



AGENDA MEMORANDUM

Terri Johnson, City Secretary

Final Approval - 7/3/2019

Approved as to form for inclusion on Agenda

CITY OF WATAUGA, TEXAS

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE XI OF THE CITY OF WATAUGA CODE OF ORDINANCES; ADOPTING THE 2018 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE AS THE CITY OF WATAUGA SWIMMING POOL AND SPA CODE AND MAKING AMENDMENTS THERETO INCLUDING THE RECOMMENDED AMENDMENTS TO THE 2018 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS DATED SEPTEMBER 2018; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; ESTABLISHING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Watauga shall maintain a current swimming pool and spa code to stay in line with evolving regulations and standards; and

WHEREAS, the 2018 edition of International Swimming Pool and Spa Code is generally considered to provide appropriate swimming pool and spa regulations for municipalities throughout the State of Texas; and

WHEREAS, the Texas Local Government Code empowers the City of Watauga to enact technical codes and regulations and to provide for their administration, enforcement and amendment; and

WHEREAS, the City of Watauga is a member of the North Central Texas Council of Governments (hereinafter referred to as "NCTCOG"). The adoption of the recommended amendments by NCTCOG to the 2018 edition of the International Swimming Pool and Spa Code will provide the City a more consistent standard with other local communities in the North Texas area; and

WHEREAS, the City Council of City of Watauga deems is necessary and appropriate to adopt the 2018 edition of the International Swimming Pool and Spa Code along with the NCTCOG amendments and city-specific amendments.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Watauga, Texas as follows:

I.

The facts and recitations set forth in the preamble of this ordinance are hereby found to be true and correct and adopted herein for all purposes.

II.

The City of Watauga Code of Ordinances is hereby amended by deleting article XI of Chapter 103 thereof and substituting therefor a new article XI of Chapter 103 to provide as follows:

“Chapter 103 – BUILDINGS AND BUILDING REGULATIONS

. . . .

ARTICLE XI. - SWIMMING POOL, SPA AND HOT TUB CODE

Sec. 103-353. - Adopted.

- (a) The 2018 edition of the International Swimming Pool and Spa Code and all appendices thereto as published by the International Code Council Inc., is hereby adopted as the City’s Swimming Pool and Spa Code, save and except those provisions amended in section 103-354.
- (b) One copy of the City’s Swimming Pool Code and Spa Code and the amendments thereto shall remain on file in the offices of both the City Secretary and the Building Official for permanent record and public inspection.

Sec. 103-354. - Amendments.

The City's Swimming Pool and Spa Code adopted in section 103-353 is hereby amended as follows:

- (1) The City's Swimming Pool and Spa Code is hereby amended to be consistent with the Amendments to the 2018 edition of International Swimming Pool and Spa Code from the North Central Texas Council of Governments dated September 2018, excluding the amendments related to Subsection 103.1 and Subsection 107.4.
- (2) Subsection 101.1 is hereby amended to provide as follows:

101.1 Title. These regulations shall be known as the Swimming Pool and Spa Code of the City of Watauga, Texas, hereinafter referred to as "this code."
- (3) Section 103 is hereby deleted.
- (4) Subsection 105.3 is hereby amended as follows:

105.3 Construction Documents. Construction documents, engineering calculations, diagrams and other such data shall be submitted in two or more sets with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional where required by state law. The code official shall require construction documents involving electrical service to contain evidence of approval by the electrical service provider. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code.
- (5) Subsections 105.4, 105.5.3 and 105.6.3 are hereby deleted.
- (6) Subsection 105.6.2 is hereby amended as follows:

105.6.2 Fee schedule. The fees for work shall be as indicated on the schedule of fees adopted by the city council and codified in Chapter 12 of the City Code of Ordinances.
- (7) Subsections 107.2 and 107.3 are hereby deleted.
- (8) Subsection 107.4 is hereby amended as follows:

107.4 Violation Penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair a pool or spa in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine in accordance with the general penalty provision in section 1-7. Each day that a violation continues shall be deemed a separate offense.

- (9) Subsections 108.2, 108.3, 108.4, 108.5, 108.6, and 108.7 are hereby deleted.
- (10) All references to “administrative authority” or “code official” shall be construed, interpreted and applied to mean the Building Official.
- (11) All references to the board of appeals shall mean the board of appeals established in Chapter 2, Division 4 of this Code.
- (12) Notwithstanding any provisions of the City’s Swimming Pool and Spa Code, swimming pools shall be subject to approval by the Building Official after taking into consideration the location and size of the plat, the site, the detailed plans of such swimming pool and any required accessories, and other such factors as may be required for the health, safety, and general welfare of the community. In addition, the Building Official may require that any swimming pool, including mechanical equipment, be located at such distance from any property line as not to interfere with the peace, comfort, and repose of the occupants of any adjoining building or residence. Any lights illuminating such swimming pool shall be placed so as to eliminate direct rays of light on adjoining premises. A six (6)-foot permanent fence or wall must be erected and maintained around each pool. The fence or wall must be constructed and equipped with a self-closing and self-latching gate, which must be locked when the pool is not in use.
- (13) Any reference in this code, or any code referenced by this code, to any swimming pool, spa, or hot tub shall include any structure for swimming or recreational bathing, or a wading pool that contains twenty-four (24) inches or more in depth. This includes, but is not limited to, in-ground, above-ground, and on-the-ground structures as well as hot tubs, spas, or fixed-in-place wading pools. All in-ground swimming pools, above-ground swimming pools, hot tubs, or spas will require a permit for construction, excavation, plumbing, fencing, and electrical work. Above-ground wading pools, fixed-in-place or on-the-ground, that contain water twenty-four (24) inches or more in depth shall require a fence permit. A six-foot permanent fence, wall, or bolted screen enclosure must be erected and maintained so as to completely enclose each swimming pool, spa, or hot tub. The fence, wall, or bolted screen enclosure must be constructed and equipped with a self-closing and self-latching gate, and equipped to accommodate a locking device that shall be located on the pool side of the gate, which must be locked when the swimming pool, spa, or hot tub is not in use. It shall be an affirmative defense to this section that a residential swimming pool has a power safety cover or that a spa or hot tub has a safety cover complying with ASTM F1346-91.
- (14) Section 302.6 shall be amended as follows:

Swimming Pool drainage from private pools shall not be discharged to the sanitary sewer system. Swimming pool drainage from City owned swimming pool filter backwash systems may be discharged to the sanitary sewer. Discharge wastewater from private pools shall drain to a public street, public storm water drainage system or public drainage channel where available. Proper care shall be taken to prevent erosion. In no case shall swimming pool drainage be allowed to create a nuisance by

draining to surrounding properties or by allowing standing water to accumulate where mosquitos may breed.”

III.

The Amendments to the 2018 edition of the International Swimming Pool and Spa Code by the North Central Texas Council of Governments, is attached hereto as Exhibit A and incorporated herein for all purposes. Copies of same shall be retained in the offices of the City Secretary and the Building Official and shall be made available for public inspection

IV.

This Ordinance shall be and is hereby cumulative of all Ordinances of the City of Watauga, Texas, and this Ordinance shall not operate to repeal or affect any such other Ordinances except insofar as the provision thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event, such conflicting provisions, if any, in such Ordinance or Ordinances are hereby repealed.

V.

If any section, sub-section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

VI.

Any person who violates, or any person who causes or allows another person to violate, any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2000.00). Each occurrence of any violation of this Ordinance shall constitute a separate offense. Each day in which any violation of this Ordinance occurs shall constitute a separate offense.

VII.

This Ordinance shall become effective and shall be in full force and effect from and after the date of passage and adoption by the City Council of the City of Watauga, Texas, and upon approval thereof by the Mayor of the City of Watauga, Texas, and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas this _____ day of _____, 2019.

APPROVED:

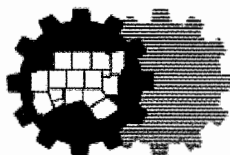
ARTHUR L. MINOR, Mayor

ATTEST:

ANDREA GARDNER, City Secretary

APPROVED AS TO FORM AND LEGALITY:

GEORGE E. HYDE, Interim City Attorney



North Central Texas
Council of Governments

**Recommended Regional Amendments to the
2018 International Swimming Pool and Spa Code**
North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2018 International Swimming Pool and Spa Code* are hereby amended as follows: Standard type is text from the ISPSC. Underlined type is text inserted. ~~Lined through type is deleted text from ISPSC.~~ A triple asterisk (***) identifies a new or revised amendment with the 2018 ISPSC code.

****Section 102.9; Change to read as follows:**

Section 102.9 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law, to include but not limited to:

1. Texas Department of State Health Services (TDSHS); *Standards for Public Pools and Spas*; §285.181 through §285.208, (TDSHS rules do not apply to pools serving one- and two family dwellings or townhouses).
2. Texas Department of Licensing and Regulation (TDLR); *2012 Texas Accessibility Standards (TAS)*, TAS provide the scoping and technical requirements for accessibility for Swimming Pool, wading pools and spas and shall comply with *2012 TAS, Section 242*. (TAS rules do not apply to pools serving one- and two family dwellings or townhouses).

Exception: Elements regulated under Texas Department of Licensing and Regulation (TDLR) and built in accordance with TDLR approved plans, including any variances or waivers granted by the TDLR, shall be deemed to be in compliance with the requirements of this Chapter.

(Reason: To clarify specific Texas statutes which regulate public pools and spas.)

****Section 103.1; Change to read as follows:**

Section 103.1 Creation of enforcement agency. ~~The Department of Building Safety~~ [INSERT OFFICIAL BUILDING DEPARTMENT NAME OF JURSDICTION] is hereby created and the official in charge thereof shall be known as the *code official*. [INSERT HEALTH DEPARTMENT NAME OF JURSDICTION] is hereby created and the official in charge thereof shall be known as the *code official* for operation and maintenance of any *public swimming pool* in accordance this code, local and state law.

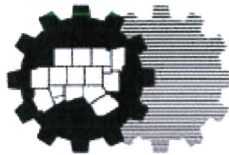
(Reason: Reminder to be sure ordinance reads the same as designed by the City & the operation of public pools is enforced through the City's appropriate department procedure.)

****Section 107.4; Delete entirely (covered by general provisions in Code of Ordinances):**

(Reason: Covered by general provisions of the Code of Ordinances.)

****107.5; Change to read as follows:**

107.5 Stop work orders. Upon notice from the code official, work on any system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to



North Central Texas
Council of Governments

stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be in violation of this code. ~~liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

(Reason: Covered by general provisions of the Municipal Code of Ordinances.)

****Section 202; DEFINITIONS; insert definition; change to read as follows:**

[INSERT HEALTH DEPARTMENT NAME OF JURSDICTION]: [INSERT HEALTH DEPARTMENT NAME OF JURSDICTION] regulates the operation of public pools. Routine inspections on pools and spas open to the public are conducted to document compliance with the standards set forth in State law.

(Reason: The operation of public pools is enforced through [INSERT HEALTH DEPARTMENT NAME OF JURSDICTION] procedures.)

*****Section 305; Change to read as follows:**

305.1 General.

The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. In one-and two-family dwellings and townhouses, where spas or hot tubs are equipped with a lockable safety cover complying with ASTM F1346 and swimming pools are equipped with a powered safety cover that complies with ASTM F1346, the areas where those spas, hot tubs or pools are located shall not be required to comply with Sections 305.2 through 305.7.

(Reason: To clarify requirements for dwellings and commercial properties and specific Texas statutes which regulate public pools and spas.)

****Section 305.2; Change to read as follows:**

305.2 Outdoor swimming pools and spas. Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 305.2.1 through 305.7 and in accordance with the Texas Administrative Code, Texas Health and Safety Code 757 for public pools.

(Reason: To clarify specific Texas statutes which regulate public pools and spas.)

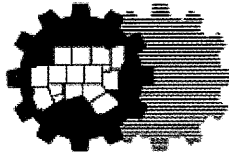
**** Add subsection 305.2.7.1; to read as follows:**

305.2.7.1 Chain link fencing prohibited. Chain link fencing is not permitted as a barrier in public pools built after January 1, 1994.

(Reason: To clarify specific Texas Health and Safety Code Chapter 757.003 (f).)

****Section 305.4 structure wall as a barrier; Changes as follows:**

305.4 Structure wall as a barrier. Where a wall of a dwelling or structure of a one and two family dwelling or townhouse or its accessory structure serves as part of a barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:



North Central Texas
Council of Governments

1. Remainder Unchanged
2. Remainder Unchanged
3. Remainder Unchanged

The wall of a building with windows in accordance with 2018 International Building Code, Section 1030 in Group R2 occupancies shall not be used as part of pool enclosure. Other windows that are part of a pool yard enclosure shall be permanently closed and unable to be opened for public pools.

(Reason: To clarify specific Texas Health and Safety Code Chapter 757.007 & 2015 IBC, Section 1030.)

****Section 305.6; Change to read as follows:**

305.6 Natural barriers used in a one and two family dwelling or townhouse. In the case where the pool or spa area abuts the edge of a lake or other natural body of water, public access is not permitted or allowed along the shoreline, and required barriers extend to and beyond the water's edge a minimum of eighteen (18) inches, a barrier is not required between the natural body of water shoreline and the pool or spa.

(Reason: Specific Texas statutes do not allow the use of natural barriers in lieu of fencing for public pools per Chapter 757.003).

****Section 307.1.4 Accessibility; Add exception to Section to 307.1.4 as follows:**

Exception: Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.

(Reason: To accommodate buildings regulated under state law. Further clarified to mean Components that are specifically addressed by TDLR shall be exempt.)

****Section 310; Change to read as follows:**

310.1 General. Suction entrapment avoidance for pools and spas shall be provided in accordance with APSP 7 or for public swimming pools in accordance with State of Texas Rules for Public Swimming Pools and Spas, Title 25 TAC Chapter 265 Subchapter L, Rule §265.190.

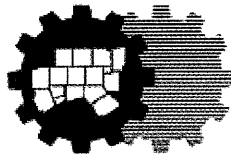
[Remainder unchanged]

(Reason: To clarify specific Texas statutes which regulate public pools and spas.)

****Section 313.7; Change to read as follows:**

313.7 Emergency shutoff switch for spas and hot tubs. ~~An emergency shutoff switch shall be provided to disconnect all power to recirculation and jet system pumps and air blowers. Emergency shutoff switches shall be: provided with access; located within sight of pools and spas and located not less than 5 feet (5') horizontally from the inside walls of the pool or spa. A clearly labeled emergency shutoff or control switch for the purpose of stopping the motor(s) that provide power to the recirculation system and jet system shall be installed at a point readily accessible to the users and not less than 1.5 m (5 ft.) away, adjacent to, and within sight of the spa or hot tub. This requirement shall not apply to one and two family dwellings and townhouses.~~

Exception: ~~Onground storable and permanent inground residential swimming pools.~~



North Central Texas
Council of Governments

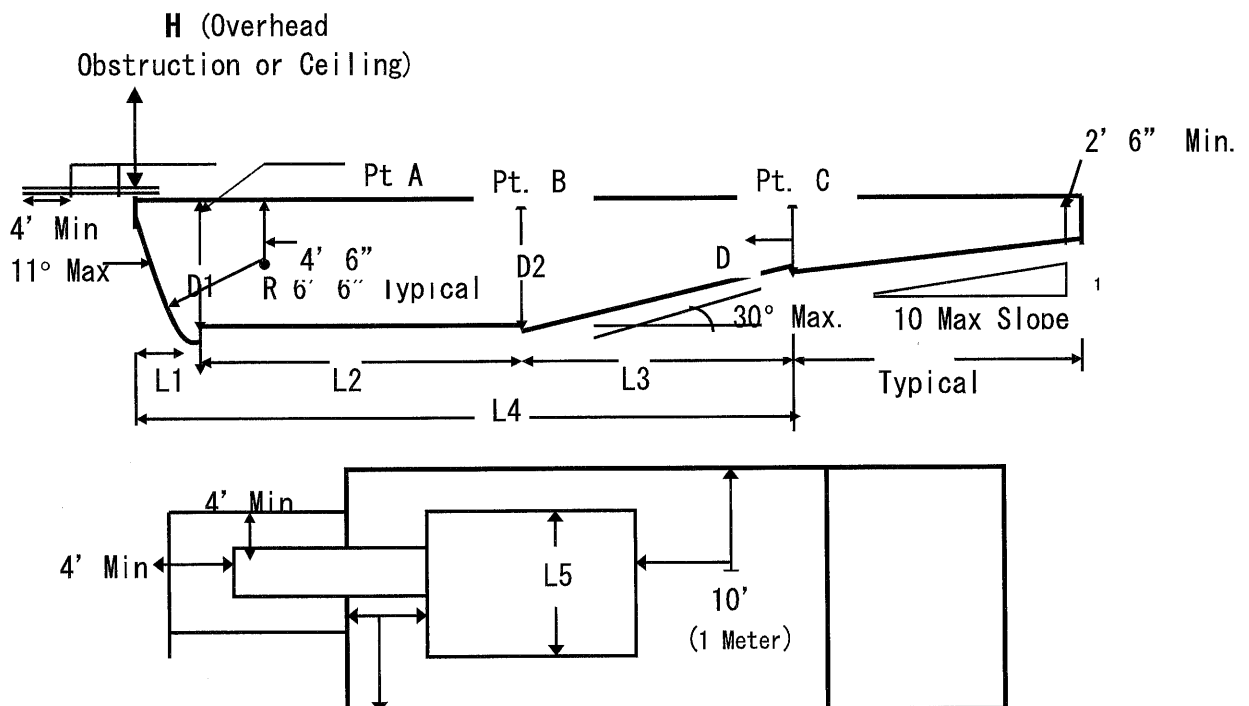
(Reason: Language is from 2017 NEC Article 680.41.)

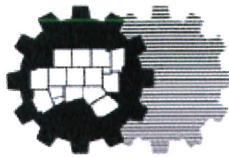
**** Section 402.12; Change to read as follows:**

402.12 Water envelopes. The minimum diving water envelopes shall be in accordance with Table 402.12 ~~Texas department of State Health services, Administrative Code Title 25, Chapter 265, Section 186 (e) and Figure: 25 TAC 256.186 (e) (6).~~ (Delete Table 402.12 and Figure 402.12)

ADD: Figure: 25 TAC §265.186 (e) (6)

Maximum Diving Board Height Over Water	¾ Meter	1 Meter	3 Meters
Max. Diving Board Length	12 ft.	16 ft.	16 ft.
Minimum Diving Board Overhang	2 ft. 6 in.	5 ft.	5 ft.
D1 Minimum	8 ft. 6 in.	11 ft. 2 in.	12 ft. 2 in.
D2 Minimum	9 ft.	10 ft. 10 in.	11 ft. 10 in.
D3 Minimum	4 ft.	6 ft.	6 ft.
L1 Minimum	4 ft.	5 ft.	5 ft.
L2 Minimum	12 ft.	16 ft. 5 in.	19 ft. 9 in.
L3 Minimum	14 ft. 10 in.	13 ft. 2 in.	13 ft. 11 in.
L4 Minimum	30 ft. 10 in.	34 ft. 7 in.	38 ft. 8 in.
L5 Minimum	8 ft.	10 ft.	13 ft.
H Minimum	16 ft.	16 ft.	16 ft.
From Plumbet to Pool Wall at Side	9 ft.	10 ft.	11 ft. 6 in.
From Plumbet to Adjacent Plumbet	10 ft.	10 ft.	10 ft.





North Central Texas
Council of Governments

(Reason: To avoid conflict with 25 TAC Chapter 265.)

****Section 402.13; Change to read as follows:**

402.13 Ladders for diving equipment. Ladders shall be provided with two grab rails or two handrails. There shall be a uniform distance between ladder treads, with a 7 inch (178 mm minimum) distance and 12 inch (305 mm) maximum distance. Supports, platforms, steps, and ladders for diving equipment shall be designed to carry the anticipated loads. Steps and ladders shall be of corrosion-resistant material, easily cleanable and with slip-resistant tread;

Exception: The distance between treads for the top and bottom riser can vary.

(Reason: To avoid conflict with 25 TAC Chapter 265.186 (c)(8)(d).)

****Section 411.2.1 & 411.2.2; Change to read as follows:**

411.2.1 Tread dimensions and area. Treads shall have a minimum unobstructed horizontal depth (i.e., horizontal run) of 12 inches and a minimum width of 20 inches. not be less than 24 inches (607mm) at the leading edge. Treads shall have an unobstructed surface area of not less than 240 square inches (154838mm²) and an unobstructed horizontal depth of not less than 10 inches (254 mm) at the center line.

411.2.2 Risers. Risers for steps shall have a maximum uniform height of 10 inches, with the bottom riser height allowed to taper to zero except for the bottom riser, shall have a uniform height of not greater than 12 inches (305 mm) measured at the center line. The bottom riser height is allowed to vary to the floor.

(Reason: To avoid conflict with 25 TAC Chapter 265.186 (c)(7)(A) & (B).)

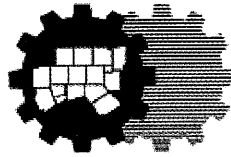
****Section 411.5.1 & 411.5.2; Change to read as follows:**

411.5.1 Swimouts. Swimouts, located in either the deep or shallow area of a pool, shall comply with all of the following:

1. Unchanged
2. Unchanged
3. Unchanged
4. The leading edge shall be visibly set apart and provided with a horizontal solid or broken stripe at least 1 inch wide on the top surface along the front leading edge of each step. This stripe shall be plainly visible to persons on the pool deck. The stripe shall be a contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface

411.5.2 Underwater seats and benches. Underwater seats and benches, whether used alone or in conjunction with pool stairs, shall comply with all of the following:

1. Unchanged
2. Unchanged
3. Unchanged
4. Unchanged
5. The leading edge shall be visually set apart and provided with a horizontal solid or broken stripe at least 1 inch wide on the top surface along the front leading edge of each step. This stripe shall be



North Central Texas
Council of Governments

plainly visible to persons on the pool deck. The stripe shall be a contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface.

6. Unchanged

7. Unchanged

(Reason: To avoid conflict with 25 TAC Chapter 265.184 (u) & 265.186 (c)(10).)

****Section 603.2; Change to read as follows:**

603.2 Class D-2 pools. Where a Class D-2 pool has a bather accessible depth greater than 4 1/2 feet (1372 mm), the floor shall have a distinctive marking at the 4 1/2 feet (1372 mm) water depth.

Class A and B pools: Class A and B pools over 5 feet deep: the transition point of the pool from the shallow area to the deep area of the pool shall be visually set apart with a 4-inch minimum width row of floor tile, a painted line, or similar means using a color contrasting with the bottom; and a rope and float line shall be provided between 1 foot and 2 feet on the shallow side of the 5-foot depth along and parallel to this depth from one side of the pool to the other side. The floats shall be spaced at not greater than 7-foot intervals; and the floats shall be secured so they will not slide or bunch up. The stretched float line shall be of sufficient size and strength to offer a good handhold and support loads normally imposed by users. If the owner or operator of the pool knows or should have known in the exercise of ordinary care that a rope or float is missing, broken, or defective, the problem shall be promptly remedied

(Reason: To avoid conflict with 25 TAC Chapter 265.199.)

****Section 610.5.1; Change to read:**

610.5.1 Uniform height of 9-10 inches. Except for the bottom riser, risers at the centerline shall have a maximum uniform height of 9-10 inches (229-254 mm). The bottom riser height shall be permitted to vary from the other risers.

(Reason: To avoid conflict with 25 TAC Chapter 265.186 (c)(7)(B).)

*****Section 804 Diving Water Envelopes; Change to read as follows:**

Section 804.1 General. The minimum diving water envelopes shall be in accordance with Table 804.1 and Figure 804.1, or the manufacturer's specifications, whichever is greater. Negative construction tolerances shall not be applied to the dimensions of the minimum diving water envelopes given in Table 804.1.

(Reason: To provide minimum standards and to clarify specific manufactures specifications of the diving equipment.)

END



AGENDA MEMORANDUM

DATE: June 26, 2019

TO: Honorable City Council Members

FROM: Paul Hackleman, P.E., CFM, Director of Public Works

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consider action on a declaration of the 2019 Personal Property List as surplus assets for disposition

BACKGROUND/INFORMATION:

The surplus asset disposal policy allows for the Director of Public Works to recommend real property for the City Council to review and declare as surplus.

Once the property is declared surplus by City Council, surplus equipment maybe disposed of by one of the following methods:

1. Sold competitively by public auction or by sealed bids
2. Traded in for new equipment
3. If the item has no value, the City Manager or designee, may authorized such items to be sold as scrap

The attachments to this memo list all items by department that are being recommended to be declared surplus.

City employees/City Council Members and their immediate families may not purchase any surplus city property either by sealed bid, at an auction, or resale from trade-in.

FINANCIAL IMPLICATIONS:

Revenue from the sale of property shall be restored to the appropriate originating funds.

RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommends City Council declare the real property as attached to this agenda item as surplus property.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:



AGENDA MEMORANDUM

1. 2018-19 COMPLETE AUCTION LIST

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/1/2019

Final Approval - 7/2/2019

2018-19 AUCTION LIST

LOT#	BRAND	MODEL	DESCRIPTION	CONDITION
IT 1 -1	HP	M477	PRINTER	N/A
IT 1 -2	HP	M477	PRINTER	N/A
IT 1 -3	HP	5525	PRINTER	WORKS
IT 1 -4	HP	8620	PRINTER	DOES NOT WORK
IT 1 -5	HP	3525	PRINTER	DOES NOT WORK
IT 1 -6	HP	452DN	PRINTER	N/A
IT 1 -7	HP	P4014N	PRINTER	DOES NOT WORK
IT 1 -8	HP	CP2025	PRINTER	DOES NOT WORK
IT 1 -9	HP	PRO 400	PRINTER	N/A
IT 1 -10	HP	P1505	PRINTER	DOES NOT WORK
IT 1 -11	HP	P1102	PRINTER	N/A
IT 1 -12	HP	8100	PRINTER	DOES NOT WORK
IT 1 -13	HP	1217	PRINTER	DOES NOT WORK
IT 1 -14	HP	1606	PRINTER	N/A
IT 1 -15	HP	PRO 400	PRINTER	N/A
IT 1 -16	HP	P2035	PRINTER	N/A
IT 1 -17	HP	8100	PRINTER	N/A
IT 1 -18	HP	1312	PRINTER	N/A
IT 1 -19	HP	61X	TONER CARTRIDGE	NEW
IT 1 -20	HP	05A	TONER CARTRIDGE	NEW
IT 1 -21	EPSON	TMU220B	RECEIPT PRINTER	WORKS
IT 1 -22	HP	940XL CYAN	INK	NEW
IT 1 -23	HP	940XL CYAN	INK	NEW
IT 1 -24	HP	940XL MAGENTA	INK	NEW
IT 1 -25	HP	940XL MAGENTA	INK	NEW
IT 1 -26	HP	940XL YELLOW	INK	NEW
IT 1 -27	HP	940XL YELLOW	INK	NEW
IT 1 -28	HP	940XL BLACK	INK	NEW
IT 1 -29	HP	940XL BLACK	INK	NEW
IT 1 -30	HP	650A CYAN	TONER CARTRIDGE	NEW
IT 1 -31	HP	650A MAGENTA	TONER CARTRIDGE	NEW
IT 1 -32	HP	650A YELLOW	TONER CARTRIDGE	NEW
IT 1-33	HP	1217	PRINTER	N/A
IT 1-34	HP	1217	PRINTER	N/A
IT 1-35	HP	1536	PRINTER	N/A
IT 2 -1	DELL	9000	SERVER COMPUTER - NO HARD DRIVE	WORKS
IT 2 -2	DELL	9000	SERVER COMPUTER - NO HARD DRIVE	WORKS

2018-19 AUCTION LIST

IT 2 -3	DELL	9000	SERVER COMPUTER - NO HARD DRIVE	WORKS
IT 2 -4	DELL	OPTIPLEX 380	COMPUTER - NO HARD DRIVE	N/A
IT 2 -5	DELL	OPTIPLEX 380	COMPUTER - NO HARD DRIVE	N/A
IT 2 -6	DELL	OPTIPLEX 380	COMPUTER - NO HARD DRIVE	N/A
IT 2 -7	DELL	OPTIPLEX 380	COMPUTER - NO HARD DRIVE	WORKS
IT 2 -8	DELL	BOSTRO	COMPUTER - NO HARD DRIVE	N/A
IT 2 -9	DELL	BOSTRO	COMPUTER - NO HARD DRIVE	N/A
IT 2 -10	DELL	BOSTRO	COMPUTER - NO HARD DRIVE	N/A
IT 2 -11	DELL	BOSTRO	COMPUTER - NO HARD DRIVE	N/A
IT 2 -12	DELL	BOSTRO	COMPUTER - NO HARD DRIVE	N/A
IT 2 -13	DELL	DIMENSION 2400	COMPUTER - NO HARD DRIVE	N/A
IT 2 -14	XPROTECT	NVRSE	COMPUTER - NO HARD DRIVE	N/A
IT 2 -15	PELCO	DX4500	NVR	N/A
IT 2 -16	SHARP	PGF320W	PROJECTOR	N/A
IT 2 -17	APC	SUA1000	UPS	DOES NOT WORK
IT 2 -18	APC	XS1300	UPS	N/A
IT 2 -19			CAMERA	N/A
IT 2 -20	COMPAQ	610	LAPTOP - NO HARD DRIVE	DOES NOT WORK
IT 2 -21	COMPAQ	610	LAPTOP - NO HARD DRIVE	N/A
IT 2 -22	COMPAQ	610	LAPTOP - NO HARD DRIVE	N/A
IT 2 -23		EJJ1U403C	MEDIA PLAYER	WORKS
IT 2 -24	DELL	E55510	LAPTOP - NO HARD DRIVE	N/A
IT 2 -25	POWER WARE	S125	UPS	N/A
IT 3 - 1	NETGEAR	WNDAP360	ACCESS POINT	WORKS
IT 3 - 2	NETGEAR	WNDAP360	ACCESS POINT	WORKS
IT 3 - 3	NETGEAR	WNDAP360	ACCESS POINT	WORKS
IT 3 - 4	NETGEAR	WNDAP3600	ACCESS POINT	WORKS
IT 3 - 5	CISCO	WAP561	ACCESS POINT	WORKS
IT 3 - 6	CISCO	WAP561	ACCESS POINT	WORKS
IT 3 - 7	LINKSYS	WAP54G	ACCESS POINT	N/A
IT 3 - 8	TENDA	S105	SWITCH	N/A
IT 3 - 9	TENDA	S105	SWITCH	NEW
IT 3 - 10	TENDA	S105	SWITCH	NEW
IT 3 - 11	TENDA	S105	SWITCH	NEW
IT 3 - 12	TENDA	S105	SWITCH	NEW
IT 3 - 13	TENDA	S105	SWITCH	NEW
IT 3 - 14	TENDA	S105	SWITCH	NEW
IT 3 - 15	HP	PROCURVE 408	SWITCH	N/A
IT 3 - 16	NETGEAR	WNRP2500	ACCESS POINT	N/A
IT 3 - 17	FIBERPLEX	TMX4815SST	FIBER TO T1	WORKS
IT 3 - 18	FIBERPLEX	TMX4815SST	FIBER TO T1	WORKS
IT 3 - 19	FIBERPLEX	FOM5400	FIBER TO T1	WORKS
IT 3 - 20	NETGEAR	WNDAP360	ACCESS POINT	WORKS
IT 3 - 21	NETGEAR	WNDAP360	ACCESS POINT	WORKS

2018-19 AUCTION LIST

IT 3 - 22	NETGEAR	WNDAP360	ACCESS POINT	WORKS
IT 3 - 23	BLACKBOX	10100	MEDIA CONVERTER	N/A
IT 3 - 24			BOX OF KEYBOARDS, MICE AND SPEAKERS	WORKS
IT 4 - 1	DELL		MONITOR	BROKE
IT 4 - 2	ACER		MONITOR	N/A
IT 4 - 3	VIEWSONIC		MONITOR	N/A
IT 4 - 4	VIEWSONIC		MONITOR	N/A
IT 4 - 5	DELL		MONITOR	N/A
IT 4 - 6	LG		MONITOR	N/A
IT 4 - 7			TRIPOD	WORKS
IT 4 - 8			VEHICLE LAPTOP MOUNT	N/A
IT 4 - 9	VIEWSONIC		MONITOR	N/A
IT 4 - 10	VIEWSONIC		MONITOR	N/A
IT 4 - 11	ACER		MONITOR	N/A
LOT#	BRAND	MODEL	DESCRIPTION	CONDITION
FIRE 1	CHEVY	TAHOE	(005) TAHOE	FAIR
LOT#	BRAND	MODEL	DESCRIPTION	CONDITION
LIBRARY 1				
LIBRARY 1a	Vectra	51129	1 ea Vectra task chair Pink	fair
LIBRARY 1a	Vectra	Can't read #	1 ea Vectra task chair Green	poor
LIBRARY 1a	Hon	IA52761 Muscatine	2 ea Hon task Chair Burgundy	fair
LIBRARY 1b	Unknown		1 ea wood table 6' x 4'	Good
LIBRARY 1c	Unknown		1 ea wood coffee table 4' x 2'	Good
LIBRARY 2				
LIBRARY 2a	Bogen	DMA20	Mixer/power amplifier	Fair
LIBRARY 2b	Comprehensive	CPS8A	Passive Switcher	Fair
LIBRARY 3				
LIBRARY 3	Shade USA		2 ea 9' wood umbrella frame	New - never used
LOT#	BRAND	MODEL	DESCRIPTION	CONDITION
PARKS 1	STIHL	FX100RX/ BR430	(2) WEEDEATER (1) BLOWER	POOR
PARKS 2	JENSON	UNKNOWN	UNDERWATER AQUATIC WEED MOWER	GOOD
PARKS 3	PELICAN	BPA10P104	10FT BOAT CA-ZEP89450C111	POOR-HOLE IN CORNER
PARKS 4	ALC	ALCO-LITE	24FT EXTENTION LADDER	FAIR
PARKS 5	N/A	N/A	YOUTH BASEBALL EQUIPMENT/HLMT/PADS/BAGS	FAIR
PARKS 6	N/A	N/A	GREEN GYM WALL PAD (16 PIECES)	GOOD
PARKS 7	N/A	N/A	OUTSIDE CARPET/GREEN 26.67 YARDS	GOOD
PARKS 8	N/A	N/A	FREE WEIGHT SYSTEM W/BAR	GOOD

2018-19 AUCTION LIST

PARKS 9	PORTER	N/A	LARGE SCORE TABLE/FOULD OUT	POOR
PARKS 10	PRECOR	C846i	COMMERICAL CYCLE	FAIR
PARKS 11	TRU	LC900	ELIPTICAL	POOR
PARKS 12	PRECOR	C846i	COMMERICAL CYCLE	POOR
PARKS 13	PRECOR	100I	ELIPTICAL	POOR
PARKS 14	TRUE	LC1100	TREADMILL (DETACHED PARTS)	POOR
PARKS 15	TRUE	LC1100	TREADMILL (DETACHED PARTS)	POOR
PARKS 16	TRUE	LC900	COMMERICAL CYCLE	POOR
PARKS 17	TRUE	LC900	COMMERICAL CYCLE (CRACKED SCREEN)	POOR
PARKS 18	N/A	N/A	PE EQ/REC GEAR-VB NET/HKY STKS/PUGLE STKS	GOOD
			MISC SOCCER/BBALL/FLG FTBALL JERSEYS (YOUTH)	
LOT#	BRAND	MODEL	DESCRIPTION	CONDITION
POLICE 1	Turboflare	360	8 pack with case	used
	Raytheon		2 FLIR devices with roof mount	used
	Safariland	306	22 mini flashlight carriers	new
	Motorola		9 ticket writers with docking stations	used
	Medtronic	Lifepack	Defibrillator	used
	Ever ready		2 ever ready flashlights	used
				used
POLICE 2			Large blue tarp	new
	Ativa	MD 1250	document shredder	used
			2 16.4 oz propane fuel cylinders	used
	Husky		metal toolbox containing misc. tools	used
			plastic red toolbox containing misc. tools	used
	Voyager		black soft side tool bag containing misc. tools	used
			2 large bolt cutters	used
			1 large pry bar	used
	GE		Microwave oven	used
	Rolodex		paper Hole punch	
POLICE 3	CHEVY	TAHOE	(139)REAR SEAT NOT MOUNTED	FAIR
POLICE 4	CHEVY	TAHOE	(146)REAR SEAT NOT MOUNTED, BAD REAR END	POOR
POLICE 5	CHEVY	TAHOE	(145)REAR SEAT NOT MOUNTED,	FAIR

2018-19 AUCTION LIST

POLICE 6	CHEVY	TAHOE	(148)REAR SEAT NOT MOUNTED, REAR DOOR PANELS MISSING	FAIR
POLICE 7	CHEVY	TAHOE	(147)REAR SEAT NOT MOUNTED, ENGINE TICKING	POOR
POLICE 8	FORD	EXPEDITION	(#120)	FAIR
POLICE 9	FORD	CROWN VIC	(126)NO REAR SEAT	FAIR
POLICE 10	FORD	CROWN VIC	(#1250)	FAIR
POLICE 11	DODGE	CHARGER	(#135)NO REAR SEAT	FAIR
LOT#	BRAND	MODEL	DESCRIPTION	CONDITION
FLEET 1	JOTTO DESK, PRO GARD, SETINA		2-CENTER CONSOLES, 2-RIFLE RACKS, 2- PUSH BUMPERS	FAIR
FLEET 2	PRO GARD, SETINA		2 PUSH BUMPERS, 2 PARTITIONS, 1 REAR SEAT, 2 CAGES	FAIR
FLEET 3	PRO GARD, SETINA, JOTTO, HAVIS, RAM MOUNT		1-TAHOE TRANSPORT SEAT, 1- PARTITION, WINDOW GUARDS, 3- CONSOLES, 3-COMP STANDS,1 PUSH BUMPER, 1- DOCKING STATION	FAIR
FLEET 4	SETINA		TRANSPORT SEAT, WINDOW BARS,	FAIR
FLEET 5	SETINA		TRANSPORT SEAT, PARTITION	FAIR
FLEET 6	SOUND OFF, WHELEN	PINNACLE, EDGE	3 SOUND OFF LIGHT BARS, 1 WHELEN EDGE	FAIR
FLEET 7	AMERICAN ALUM. ACC, JOTTO DESK, PRO GARD		PARTITIONS, WINDOW BARS, LEFT WINDOW BAR WITH COOLING FAN, CENTER CONSOLE, PUSH BUMPER	FAIR
FLEET 8	SETINA, PROGARD, JOTTO DESK, GO RHINO		REAR SEAT AND PARTITION, DOOR BARS, CONSOLE, PUSH BUMPERS, GUN RACK	FAIR
FLEET 9	SOUND OFF, WHELEN, UNITY		SIRENS, FOG LIGHTS, MIRROR STROBES, CONTROLERS AND MODULES	FAIR
FLEET 10	SOUND OFF, WHELEN		MIRROR LIGHTS, LIGHT BAR, CAMERA SYSTEMS	FAIR
FLEET 11			PARTITIONS, REAR SEAT	FAIR
FLEET 12			STEEL DOORS	GOOD
FLEET 13	LENNOX	LF3-220C-2	176,000 BTU HEATER (INOP)	POOR
FLEET 14	LENNOX	LF3-220C-2	176,000 BTU HEATER (INOP)	POOR
FLEET 15	CHEVY ENGINE	5.3L	ENGINE REMOVED OUT OF 2012 TAHOE RUNS BUT KNOCKS	POOR
FLEET 16	TOOL CART		TOOL CART	POOR
FLEET 17			(2) FILE CABINETS (1) LOCKER	POOR

2018-19 AUCTION LIST

FLEET 18	ELECTOGRAPH	DTS42LTD	42" TV, WORKED WHEN REMOVED OUT OF SERVICE	GOOD
FLEET 19			22 TON FLOOR JACK(INOP)	POOR
LOT#	BRAND	MODEL	DESCRIPTION	CONDITION
SD 1	ECHO	SRM-410U	6 WEEDEATERS T75412002106- MISSINGHANDLES S05403009745 S05403002847 S05403006096 S05403009711 T75412002103	FAIR
SD 2	ECHO	PPT-2664	POLE SAW E04512002469	FAIR
SD 3	CASE	855 TRACK LOADER	(504) 1990 TRACK LOADER - HYDRAULIC LEAKS, WONT START, WAS RUNNING WHEN PULLED OUT OF SERVICE	POOR
LOT#	BRAND	MODEL	DESCRIPTION	CONDITION
STREET 1	Ceramic RPM's	4 inch White/Yellow	4 inch white round RPM - 1093 total count // 4 inch yellow round RPM - 316 total count	Fair
STREET 2	Ceramic RPM's	Various	6 inch white round 17 total / 6 inch yellow round with reflector 3 total / 4 inch white round with reflector 22 total / 4 inch yellow round with reflector 6 total	Fair
STREET 3	Wacker	1999 VPA1350W	1999 Wacker Vibratory Plate Compactor, 19"x22" Plate, Honda GX160 5.5 HP engine, 212 lbs, Generously used, functions well	Fair/Used
STREETS 4	Street Name Toppers	Caps & Crosses	Caps 11 - 1/2 inch blade for 2-3/8 round poles 257 total / Crosses 11 - 1/2 inch blade for sign blanks 157 total	Good
STREETS 5	Misc Tools	Various	3 - Snow Shovels / 2 - Sharp Shovels / 2 - Short Flat Shovels / 1 - Long Flat Shovel / 2 - Traffic Stop/Slow Paddles / 6 - Long Tail Raincoats / 1 - 1 Gallon Gas Can	Fair/Used
STREETS 6	FORD	F150	(303) PICK UP TRUCK	FAIR
LOT#	BRAND	MODEL	DESCRIPTION	CONDITION
Water 1	Taget		(330) 24 " Concrete saw Gas engine does not run	Poor
Water 2	Sigma		Sewer Sampler	fair
Water 3	FORD	F150	(421) PICK UP TRUCK	FAIR



AGENDA MEMORANDUM

DATE: June 27, 2019

TO: Honorable City Council Members

FROM: Sandra Gibson, CGFO, CGFM, Director of Finance

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consider action on a Resolution adopting Written Investment Policies Standards Governing the City of Watauga's Investment Practices and Amending the Authorized Broker/Dealers list for the City of Watauga {CAPTION}

BACKGROUND/INFORMATION:

An annual review of the City's investment policy and strategy must be documented by formal action of the City Council. The policy was last reviewed and approved by the City Council on February 28, 2018. There are minimal changes to this year's policy. A listing of Broker/Dealers is also attached.

The City of Watauga Investment Policy was acknowledged in April, 2018 by the Government Treasurers' Organization of Texas with the Investment Policy of Distinction. This Certificate is awarded for two years and then is eligible for renewal upon review. Our policy meets all of the requirements set by the Public Funds Investment Act adopted by the Texas Legislature

The attached resolution has been reviewed and approved by legal.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

Consideration and action on a Resolution adopting an Investment Policy and Broker Dealer listing for the City of Watauga

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. INVESTMENT POLICY RESOLUTION 2019
2. Investment Policy 2019 07 2019 Watauga Proposed



AGENDA MEMORANDUM

3. Broker Dealer 2019 07 08 Watauga Proposed

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/3/2019

Final Approval - 7/3/2019

CITY OF WATAUGA, TEXAS
RESOLUTION NO. _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF
WATAUGA, TEXAS ADOPTING WRITTEN INVESTMENT
POLICIES AND STANDARDS GOVERNING THE CITY'S
INVESTMENT PRACTICES; AMENDING AUTHORIZED
BROKER/DEALERS LIST IN THE CITY OF WATAUGA;
REPEALING CONFLICTING RESOLUTIONS; AND PROVIDING
AN EFFECTIVE DATE

WHEREAS, the Public Funds Investment Act (the "Act") as amended effective September 1, 2001, requires that an investment of public funds shall be made in accordance with written policies approved by the governing body and that such policies must address liquidity, diversification, safety or principal, yield, maturity, and quality and capability of investment management, with primary emphasis on safety and liquidity; and

WHEREAS, the Act and Article 2256.005, V.T.C.S., requires Texas cities to adopt rules governing investment practices, including designation of investment officers, definition of the authority of the investment officers, authorized and unauthorized investments, and provisions for quarterly reports to the governing body describing investment transactions and market value; and

WHEREAS, it is the desire of the City Council to establish and maintain an investments and cash management program to ensure protection of the City's funds, availability of cash to meet current City obligations, and maximization of interest earning through the investment of idle funds.

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

SECTION 1. That the City hereby adopts the Investment Policy of the City of Watauga dated July 8, 2019, and reviewed July 8, 2019, attached hereto as Exhibit "A" which replaces the rules and policy adopted by Resolution No. 18-02-26-01.

SECTION 2. That the City hereby adopts the Approved Broker/Dealer List dated July 8, 2019 and attached hereto as Exhibit “B”.

SECTION 3. That any and all resolutions, rules, regulations, policies or provisions in conflict with the provisions of this Resolution are hereby repealed and rescinded to the extent of the conflict herewith.

SECTION 4. This Resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas on this the 8th day of July, 2019.

APPROVED:

ARTHUR L. MINER, MAYOR

ATTEST:

ANDREA GARDNER, City Secretary

APPROVED AS TO FORM & LEGALITY:

RUSSELL, RODRIGUEZ, HYDE, BULLOCK, Interim City Attorney

CITY OF WATAUGA, TEXAS

INVESTMENT POLICY

Proposed July 8, 2019

POLICY

It is the policy of the City of Watauga (City) after allowing for the anticipated cash flow requirements in its bank accounts to meet daily needs and after giving due consideration to the safety and risk of investments, providing protection for both principal and liquidity, to invest public funds in a manner which will provide the highest investment return while conforming to all state and local statutes governing the investment of public funds. This Investment Policy is authorized by the City Council in accordance with Texas Government Code, Chapter 2256-Public Funds Investment, also cited as the Public Funds Investment Act (Act), to satisfy the statutory requirements to define, adopt, and review a written Investment Policy regarding the investment of its funds and funds under its control. The City Council shall review and adopt by resolution, its investment strategies and policy not less than annually. This is required even if there are no changes within the policy. Such an Investment Policy must be written, emphasize safety, address investment management and include types of authorized investments, maximum allowable stated maturity, maximum dollar-weighted average maturity, method to monitor the market price and credit ratings of investments, and requirements for settlement of transactions. The resolution shall state that the Policy has been reviewed and include record of changes made to either the Investment Policy or strategy.

SCOPE

This Policy applies to all funds or financial resources available for investment under the City's financial control and accounted for in the City of Watauga, Texas Comprehensive Annual Financial Report which includes the General Fund, Watauga Economic Development Corporation Sales Tax Fund, Crime Control and Prevention District Fund, Street Maintenance Fund, Library Donation Fund, Municipal Court Security Fund, Municipal Court Technology Fund, Juvenile Case Manager Fund, Traffic Safety Fund, Park Vista Fund, General Obligation Bond Debt Service Fund, Watauga Economic Development Corporation Revenue Bond Debt Service Fund, General Obligation Capital Project Fund, Watauga Economic Development Corporation Capital Projects Fund, Bunker Hill Capital Projects Fund, Water and Sewer Enterprise Fund, Drainage Utility Enterprise Fund, Utility Construction Fund and will include any new fund created by the City Council unless specifically exempt. These policies do not, however, govern funds that are managed under separate investment programs or trust agreements, such as retirement funds, pension funds, deferred compensation funds, and certain private donations that are maintained as required by Federal and State laws, other local policies, or donor stipulations. In addition to this Policy, bond funds (as defined by the Internal Revenue Service) shall be managed by their governing ordinances and all applicable State and Federal laws.

The City will consolidate cash balances from all applicable funds to optimize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles. Such earnings from investments will be used in a manner that best serves the public trust and interests of the City as deemed in the annual budget.

INVESTMENT OBJECTIVES

All investments shall be designed and managed in a manner responsive to the public trust and in compliance with all Federal, State and other legal requirements, including but not limited to the Act. The City shall manage and invest its available resources with four objectives, listed in order of priority: Safety, Liquidity, Public Trust, and Yield.

Safety

Safety of principal and the City's assets is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To increase investment safety, the City strives to decrease or minimize credit and interest rate risk. Minimization of credit risk or the risk of loss due to the failure of an investment issuer or guarantor shall be done by the City by limiting investments to safe types, pre-qualifying financial institutions and broker/dealers, and diversifying the portfolio in order that potential losses on individual investments do not exceed the income generated from the remainder of the portfolio.

Minimization of interest rate risk or the decrease in market value of investments in the City's portfolio due to changes in interest rates shall be done by the City through strong cash flow projections so that realized market value losses are reduced and through investments in shorter-term investments.

Liquidity

The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements that might be reasonably anticipated. Liquidity shall be achieved by matching investment maturities with forecasted cash flow requirements and by investing in securities with active secondary markets. A portion of the portfolio will also be placed in cash equivalent investments, which offer daily liquidity and may be utilized as a competitive yield alternative to fixed maturity investments.

Public Trust

Investments shall be made with judgment and care, under circumstances, then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of capital as well as the probable income to be derived. All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investment officials shall avoid any transaction that might impair public confidence in the City's ability to govern effectively.

Yield

The City's investment portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles, commensurate with the City's investment risk constraints and the cash flow characteristics of the portfolio. Return on investment is of secondary importance compared to the safety, liquidity and public trust objectives described above. The core of investments is limited to relatively low risk investments in anticipation of earning a fair return relative to the risk being assumed. The yield of an equally weighted, rolling six-month Treasury bill portfolio shall be the minimum yield objective or "benchmark". A secondary objective will be to obtain a yield equal to or in excess of a local government investment pool or money market mutual fund. Weighted Average Yield to Maturity will be the portfolio performance standard.

STANDARDS OF CARE

Delegation of Authority

The City Manager, the Director of Finance, and Assistant Finance Director are the Investment Officers of the City and are responsible for investment decisions and activities. The Investment Officers may delegate the day-to-day administrative duties to other persons authorized to perform investment activities for the City, or he/she may perform the duties him or herself. The City Manager will retain ultimate responsibility for investment decisions.

The Investment Officer(s) are responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived.

In conjunction with the annual audit, the City's outside auditor will review the internal control structure.

Training Requirements

The Investment Officer(s) are required to attend at least one training session relating to the Officers responsibility under the Act within 12 months after assuming duties receiving at least ten hours of Act-related instruction. Afterwards, the City shall provide at least eight hours of investment training not less than once in a two-year period that begins on the first day of the fiscal year and consists of two consecutive fiscal years after that date for the Investment Officer(s) and/or his/her delegate(s). This Policy approves courses and seminars offered by: the *Government Finance Officers Association of Texas*, the *Government Treasurers Organization of Texas*, the *Texas Municipal League*, the *North Central Texas Council of Governments*, the *International City Manager Association*, the *University of North Texas*, the *Texas State University*, or the *American Institute of Certified Public Accountants* in order to insure the quality and capability of the City's investment personnel making investment decisions in compliance with the Act. The training must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with the Act.

The City shall also encourage those who may perform daily activities with the City investments to attend such training although they are not listed specifically as Investment Officers of the City.

Prudent Person Rule

As set forth in the Act, Investment Officers shall use the standard of prudence with the "Prudent Person Rule". "Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived." (2256.006(a))

"In determining whether an investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

1. The investment of all funds, or funds under the entity's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment; and
2. Whether the investment decision was consistent with the written Investment Policy of the entity." (2256.006(b))

Investment officials acting in accordance with written procedures and the Investment Policy and exercising due diligence shall be relieved of personal responsibilities for an individual investment's credit risk or market price change, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

Ethics and Conflict of Interest

Investment Officers and other employees involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. According to the Act, a personal business relationship with a business exists if one of the following three (3) items applies:

1. The Investment Officer owns ten (10) percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization.
2. Funds received by the Investment Officer from the business organization exceed ten (10) percent of the Investment Officer's gross income for the previous year.
3. The Investment Officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the Investment Officer.

Investment Officer(s) must file a disclosure statement with the Texas Ethics Commission and the City Council if an Officer has a personal business relationship with a business organization offering to engage in an investment transaction with the City or the Officer is related within the second degree by affinity or consanguinity, as determined under Chapter 573 of the Texas Government Code, to an individual seeking to transact investment business with the entity.

Special attention should also be given the City's Standards of Conduct-Officers and Employees in Code of Ordinances Section 9.202 (1) and (2):

"No Officer or employee of the City shall:

1. Have a financial interest, direct or indirect, in any contract with the City nor shall be financially interested, directly or indirectly, in the sale to the City of any land, or rights or interest in any land, materials, supplies or service. The "financial interest" contemplated under this article requires that the officer or employee receive an actual financial benefit from the transaction with the City. An actual financial benefit from the transaction shall not include:
 - A. An ownership in the entity transacting with the City where the ownership interest is less than one (1) percent of the entity.
 - B. Compensation or benefits as an employee, officer, or director of the entity transacting business within the City where such

compensation is not affected by the entity's transaction with the City.

2. Participate in a vote or decision on any matter in which the Officer or employee has a direct or indirect financial interest or in which a relative of the Officer or employee has a direct or indirect financial interest. It is expressly provided herein that an investment or ownership in a publicly held company in an amount less than three thousand, five hundred dollars (\$3,500.00) does not constitute a prohibited financial interest under this article."

AUTHORIZED DEPOSITORY FINANCIAL INSTITUTIONS

A qualified primary depository shall be selected through the City's banking services procurement process, which shall include solicitation of proposals as required under Chapter 105 of the Local Government Code. The centralization of depository services is designed to maximize investment capabilities while minimizing service costs. The selection of a primary depository shall be based on the financial institution offering the most favorable terms and conditions at the least possible cost, while adhering to the guidelines and provisions within the request for proposal. In selecting a primary depository, the City shall give consideration to the financial institution's credit characteristics, financial history, service capabilities, location within City limits or within a ten (10) mile radius of the City limits, and costs for required services. Specialized services may be contracted for by the City with another financial institution or company if the depository cannot provide such service or charges more than the same service with little or no appreciable benefit.

The City may also establish agreements with other financial institutions under separate contract for additional deposit services. Such deposits will only be made after the financial institution has completed and returned the required written instruments and depository pledge agreements. No deposit shall be made except in a qualified public depository as established by State Law.

SELECTION OF INVESTMENT BROKER/DEALERS AND ADVISORS

Selection of Investment Advisors and Broker/Dealers will be performed by the Investment Officer(s), with ratification and approval by the City Council. The selected firms shall provide timely transaction confirmations and monthly portfolio reports. Prospective Broker/Dealers shall provide financial and other information as requested by the Investment Officer(s) sufficient to evaluate their fiscal condition and ability to service the City. The Investment Officer(s) will establish criteria to evaluate Investment Advisors and Broker/Dealers, including:

- 1.) Adherence to the City's policies and strategies,

- 2.) Investment performance and transaction pricing within accepted risk constraints,
- 3.) Responsiveness to the City's request for services, information and open communication,
- 4.) Understanding of the inherent fiduciary responsibility of investing public funds,
- 5.) Similarity in philosophy and strategy with the City's objectives, and
- 6.) References from other public entities in Texas.

The Investment Officers shall, at least annually, review, revise, and adopt a list of qualified broker/dealers authorized to engage in securities transactions with the City. The City Council will annually approve the list of those qualified broker/dealers authorized to engage in investment transactions with the City (Sec. 2256.025).

A current audited financial statement may be required to be on file for each financial institution and broker/dealer in which the City invests.

APPROVED INVESTMENT PROVIDERS AND INVESTMENT ADVISORS

Broker/Dealers, Local Government Investment Pools, Money Market Mutual Funds, Financial Institutions, Investment Advisors, and other business organizations eligible to transact investment business with the City shall be presented a written copy of this Investment Policy. Additionally, the qualified representative or equivalent of the Local Government Investment Pool or Discretionary Investment Management firm (i.e. business organization) shall execute a Certificate as shown in Appendix "A", or a Certification similar in form, to the effect that the qualified representative has:

- 1.) Received and thoroughly reviewed this Investment Policy, and
- 2.) Acknowledged that their business organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment transactions between itself and the City that are not authorized by this Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires and interpretation of subjective investment standards or relates to investment transactions of the City that are not made through accounts or other contractual arrangements over which the business organization has accepted discretionary investment authority.

The City may not engage in an investment transaction with a business organization prior to receiving this written acknowledgment completed by the organization.

Competitive Environment

It is the policy of the City to provide a competitive environment for all individual security purchases and sales, financial institution deposits, and money market mutual fund and local government investment pool selections. The Investment Officers shall develop and maintain procedures for ensuring competition in the investment of the City's funds.

AUTHORIZED AND SUITABLE INVESTMENTS

Investments described below are authorized by the Act as eligible securities for the City. City funds governed by this Policy may be invested in the following types of securities:

- 1.) Obligations of the United States or its agencies and instrumentalities, including the Federal Home Loan Banks.
- 2.) Direct obligations of the State of Texas or its agencies.
- 3.) Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by the State of Texas or the United States or its agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States.
- 4.) Obligations of states, agencies, counties, cities, and other political subdivisions of any state having been rated as to investment quality by a nationally recognized investment rating firm and having received a rating of not less than A or its equivalent.
- 5.) Financial institution deposits that, are issued by a state or national bank that a) has its main office or a branch office in Texas and is guaranteed or insured by the Federal Deposit Insurance Corporation or its successor, b) is secured by obligations in a manner and amount provided by law and this Policy for deposits of the City, or c) is executed through a depository institution or approved broker that has its main office or a branch office in Texas that meets the requirements of the Act.
- 6.) No-load money market mutual funds that are registered with the Securities and Exchange Commission, and no-load mutual funds which are continuously rated AAA by at least one nationally recognized rating service and follow practices authorized by the Act, are authorized investments per the Act, if:

- (a) the no-load mutual fund has an average weighted maturity of less than two years, and is invested exclusively in obligations approved by Section 2256.014 (a)-(c) of the Act
 - (b) the City has not invested more than 15% of its monthly average fund balance, excluding bond proceeds and reserves and other funds held for debt service, in the mutual funds described above; and
 - (c) the City has not invested any portion of its bond proceeds and reserves and funds held for debt service, in mutual funds described above; and
 - (d) the City has not invested funds under its control, including bond proceeds and reserves and other funds held for debt service, in any one mutual fund described above in an amount that exceeds 10% of the total assets of the mutual fund.
- 7.) Eligible Investment Pools as defined in Section 2256.016 provided that:
- (a) investment in the particular pool has been authorized by the City Council;
 - (b) the pool shall have furnished the Investment Officer(s) an offering circular containing the information required by Section 2256.016(b);
 - (c) the pool shall furnish to the Investment Officer(s) investment transaction confirmations with respect to all investments made with it;
 - (d) the pool shall furnish to the Investment Officer(s) monthly reports that contain the information required by Section 2256.016(c);
 - (e) any pool that is created to function as a money market mutual fund must seek to maintain a stable net asset value of one dollar (\$1.00),
 - (f) the pool's investment philosophy and strategy are consistent with this Policy and the City's ongoing investment strategy; and
 - (g) the pool provides evidence of credit rating no lower than "AAA" or "AAA-m" by at least one nationally recognized credit rating service,

- (h) an investment pool must make available an annual audited financial statement,
 - (i) if the investment pool operates an Internet website, the information required by section 2256.016(b),(c)(2), and (f) must be posted on the website,
 - (j) an investment pool in advertising investment rates must include either all levels of return based on breakpoints provided or state the lowest possible level of return based on the smallest level of funds invested if an investment pool offers fee breakpoints based on fund balances invested.
- 8.) Fully collateralized direct repurchase agreements having a defined termination date that is no later than 270 days from the delivery date, secured by cash or direct obligations of the U.S. or its agencies and instrumentalities, pledged with a third party selected or approved by the political entity, and placed through a primary government securities dealer, and as otherwise defined by the Act. Each issuer of repurchase agreements must sign a copy of a Master Repurchase Agreement, or similar mutually acceptable agreement.
- 9.) Commercial paper as defined in Section 2256.013 is allowed provided that paper has a stated maturity of 270 days or less from the issuance date and is rated not less than A-1 or P-1 or an equivalent rating by at least two nationally recognized credit rating agencies or one nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States or any State.

The City shall take all prudent measures that are consistent with this Investment Policy to liquidate any investment that does not have or is down-graded to less than the minimum rating stated herein. On a quarterly basis, the Investment Officers will monitor the rating of all investments held by the City. However, as stated in Section 2256.017, the City is not required to liquidate investments that were authorized investments at the time of purchase.

UNAUTHORIZED INVESTMENTS

The following investments are specifically prohibited by State Law:

- 1.) Obligations whose payment represents the coupon payment on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.

- 2.) Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.
- 3.) Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years.
- 4.) Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

COLLATERALIZATION

Consistent with the requirements of the Public Funds Investment Act and the Public Funds Collateral Act, the City requires that all bank deposits shall be federally insured or collateralized with eligible securities. This pledged collateral will have a market value equal to or no less than 102% of the deposits plus accrued interest less an amount insured by the FDIC. Evidence of the pledged collateral must be provided to and reviewed by the Director of Finance and will be retained by the City. Evidence of collateral is reviewed annually by the City's independent auditor in conjunction with the annual audit.

Financial institutions serving as City Depositories will be required to sign a Depository Agreement with the City. The Agreement shall define the City's rights to the collateral in case of default, bankruptcy, or closing, and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- 1.) the Agreement must be in writing;
- 2.) the Agreement has to be executed by the Depository and the City contemporaneously with the acquisition of the assets;
- 3.) the Agreement must be approved by the Depository's Board of Directors or loan committee, and a copy of the meeting minutes must be delivered to the City; and,
- 4.) the Agreement must be part of the Depository's "official record" continuously since its execution.

Repurchase agreements must also be secured in accordance with State Law. Each counter party to a repurchase transaction is required to sign a copy of the Securities Industry and Financial Markets Association Master Repurchase Agreement, or mutually acceptable agreement. An executed copy of the Agreement must be on file before the City will enter into any transactions with a counter party.

Monitoring Collateral Adequacy

The City requires monthly reports with market values of pledged securities from all financial institutions with which the City has bank deposits, certificates of deposit, money market account deposits, or other secured deposits. The Investment Officer(s) will monitor adequacy of collateralization monthly.

Weekly monitoring by the Investment Officer(s) of all collateral underlying repurchase agreement is required. More frequent monitoring may be necessary during periods of market volatility.

Collateral Substitution

Financial institution deposits, collateralized certificates of deposit, and repurchase agreements often require substitution of collateral. Any repurchase provider or financial institution requesting substitution must contact the Investment Officer(s) for approval and settlement. The substituted security's value will be calculated and substitution approved if its value is equal to or greater than the required collateral level. Substitution is allowable for all transactions, but should be limited, if possible, to minimize potential administrative problems and transfer expense. The Investment Officer(s) may limit substitution and assess appropriate fees if substitution becomes excessive or abusive.

Collateral Reductions

Should the collateral's market value exceed the required amount, any repurchase provider or financial institution may request approval from the Investment Officer(s) to reduce collateral. Collateral reductions may be permitted only if the City's records indicate that the collateral's market value exceeds the required amount. The Investment Officer(s), or a designee, must provide written notification of the decision to the bank or custodian holding the collateral prior to release.

SAFEKEEPING AND CUSTODY

The City shall contract with a bank or banks for the safekeeping of securities either owned by the City as part of its investment portfolio or as part of its depository and repurchase agreements. All collateral securing bank deposits must be held by third-party banking institution ("Custodian") acceptable to the City, or by the Federal Reserve Bank. The securities purchased under a repurchase agreement must be delivered to a third-party custodian with whom the City has established a safekeeping agreement ("Safekeeping Agent").

All security transactions entered into by the City shall be conducted on a delivery-verses-payment (DVP) basis. By so doing, City funds are not released

until the City has received, through the Safekeeping Agent, the securities purchased. The security shall be held in the name of the City or held on behalf of the City. The Safekeeping Agent and Custodian's records shall assure the notation of the City's ownership of or explicit claim on the securities. The original copy of all receipts and monthly reports shall be delivered to the City or confirmed by the Safekeeping Agent or Custodian.

INVESTMENT PARAMETERS

Diversification

The City will diversify its investments by security type and investment maturity. Diversification by investment type shall be established by the following maximum percentages of investment type to the total investment portfolio:

a.) U.S. Government Securities	100%
b.) Financial Institution Deposits	100%
c.) Eligible Investment Pools	100%
d.) States, Agencies, Counties, Cities and Other	50%
e.) Repurchase Agreements	50%
f.) Money Market Mutual Funds	50%
g.) Commercial Paper	10%

Maximum and Weighted Average Maturity

In order to minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed the anticipated cash flow requirement of the funds. The City intends to match the holding periods of investment funds with liquidity need of the City. The maximum final stated maturity of any investment shall not exceed five years. All long-term maturities will be intended to cover long-term liabilities. In addition, no less than ten percent (10%) of the funds in the portfolio will be in cash equivalent investments at all times. The entire portfolio will have a weighted average maturity of one (1) year or less. This weighted average will be calculated using the stated final maturity dates of each investment.

By Fund Groups

Maturity guidelines by fund are as follows:

- a.) Operating Funds - The weighted average days to maturity for the operating fund portfolio shall be 365 days or less and the maximum allowable maturity shall be two years.
- b.) Debt Service Funds - Debt Service Funds shall be invested to ensure adequate funding for each consecutive debt service payment. The Investment Officer shall invest in such a manner as not to exceed an "unfunded" debt service date with the maturity of any investment. Any

unfunded debt service date is defined as a coupon or principal payment date that does not have cash or investments available to satisfy said payment.

- c.) Debt Service Reserve Funds - Market conditions, Bond Resolutions constraints and Arbitrage compliance will be considered when formulating Reserve Fund strategy. Maturity limitation shall generally not exceed the call provisions of the Bond Ordinance and shall not exceed the final maturity of the bond issue. All Debt Service Reserve Fund investment maturities shall not exceed five years.
- d.) Special Project, Special Purpose or Capital Improvement Funds - The investment maturity of Special Project, Special Purpose or Capital Improvement Funds shall generally be limited to the anticipated cash flow requirements. City funds that are considered “bond proceeds” for arbitrage purposes will be invested using a more conservative approach than the standard investment strategy when arbitrage rebate rules requiring refunding excess earnings. All earnings in excess of the allowable arbitrage earnings will be segregated and made available for any necessary payments to the U.S. Treasury.

INVESTMENT STRATEGY

The City primarily maintains one portfolio in which all funds under the City's control are pooled for investment purposes. In order to minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed the anticipated cash flow requirements of the funds. Investment guidelines by fund-type are as follows:

1. General, Enterprise, or Operating-type Funds, and the Pooled Fund

Suitability – Any investment eligible in the Investment Policy is suitable for General, Enterprise, or Operating Funds, and the Pooled Fund.

Safety of Principal – All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, managing the weighted average days to maturity of each fund's portfolio to less than 365 days and restricting the maximum allowable maturity to two years will minimize the price volatility of the portfolio.

Marketability – Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement. Historical market “spreads” between the bid and offer prices of a particular security-type of less than a quarter of a percentage point will define an efficient secondary market.

Liquidity – General, Enterprise, or Operating-type Funds, and the Pooled Fund require the greatest short-term liquidity of any of the fund-types. Short-term cash equivalent investments will provide daily liquidity and may be utilized as a competitive yield alternative to fixed maturity investments.

Diversification – Investment maturities should be staggered throughout the budget cycle to provide cash flow based on the anticipated operating needs of the City. Diversifying the appropriate maturity structure up to the two-year maximum will reduce interest rate risk.

Yield – Attaining a competitive market yield for comparable security-types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling six-month Treasury Bill portfolio will be the minimum yield objective.

2. Debt Service Funds

Suitability – Any investment eligible in the Investment Policy is suitable for the Debt Service Funds.

Safety of Principal – All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Debt Service Funds maturities to not exceed the debt service payment schedule the market risk of the overall portfolio will be minimized.

Marketability – Securities with active and efficient secondary markets are not necessary as the event of an unanticipated cash flow requirement is not probable.

Liquidity – Debt Service Funds have predictable payment schedules. Therefore, investment maturities should not exceed the anticipated cash flow requirements. Investment pools and money market mutual funds may provide a competitive yield alternative for short-term fixed maturity investments.

Diversification – Market conditions influence the attractiveness of fully extending maturity to the next “unfunded” payment date. Generally, if investment rates are anticipated to decrease over time, the City is best served by locking in most investments. If the interest rates are

potentially rising, then investing in shorter and larger amounts may provide advantage. At no time shall the debt service schedule be exceeded in an attempt to bolster yield.

Yield – Attaining a competitive market yield for comparable security-types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling six-month Treasury Bill portfolio shall be the minimum yield objective.

3. Debt Service Reserve Funds

Suitability – Any investment eligible in the Investment Policy is suitable for the Debt Service Reserve Funds. Bond resolution and loan documentation constraints and insurance company restrictions may create specific considerations in addition to the Investment Policy.

Safety of Principal – All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Debt Service Reserve Fund maturities to not exceed the call provisions of the borrowing will reduce the investment's market risk if the City's debt is redeemed and the Reserve Fund liquidated. No stated final investment maturity shall exceed the shorter of the final maturity of the borrowing or five years. Annual market-to-market requirements or specific maturity and average life limitations within the borrowing's documentation will influence the attractiveness of market risk and influence maturity extension.

Marketability – Securities with less active and efficient secondary markets are acceptable for Debt Service Reserve Funds.

Liquidity – Debt Service Reserve Funds have no anticipated expenditures. The Funds are deposited to provide annual debt service payment protection to the City's debt holders. The funds are "returned" to the City at the final debt service payment. Market conditions and arbitrage regulation compliance determine the advantage of investment diversification and liquidity. Generally, if investment rates exceed the cost of borrowing, the City is best served by locking in investment maturities and reducing liquidity. If the borrowing costs cannot be exceeded, then current market conditions will determine the attractiveness of locking in maturities or investing shorter and anticipated future increased yields.

Diversification – Market conditions and the arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for Debt Service Reserve Funds. At no time shall the final debt service payment date of the bond issue be exceeded in an attempt to bolster yield.

Yield – Achieving a positive spread to the applicable borrowing cost is the desired objective. Debt Service Reserve Fund portfolio management shall operate within the limits of the Investment Policy's risk constraints.

4. Special Project, Special Purpose or Capital Improvement Funds

Suitability – Any investment eligible in the Investment Policy is suitable for Special Project, Special Purpose or Capital Improvement Funds.

Safety of Principal – All investments will be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Capital Improvement Funds to not exceed the anticipated expenditure schedule, the market risk of the overall portfolio will be minimized. No stated final investment maturity shall exceed the shorter of the anticipated expenditure schedule.

Marketability – Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement. Historical market “spreads” between the bid and offer prices of a particular security-type of less than a quarter of a percentage point will define an efficient secondary market.

Liquidity – Most capital improvement programs have reasonably predictable draw down schedules. Therefore, investment maturities should generally follow the anticipated cash flow requirements. Investment pools and money market mutual funds will provide readily available funds generally equal to one month's anticipated cash flow needs, or a competitive yield alternative for short-term fixed maturity investments.

Diversification – Market conditions and arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for bond proceeds. Generally, if investment rates exceed the applicable cost of borrowing, the City is best served by locking in most

investments. If the cost of borrowing cannot be exceeded, then current market conditions will determine the attractiveness of diversifying maturities or investing in shorter and larger amounts. At no time shall the anticipated expenditure schedule be exceeded in an attempt to bolster yield.

Yield – Achieving a positive spread to the cost of borrowing is the desired objective within the limits of the Investment Policy's risk constraints. The yield of an equally weighted, rolling six-month Treasury Bill portfolio will be the minimum yield objective for non-borrowed funds.

REPORTING

Not less than quarterly, the Investment Officer(s) shall prepare and submit to the City Council, a written, signed, investment report demonstrating a list of investment transactions for the preceding reporting period, in accordance with the Act. Reports will include, but not be limited to, the following:

- 1.) For each pooled fund group: a beginning book value and market value, book and market value additions and changes, and ending book and market value.
- 2.) The book value and market value of each investment at the beginning and end of the period by type of asset and fund type invested.
- 3.) The maturity date of each investment.
- 4.) Statement of compliance of the portfolios as it relates to the investment strategy and the Act.

Detailed and summary reports will be prepared jointly and presented to the City Council and Mayor not less than quarterly. Reports will comply with Section 2256.023, at a minimum.

Quarterly reports will be formally reviewed at least annually by an independent auditor and reported to the City Council once the City invests in items other than money market mutual funds, investment pools, or accounts offered by its depository bank in the form of CD's or money market accounts.

MONITORING OF THE MARKET VALUE OF INVESTMENTS AND COLLATERAL

The Investment Officer(s) shall determine the market value of each investment and of all Collateral pledged to secure deposits of City funds at least quarterly and at a time as close as practicable to the closing of the reporting period for the investments. The City shall utilize reliable sources independent of the investment provider. Such values shall be included on the investment report.

INTERNAL CONTROLS

Investment Officer(s) shall establish a system of internal controls, which shall be designed to prevent losses of public funds arising from fraud, employee error, unanticipated changes in financial markets, or imprudent actions by employees. Pertinent controls include custodian safekeeping receipts records management, documentation of investment bidding activities, written confirmations of oral transactions, reconciliation records, training requirement documentation, and compliance with investment policies. Where practical, the City should emphasize control of collusion, separation of duties, clear delegation of duties, accurate and timely reports, and staying informed about market conditions, changes and trends. In conjunction with the City's annual financial audit, the independent external auditor will assure compliance with the management controls on investments and adherence to investment policies.

INVESTMENT POLICY ADOPTION

The City's Investment Policy, which includes strategies for each fund, shall be adopted by resolution of the City Council. The Policy shall be reviewed annually and any modifications thereto must be approved by the City Council. This adoption by resolution is required even if there are no changes within the Policy.

APPENDIX “A” – Sample Certification

I hereby certify that I have personally read and understand the Investment Policy and master repurchase agreement (if applicable), conditions of the City of Watauga, Texas. I further acknowledge that reasonable procedures and controls designed to fulfill those objectives and conditions have been implemented. Therefore, this firm will preclude investment transactions between itself and the City of Watauga that are not authorized by the City's Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup the City's entire portfolio, requires an interpretation of subjective investment standards or relates to investment transactions of the City that are not made through accounts or other contractual arrangements over which my firm has accepted discretionary investment authority, thus protecting the City's credit or market risk.

All personnel of this firm dealing with the City of Watauga's account(s) have been informed and will be routinely informed of the City's investment horizons, limitations, strategy, and risk constraints, whenever we are so informed by the City.

This firm pledges due diligence in informing the City of foreseeable risks associated with financial transactions connected to this firm.

I further acknowledge that no investment transaction shall occur between this firm and the City, until the City of Watauga receives this consent form, completed by the firm's qualified representative.

FIRM

SIGNATURE OF QUALIFIED FIRM REPRESENTATIVE

PRIMARY REPRESENTATIVE: NAME/TITLE
(please print)

DATE

GLOSSARY

AGENCIES: Federal agency and instrumentality securities.

ASKED: The price at which securities are offered.

BANKERS' ACCEPTANCE (BA): A draft or bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BID: The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See Offer.

BROKER: A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specified maturity evidenced by a certificate. Large-denomination non-collateralized CD's are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property that a borrower pledges to secure repayment of a loan. Also refers to securities or letters of credit pledged by a bank to secure deposits of public moneys.

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR): The official annual report for the City of Watauga. It includes five combined statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

COUPON: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DEBENTURE: A bond secured only by the general credit of the issuer.

DELIVERY-VERSES-PAYMENT (DVP): There are two methods of delivery of securities: delivery-verses-payment and delivery-verses-receipt. Delivery-verses-payment is delivery of securities with an exchange of money for the securities. Delivery-versus-receipt is delivery of securities with an exchange of a signed receipt for the securities.

DISCOUNT: The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g. U.S. Treasury Bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities and/ or maturities offering independent returns.

FEDERAL FARM CREDIT BANK: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per deposit.

FEDERAL FUNDS RATE: The rate of interest at which Fed Funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

FEDERAL HOME LOAN BANKS (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks with member commercial banks.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is currently under conservatorship by the federal government. The corporation's purchases include a variety of adjustable rate mortgages and second loans, in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Bank Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven-member Board of Governors in Washington, DC regional banks and about 5,700 commercial banks that are members of the system.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae): GNMA guarantees and issues obligations of qualified loans issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by the FHA, VA, or FMHM mortgages. The term “passthroughs” is often used to describe “Ginnie Mae”.

LIQUIDITY – Market-based: A market-based liquid asset is one that can be converted easily and rapidly into cash. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and a reasonable trade size can be done at the quoted prices.

LOCAL GOVERNMENT INVESTMENT POOL (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of a local government cooperative for investment and reinvestment.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase –reverse repurchase agreements that establishes each party’s rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

OFFER: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve’s most important and most flexible monetary policy tool.

PORTFOLIO: Collection of investments held by an investor.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

PRUDENT PERSON RULE: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state—the so-called legal list. In other states the trustee may invest in security if it is one that would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

QUALIFIED PUBLIC DEPOSITORIES: A bank, credit union, or savings association that maintains a place of business within the state and offers within the state the services required by a depository services contract.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized-yield-to-maturity on a bond or the current income return.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security “buyer” in effect lends the “seller” money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RFPs extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money that is, increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES AND EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

SEC RULE 15C3-1: See Uniform Net Capital Rule.

TREASURY BILLS: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY NOTES: An interest bearing security issued by the U.S. Treasury to finance the national debt. Notes are routinely issued for two, three, five, seven, and ten years.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms, as well as nonmember broker-dealers in securities, maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

YIELD: The rate of annual income return on an investment, expressed as a percentage. (a) **Income Yield** is obtained by dividing the current dollar income by the current market price for the security. (b) **Net Yield to Maturity** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

Exhibit “B”

Authorized Broker/Dealer List

1. Duncan Williams
2. FTN Financial
3. Hilltop Securities
4. Multi-Bank Securities
5. Raymond James & Associates
6. Wells Fargo Securities



AGENDA MEMORANDUM

DATE: June 27, 2019

TO: Honorable City Council Members

FROM: Sandra Gibson, CGFO, CGFM, Director of Finance

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consider action on the May 2019 Financial Report for the City of Watauga

BACKGROUND/INFORMATION:

The financial report for the period ending May 31, 2019 is attached for council review and approval.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

Respectfully recommend the Council review and take action on the item presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Council Report - 201907(MAY2019)

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/2/2019

Final Approval - 7/3/2019



Monthly Financial Report

May, 2019

Sales Tax

The City's sales tax receipts from the State Comptroller received in the month of June 2019 (reflecting April 2019 sales receipts) increased by 17.92%, or \$55,836 from the same time last year. This amount includes a prior period adjustment and a future period adjustment. The Crime Control Prevention District's sales tax received increased by 18.10% or \$18,595.

The State Comptroller's office reports that net sales tax payments for cities statewide are up 9.20% in comparison with prior year. Watauga's fiscal year-to-date net sales tax receipts are up 5.49% in comparison with last year.

A comparison of April 2019 sales tax receipts for Watauga and surrounding cities are shown below:

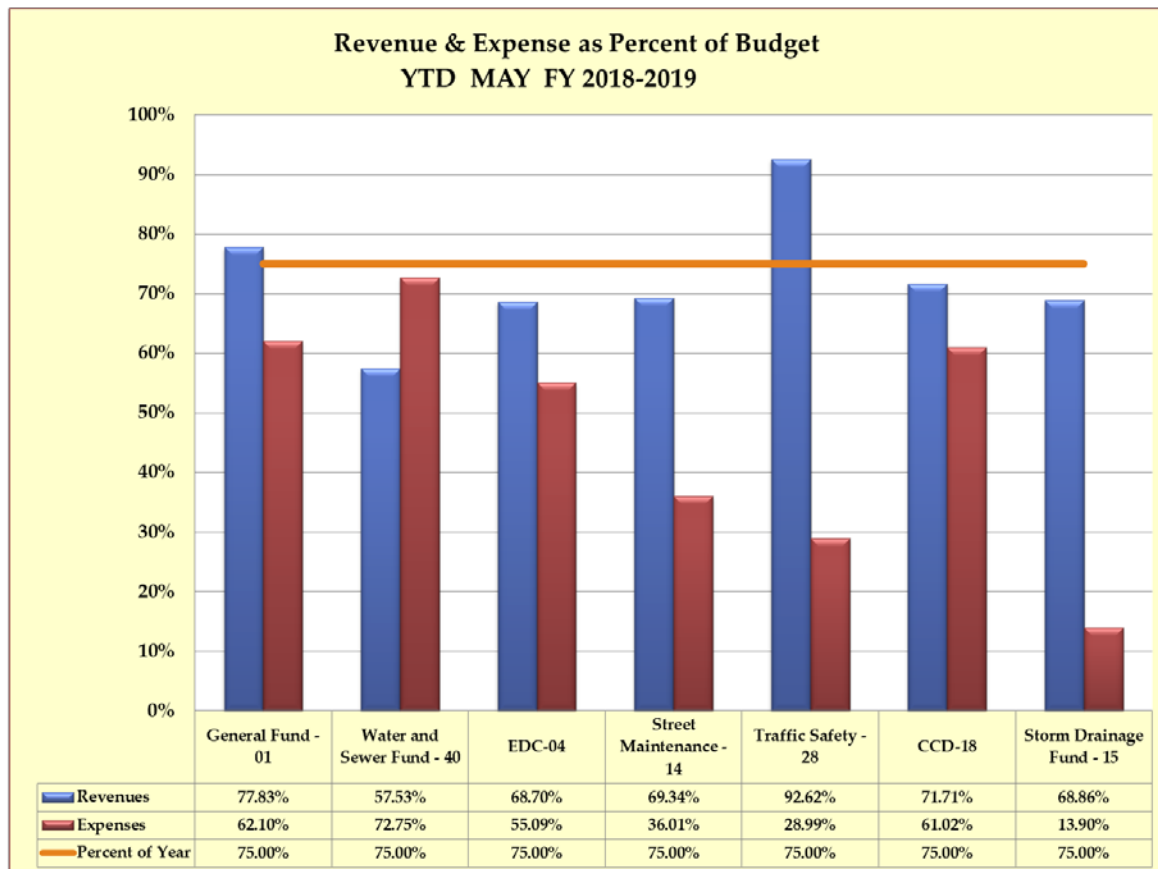
SALES TAX RECEIPTS COMPARISONS APRIL 2018 vs. APRIL 2019 RECEIVED FROM COMPTROLLER - JUNE FISCAL YEAR 2018-19

Sales Tax Receipts for the Month:					
City	APRIL 2019 Sales	APRIL 2018 Sales	\$ Change	% Change	
Roanoke	\$ 1,513,490.34	\$ 1,234,880.14	\$ 278,610.20	22.56%	
Southlake	\$ 2,441,551.72	\$ 2,068,612.83	\$ 372,938.89	18.03%	
Watauga	\$ 367,351.85	\$ 311,515.89	\$ 55,835.96	17.92%	
Richland Hills	\$ 419,736.46	\$ 367,434.53	\$ 52,301.93	14.23%	
Grapevine	\$ 3,737,744.15	\$ 3,303,122.17	\$ 434,621.98	13.16%	
Bedford	\$ 923,585.58	\$ 841,738.28	\$ 81,847.30	9.72%	
Fort Worth	\$ 13,330,827.45	\$ 12,269,565.24	\$ 1,061,262.21	8.65%	
Saginaw	\$ 441,118.55	\$ 409,432.77	\$ 31,685.78	7.74%	
Colleyville	\$ 449,107.45	\$ 426,168.32	\$ 22,939.13	5.38%	
Hurst	\$ 1,180,143.08	\$ 1,141,766.71	\$ 38,376.37	3.36%	
Haltom City	\$ 1,032,292.52	\$ 1,005,218.81	\$ 27,073.71	2.69%	
Euless	\$ 1,496,050.86	\$ 1,478,154.77	\$ 17,896.09	1.21%	
N. Richland Hills	\$ 1,170,691.75	\$ 1,185,249.88	\$ (14,558.13)	-1.23%	
Keller	\$ 876,039.81	\$ 894,848.03	\$ (18,808.22)	-2.10%	

Source: State Comptroller

Financial Highlights

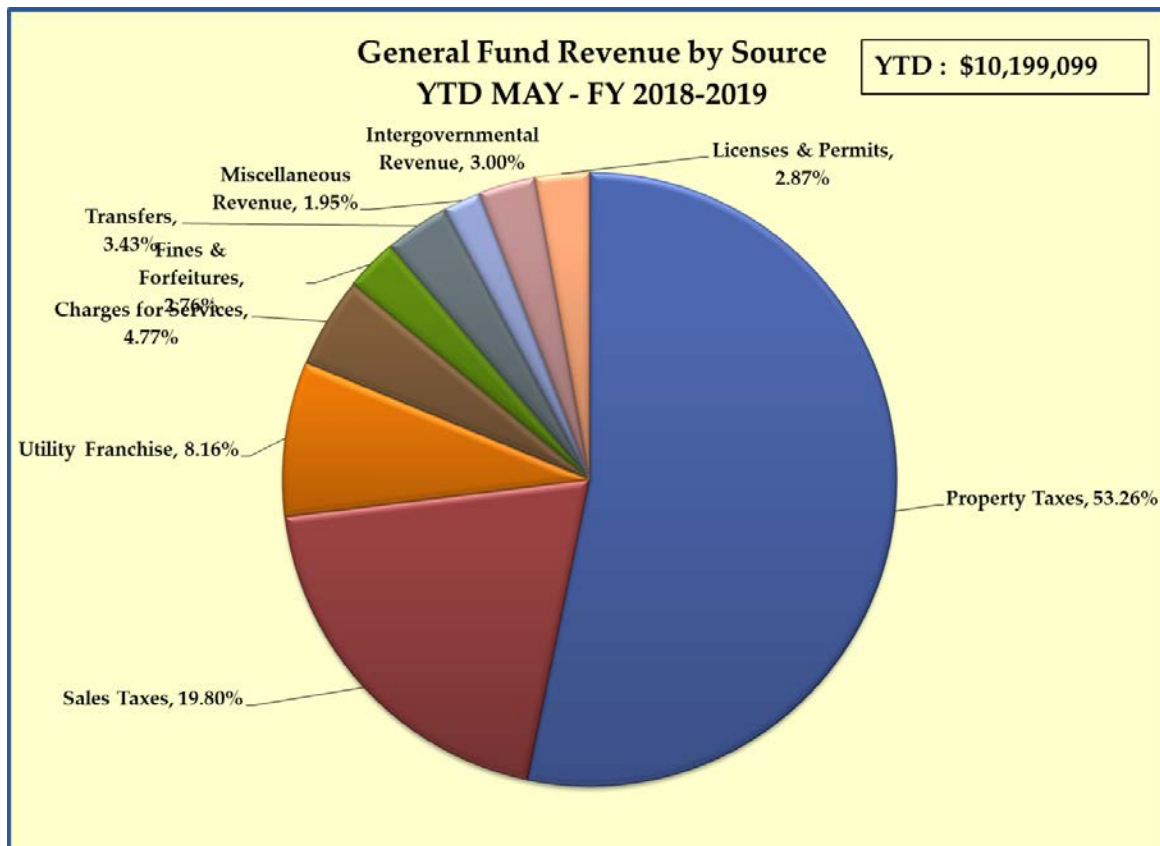
Through May, 2019, the City is 67% through the fiscal year. All revenue and expenses are reflected in the chart below and details of each fund's revenues and expenditures are attached.



General Fund

Revenues – Year-to-date revenues are in line with expectations representing 77.8% of budget collected.

Property Tax - Year-to-date, the City has received 96.5% of budgeted property taxes. Receipts are in line with expectations at this time. The majority of the City's ad valorem tax receipts are received in the month of December and January.



Utility Franchise Revenue - The majority of franchise receipts are received on a quarterly basis. The City has received 81.8% of budgeted franchise fee revenues through May, 2019. The City also receives annual electric and gas franchise fees on an annual basis. The electric and gas franchise fees were received in March, 2019.

Licenses and Permits - License and permit fees are at 55.4% of budget collected, a decrease of \$279,867 over prior year, primarily due to the Parkview subdivision being completed last fiscal year.

Charges for Services - Charges for Services revenues are at 64% of budget collected. Charges for services include recreation fees, ambulance services, garbage collection fees and animal adoption fees.

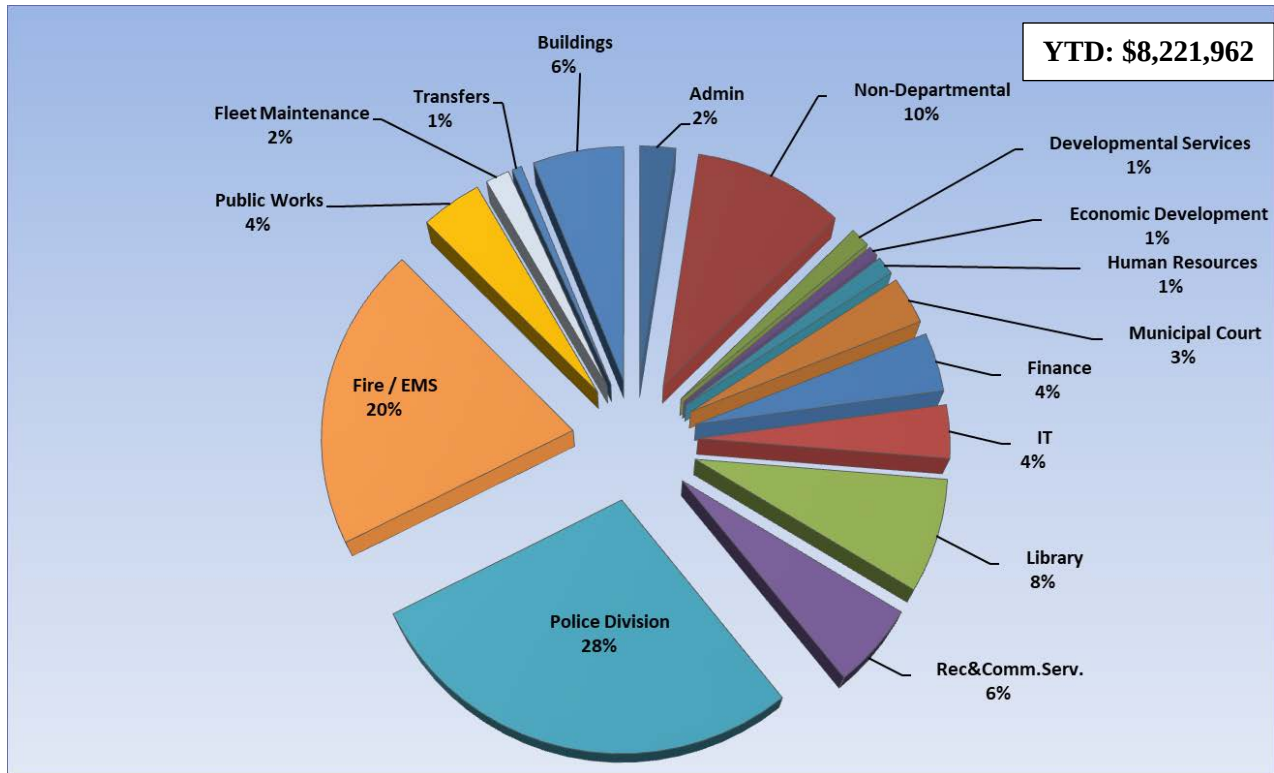
Fines and Forfeitures - Fines and Forfeitures are at 37.8% of budget which is \$9,785, or 3.4% lower than last year's collections due to a decrease in citations issued this fiscal year.

Miscellaneous Revenue - Miscellaneous revenues include Interest earnings, rental of recreational facilities, and other revenue. These receipts total \$198,947 which is 52.6% of budgeted revenues.

Intergovernmental Revenue and Transfers - Intergovernmental Revenue is 60.9% of budget and Transfers are at 62% of budget.

Expenses - General fund expenses in total are in line with budget expectations at 62% of budget expended. Expenditures are 2% higher in comparison to prior year.

GENERAL FUND EXPENDITURES BY DEPARTMENT

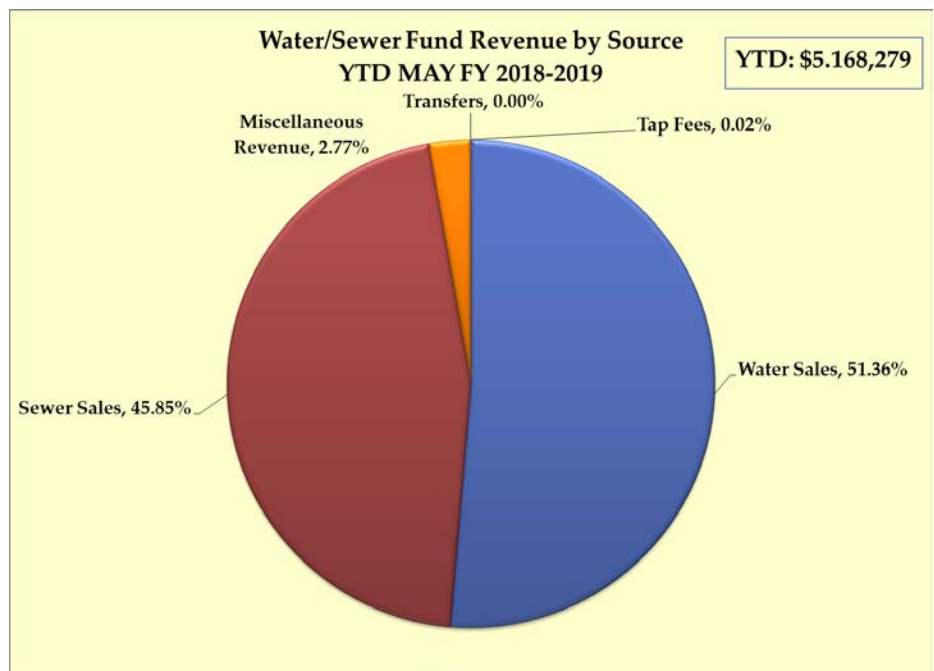


Water and Sewer Fund

Water and sewer revenues are currently at 57.5% of budgeted revenues through May, 2019. Water revenues have decreased by 7% in comparison to last year due to lower consumption as a result of higher rainfall.

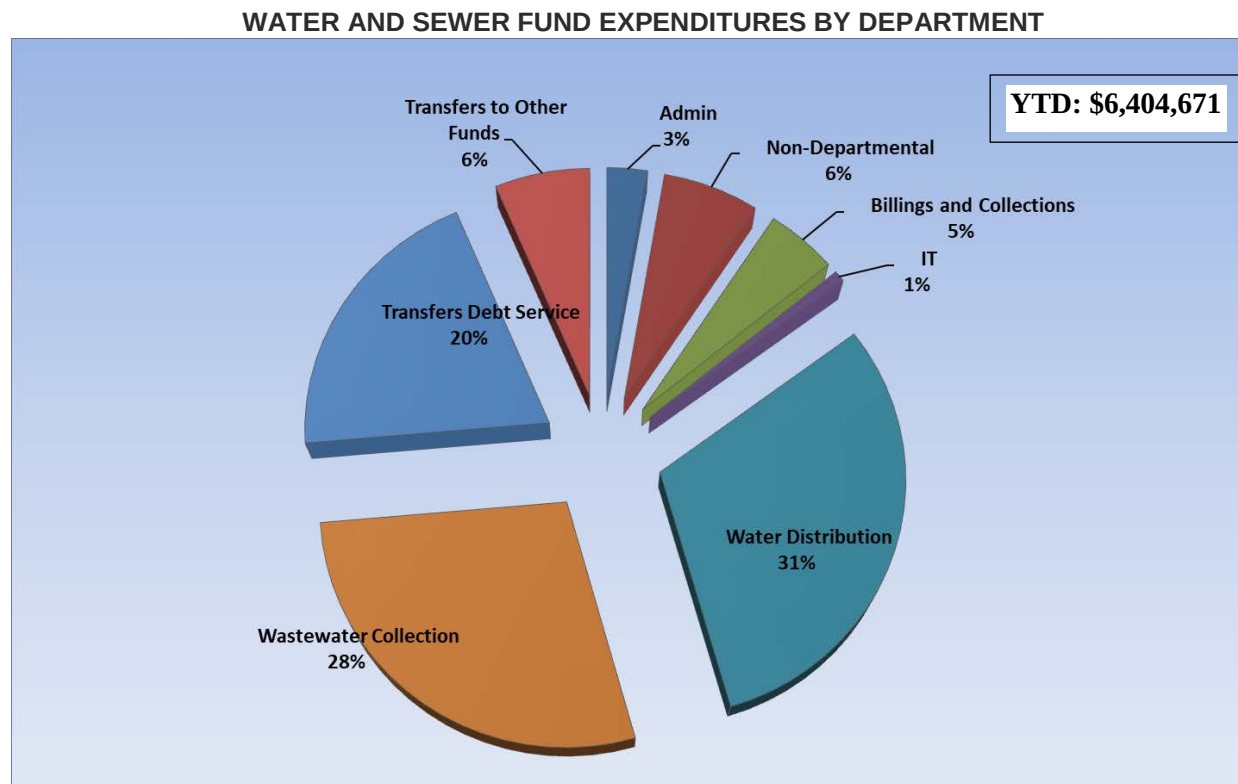
Miscellaneous Sales -

Miscellaneous sales include penalty revenue, EPA revenue, service charges, returned check fees, and damaged/tampering fees. This category of revenue is at 66.6% of budget collected.



Expenses – Year-to-date expenses in the Water/Sewer fund are higher than budget expectations and are currently at 72.7%. This is primarily due to increased wastewater costs from the City of Ft. Worth because of increased wastewater volume treated. This fiscal year, the excessive rainfall has caused the City to experienced inflow and

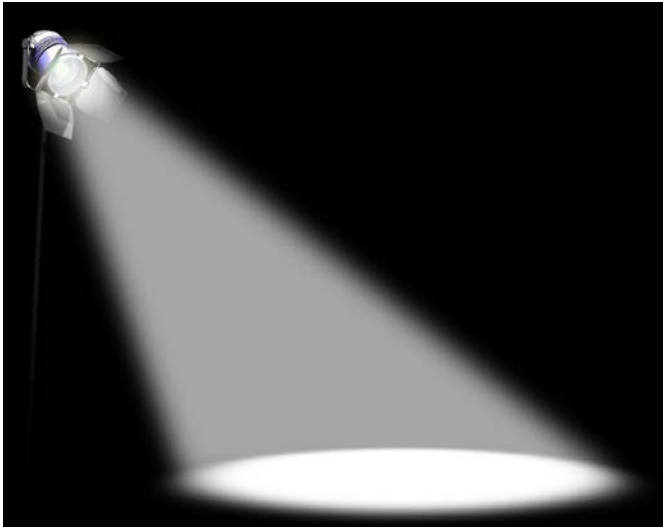
infiltration in the City's wastewater lines. In addition, the City has experienced higher wholesale water billings due to water leaks. Public Works continues to investigate these issues. The breakdown of expenses by department is shown below:



Storm Drain Fund – Revenues have increased 3% when compared with FY2017-18 and represent 68.9% of budget collected. Expenses are at 13.9% of budget in this fund through May 2019. The capital improvement projects budgeted in this fund total \$2.4 million. The Whitley Road 2 drainage project will begin later this fiscal year.

Special Revenue Funds - In the Street Maintenance Fund, revenues are on target with 69.3% of budget collected and expenses are at 36% of budget. The Crime Control and Prevention District has collected 71.7% of total revenues and is at 61% of budget expended. The Economic Development Corporation Fund has collected 68.7% of sales tax revenues and is at 55.1% of budget expended through May, 2019. The Traffic Safety Fund (Red Light ticket program) has collected \$742,942 of fines or 92.9% of budget year-to-date and expenditures are at 29% of budget at this time. The City's photographic enforcement program was discontinued effective 6/2/2019 due to the passage of HB1631.

SPOTLIGHT ON A FUND SERIES



The Spotlight on a Fund Series has been included in the monthly financial report. This series is designed to highlight a fund and provide information on the history of the fund, revenues and appropriate expenditures, and other useful information. Fund accounting is used primarily by government and non-profit organizations to emphasize accountability, not profitability. Funds allow for revenues and expenditures to be segregated in accordance with laws and regulations or special restrictions and limitations. The City has twenty-seven funds in total.

Water and Sewer Fund

The Water and Sewer Utility Fund is a **Proprietary Fund type** and is a **Enterprise Fund** used to account for activities that receive significant support from fee and charges. Watauga implemented Water and Sewer rates in 1996 as a result of the system purchase from the City of North Richland Hills.

The Water and Sewer Utility Fund is used to account for revenues and expenses related to the operations and maintenance of the City's utility system. Costs of the system are recovered through user fees charged to residential and commercial units located within the City of Watauga. Water and Sewer projects are budgeted in a separate capital projects fund. FY2018-19 includes various water and sewer projects that are underway. The historical summary of the fund is listed below:

WATER AND SEWER UTILITY FUND SUMMARY

	HISTORY		PROJECTED YEAR		BUDGET
	2015-16 Actual	2016-17 Actual	2017-18 Budget	2017-18 Estimate	2018-19 Budget
Retained Earnings, October 1	\$ 1,127,895	\$663,870	\$1,293,123	\$1,282,684	\$1,406,088
<u>Revenues:</u>					
Water Sales	4,599,547	4,239,099	4,750,000	4,300,000	4,800,000
Sewer Sales	3,522,972	3,397,237	3,700,000	3,500,000	3,750,000
Other Revenue	411,048	406,707	419,000	434,000	434,000
Operating Revenues	\$ 8,533,567	\$ 8,043,043	\$ 8,869,000	\$ 8,234,000	\$ 8,984,000
<u>Operating Transfers-In:</u>					
Transfers from JUF	514	10,509	0	10,000	0
Total Available Resources	\$ 9,661,976	\$ 8,717,422	\$ 10,162,123	\$ 9,526,684	\$ 10,390,088
<u>Expenditures:</u>					
Administration	251,812	255,769	269,800	263,900	271,300
Non-Departmental	509,939	667,211	634,200	650,700	655,180
Billing & Collections	453,790	448,694	509,750	467,000	507,800
Information Technology	67,250	68,193	76,000	73,958	75,900
Water Distribution	2,607,241	2,419,979	2,872,200	2,544,400	2,899,400
Wastewater Collection	2,553,149	2,180,557	2,366,900	2,214,850	2,407,700
Total Operating Expenditures	6,443,181	6,040,403	6,728,850	6,214,808	6,817,280
<u>Operating Transfers-Out</u>					
Total Operating Transfers-Out	2,504,925	1,344,335	1,905,788	1,905,788	1,920,000
Operating Surplus/(Deficit)	\$ (414,025)	\$ 668,814	234,362	\$ 123,404	246,720
<u>Transfers to Sustainability Funds</u>					
To Equipment Repl. - Current Year	50,000	50,000	0	0	66,500
Total Transfers to Sustainability Funds	50,000	50,000	0	0	66,500
Net Income Before Transfers	2,090,900	2,013,149	2,140,150	2,029,192	2,166,720
TOTAL OPERATING & TRANSFERS	\$ 8,998,106	\$ 7,434,738	\$ 8,634,638	\$ 8,120,596	\$ 8,803,780
Retained Earnings, September 30	\$663,870	\$1,282,684	\$1,527,485	\$1,406,088	\$1,586,308
CHANGE IN NET ASSETS	(\$464,025)	\$ 618,814	\$234,362	\$123,404	\$180,220
% OF EXPENDITURES	7%	17%	18%	17%	17%

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending May 31, 2019 (3rd FY Qtr.)

GENERAL FUND - 01

REVENUE:	CURRENT BUDGET	5/31/2019 YTD ACTUAL	% USED	% REMAINING	5/31/2018 YTD ACTUAL	\$ CHG 19 vs 18	% CHG 19 vs 18
TAXES							
AD VALOREM	5,583,000	5,386,978	96.49%	3.51%	4,906,641	480,338	9.79%
Delinquent	26,000	22,121	85.08%	14.92%	15,201	6,921	45.53%
Penalty & Interest	27,000	22,527	83.43%	16.57%	20,293	2,234	11.01%
SALES TAX	2,967,000	2,019,301	68.06%	31.94%	1,927,414	91,887	4.77%
UTILITY FRANCHISE	1,017,000	832,088	81.82%	18.18%	791,719	40,369	5.10%
LICENSES & PERMITS	529,000	292,805	55.35%	44.65%	572,672	(279,867)	-48.87%
INTERGOVERNMENTAL REVENUE	502,600	305,918	60.87%	39.13%	307,464	(1,546)	-0.50%
CHARGES FOR SERVICES	760,000	486,612	64.03%	35.97%	480,958	5,654	1.18%
FINES & FORFEITURES	745,700	281,758	37.78%	62.22%	291,543	(9,785)	-3.36%
MISCELLANEOUS INCOME	378,200	198,947	52.60%	47.40%	192,209	6,738	3.51%
OPERATING TRANSFERS IN	568,000	350,044	61.63%	38.37%	355,313	(5,269)	-1.48%
TOTAL REVENUE	\$13,103,500	\$10,199,099	77.83%	22.17%	\$9,861,426	\$337,673	3.42%
ADMINISTRATION	293,800	194,668	66.26%	33.74%	155,689	38,979	25.04%
HUMAN RESOURCES	168,250	102,667	61.02%	38.98%	101,922	745	0.73%
BUILDINGS - PW	819,000	495,140	60.46%	39.54%	464,475	30,665	6.60%
FINANCE	459,850	323,267	70.30%	29.70%	290,355	32,912	11.34%
MUNICIPAL COURT - FIN	410,450	261,145	63.62%	36.38%	228,337	32,808	14.37%
DEVELOPMENTAL SERVICES - PW	176,018	108,522	61.65%	38.35%	169,206	(60,684)	-35.86%
LIBRARY	985,700	617,628	62.66%	37.34%	590,378	27,250	4.62%
RECREATION	706,082	453,302	64.20%	35.80%	397,020	56,281	14.18%
POLICE	4,074,650	2,313,643	56.78%	43.22%	2,108,461	205,182	9.73%
FIRE/EMS	2,576,350	1,663,157	64.55%	35.45%	1,455,214	207,943	14.29%
PUBLIC WORKS - STREETS	618,950	334,514	54.05%	45.95%	313,720	20,793	6.63%
FLEET MANAGEMENT - PW	203,800	129,612	63.60%	36.40%	127,296	2,316	1.82%
NON-DEPARTMENTAL	1,211,700	824,439	68.04%	31.96%	956,345	(131,907)	-13.79%
INFORMATION TECHNOLOGY	395,050	290,208	73.46%	26.54%	243,415	46,793	19.22%
ECONOMIC DEVELOPMENT	93,580	58,073	62.06%	37.94%	133,631	(75,559)	-56.54%
TRANSFERS TO OTHER FUNDS	47,500	51,980	109.43%	-9.43%	322,752	(270,772)	-83.89%
TOTAL EXPENDITURES	\$13,240,730	\$8,221,962	62.10%	37.90%	\$8,058,216	\$163,746	2.03%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	(\$137,230)	\$1,977,137			\$1,803,210	\$173,927.19	

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending May 31, 2019 (3rd FY Qtr.)

DEBT SERVICE FUND - 03

	<u>CURRENT BUDGET</u>	<u>5/31/2019 YTD ACTUAL</u>	<u>% USED</u>	<u>% REMAINING</u>	<u>5/31/2018 YTD ACTUAL</u>	<u>\$ CHG 19 vs 18</u>	<u>% CHG 19 vs 18</u>
REVENUE:							
TAXES							
AD VALOREM	2,420,000	2,320,114	95.87%	4.13%	2,266,406	\$53,709	2.37%
Delinquent	12,000	9,601	80.01%	19.99%	6,166	\$3,435	55.72%
Penalty & Interest	10,000	8,495	84.95%	15.05%	7,912	\$583	7.37%
INTEREST EARNINGS	800	13,734	1716.76%	-1616.76%	7,683	\$6,051	78.76%
OTHER FINANCING SOURCES	-	0	-	-	0	\$0	-
OPERATING TRANSFERS IN	-	0	-	-	0	\$0	-
TOTAL REVENUE	\$2,442,800	\$2,351,944	96.28%	3.72%	\$2,288,166	\$63,778	2.79%
 Contractual & Sundry	 2,496,122	 0	 0.00%	 100.00%	 -	 \$0	 0.00%
TOTAL EXPENDITURES	\$2,496,122	2,190,883	87.77%	12.23%	1,891,850	\$299,033	0.00%
 EXCESS REVENUE OVER (UNDER) EXPENDITURES	 (\$53,321.58)	 \$161,061			 \$396,316	 -\$235,255	

100.00%

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending May 31, 2019 (3rd FY Qtr.)

WATER & SEWER - 40

	CURRENT BUDGET	5/31/2019 YTD ACTUAL	% USED	% REMAINING	5/31/2018 YTD ACTUAL	\$ CHG 19 vs 18	% CHG 19 vs 18
REVENUE:							
WATER SALES	4,800,000	2,584,921	53.85%	46.15%	2,695,604	(110,682)	-4.11%
SEWER SALES	3,750,000	2,307,786	61.54%	38.46%	2,223,215	84,571	3.80%
MISCELLANEOUS	209,000	139,287	66.64%	33.36%	141,021	(1,734)	-1.23%
PENALTY	205,000	112,372	54.82%	45.18%	115,054	(2,683)	-2.33%
INTEREST	20,000	22,663	113.31%	-13.31%	10,555	12,108	114.71%
TRANSFERS	-	-	-	-	-	-	0.00%
TAP FEES	-	1,250	-	-	17,650	(16,400)	-92.92%
SALE OF ASSETS	-	-	-	-	-	-	-
TOTAL REVENUE	\$8,984,000	\$5,168,279	57.53%	42.47%	\$5,203,100	(\$34,821)	-0.67%
ADMINISTRATIVE	271,300	176,221	64.95%	35.05%	174,884	1,336	0.76%
NON-DEPARTMENTAL	655,180	419,306	64.00%	36.00%	459,015	(39,709)	-8.65%
BILLING & COLLECTIONS	507,800	310,981	61.24%	38.76%	280,965	30,016	10.68%
MGT. INFO SYSTEMS	75,900	49,500	65.22%	34.78%	45,641	3,858	8.45%
WATER DISTRIBUTION	2,899,400	1,962,811	67.70%	32.30%	1,400,556	562,254	40.15%
WASTEWATER COLLECTION	2,407,700	1,796,722	74.62%	25.38%	1,135,396	661,326	58.25%
TRANSFERS	1,986,500	1,689,131	85.03%	14.97%	1,647,939	41,192	2.50%
TOTAL EXPENDITURES	\$8,803,780	\$6,404,671	72.75%	27.25%	\$5,144,397	\$1,260,275	24.50%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	\$180,220	(\$1,236,392)			\$58,703	(\$1,295,095)	

100.00%

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending May 31, 2019 (3rd FY Qtr.)

ECONOMIC DEVELOPMENT CORP - 04

REVENUE:	CURRENT BUDGET	5/31/2019 YTD ACTUAL	% USED	% REMAINING	5/31/2018 YTD ACTUAL	\$ CHG 19 vs 18	% CHG 19 vs 18
SALES TAX	728,000	498,332	68.45%	31.55%	477,027	21,305	4.47%
INTEREST EARNINGS	7,500	6,945	92.59%	7.41%	5,683	1,261	22.20%
INTEREST/ESCROW	-	-	-	-	-	-	-
CONTRIBUTIONS/OTHER	-	-	-	-	-	-	-
TOTAL REVENUE	\$735,500	\$505,276	68.70%	31.30%	\$482,710	22,566	4.67%
 PERSONNEL SERVICES	447,400	273,844	61.21%	38.79%	291,327	(17,483)	-6.00%
NON-DEPARTMENTAL	21,390	12,534	58.60%	41.40%	8,916	3,617	40.57%
SUPPLIES	63,100	18,488	29.30%	70.70%	20,912	(2,424)	-11.59%
MAINTENANCE	62,200	27,043	43.48%	56.52%	38,609	(11,566)	-29.96%
CONTRACTUAL & SUNDRY	144,100	66,172	45.92%	54.08%	52,170	14,002	26.84%
TRANSFERS	50,900	34,193	67.18%	32.82%	29,073	5,120	17.61%
CAPITAL OUTLAY	5,500	5,500	100.00%	0.00%	6,200	(700)	0.00%
TOTAL EXPENDITURES	794,590	437,773	55.09%	44.91%	\$ 447,207	(9,434)	-2.11%
 EXCESS REVENUE OVER (UNDER) EXPENDITURES	(\$59,090)	\$67,503			\$35,503	\$32,000	

100.00%

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending May 31, 2019 (3rd FY Qtr.)

Strategic Initiative Fund - 13

REVENUE:	CURRENT BUDGET	5/31/2019 YTD ACTUAL	% USED	% REMAINING	5/31/2018 YTD ACTUAL	\$ CHG 19 vs 18	% CHG 19 vs 18
INTEREST EARNINGS	1,000	3,246	324.64%	-224.64%	2,815	432	15.33%
INTEREST/ESCROW	-	-	-	-	-	-	-
TRANSFERS	-	-	-	-	45,000	(45,000)	-100.00%
TOTAL REVENUE	\$1,000	\$3,246	324.64%	-224.64%	\$47,815	(44,568)	-84.67%
CONTRACTUAL & SUNDRY	155,000	61,107	39.42%	60.58%	84,462	(23,355)	-27.65%
TOTAL EXPENDITURES	155,000	61,107	39.42%	60.58%	\$ 84,462	(23,355)	-27.65%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	(\$154,000)	(\$57,860)			(\$36,647)	-\$21,213	

100.00%

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending May 31, 2019 (3rd FY Qtr.)

STREET MAINTENANCE FUND - 14

	<u>CURRENT BUDGET</u>	<u>5/31/2019 YTD ACTUAL</u>	<u>% USED</u>	<u>% REMAINING</u>	<u>5/31/2018 YTD ACTUAL</u>	<u>\$ CHG 19 vs 18</u>	<u>% CHG 19 vs 18</u>
REVENUE:							
SALES TAX	723,000	497,576	68.82%	31.18%	471,688	25,889	5.5%
INTEREST EARNINGS	9,000	9,984	-	-	6,017	3,967	65.9%
INTEREST/ESCROW	-	-	-	-	-	0	-
CONTRIBUTIONS/OTHER	-	-	-	-	-	0	-
TOTAL REVENUE	\$ 732,000	\$507,560	68.82%	31.18%	477,704	\$29,856	6.25%
MAINTENANCE	100,000	55,607	55.61%	44.39%	54,803	804	1.5%
CONTRACTUAL & SUNDRY	8,000	595	7.44%	92.56%	2,565	(1,970)	-76.8%
CAPITAL OUTLAY	600,000	198,742	33.12%	66.88%	179,810	18,932	0.0%
TOTAL EXPENDITURES	708,000	254,943	36.01%	63.99%	237,178	\$17,766	
EXCESS REVENUE OVER (UNDER) EXPENDITURES	\$24,000	\$252,616			\$240,526	\$12,090	

100.00%

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending May 31, 2019 (3rd FY Qtr.)

STORM DRAIN FUND - 15

	<u>CURRENT BUDGET</u>	<u>5/31/2019 YTD ACTUAL</u>	<u>% USED</u>	<u>% REMAINING</u>	<u>5/31/2018 YTD ACTUAL</u>	<u>\$ CHG 19 vs 18</u>	<u>% CHG 19 vs 18</u>
REVENUE:							
USERS FEE	1,452,000	979,385	67.45%	32.55%	963,253	16,132	1.67%
OTHER REVENUE	-	-	-	-	-	-	-
INTEREST INCOME	25,000	37,737	150.95%	-50.95%	24,462	13,274	54.26%
TOTAL REVENUE	\$1,477,000	\$1,017,122	68.86%	31.14%	\$987,716	\$29,406	2.98%
PERSONNEL	497,200	287,144	57.75%	42.25%	\$275,174	11,970	4.35%
SUPPLIES	38,600	9,625	24.94%	75.06%	\$13,656	(4,031)	-29.52%
MAINTENANCE	56,500	6,782	12.00%	88.00%	\$6,772	10	0.15%
CONTRACTUAL & SUNDRY	203,230	90,358	44.46%	55.54%	\$92,743	(2,385)	-2.57%
CAPITAL	2,483,000	6,646	0.27%	99.73%	\$68,674	(62,027)	-90.32%
TRANSFERS TO OTHER FUNDS	103,600	69,636	67.22%	32.78%	\$78,830	(9,194)	-11.66%
TOTAL EXPENDITURES	\$3,382,130	\$470,191	13.90%	86.10%	\$535,848	(\$65,657)	-12.25%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	(\$1,905,130)	\$546,931			\$451,867	\$95,063	

100.00%

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending May 31, 2019 (3rd FY Qtr.)

CRIME CONTROL DISTRICT - 18

REVENUE:	CURRENT BUDGET	5/31/2019 YTD ACTUAL	% USED	% REMAINING	5/31/2018 YTD ACTUAL	\$ CHG 19 vs 18	% CHG 19 vs 18
SALES TAX	1,436,000	992,613	69.12%	30.88%	937,732	54,881	5.85%
INTEREST EARNING/OTHER	57,000	77,976	136.80%	-36.80%	10,971	67,005	610.75%
			-	-		-	-
TOTAL REVENUE	\$1,493,000	\$1,070,589	71.71%	28.29%	\$948,703	\$121,886	12.85%
PERSONNEL SERVICES	994,000	598,013	60.16%	39.84%	\$548,853	49,161	8.96%
SUPPLIES	147,500	79,762	54.08%	45.92%	\$76,757	3,006	3.92%
MAINTENANCE	206,000	135,471	65.76%	34.24%	\$150,892	(15,420)	-10.22%
CONTRACTUAL & SUNDRY	316,870	214,405	67.66%	32.34%	\$195,388	19,017	9.73%
TRANSFERS	44,000	29,600	67.27%	32.73%	\$264,109	(234,509)	-88.79%
CAPITAL OUTLAY	24,500	230	0.94%	99.06%	\$0	230	0.00%
TOTAL EXPENDITURES	1,732,870	1,057,482	61.02%	38.98%	\$1,235,998	(\$178,516)	-14.44%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	(\$239,870)	\$13,107			\$ (287,295)	\$300,402	

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending May 31, 2019 (3rd FY Qtr.)

Traffic Safety - 28

	CURRENT BUDGET	5/31/2019 YTD ACTUAL	% USED	% REMAINING	5/31/2018 YTD ACTUAL	\$ CHG 19 vs 18	% CHG 19 vs 18
REVENUE:							
FINES & FORFEITURES	800,000	740,954	92.62%	7.38%	626,362	114,591	18.29%
INTEREST	-	1,989	-	-	790	1,199	-
		-	-	-	-	-	-
TOTAL REVENUE	800,000	742,942	92.87%	7.38%	627,152	115,791	18.46%
PERSONNEL SERVICES	263,200	104,638	39.76%	60.24%	85,604	19,034	22.23%
SUPPLIES	4,500	100	2.22%	97.78%	2,000	(1,900)	0.00%
CONTRACTUAL & SUNDRY	506,060	121,789	24.07%	75.93%	135,007	(13,218)	-9.79%
CAPITAL OUTLAY	7,600	-	0.00%	100.00%	-	-	0.00%
TOTAL EXPENDITURES	781,360	226,527	28.99%	71.01%	222,611	3,916	1.76%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	\$18,640	\$516,416			\$404,541	\$111,875	

100.00%

WHEREAS, a segment of the Arcadia Trail Connection lies within the city limits of Fort Worth in Arcadia Trail Park South near Glenscape Trail (collectively, the “Fort Worth Segment”) and a segment of the Arcadia Trail Connection lies within the city limits of Watauga in Whites Branch Park near Cedar View Court (collectively, the “Watauga Segment”) as depicted on **Exhibit “A”** attached hereto and incorporated herein; and

WHEREAS, Fort Worth funded and completed Schematic Design (30% Construction Document level) plans and cost estimate and presented those for consideration by Watauga; and

WHEREAS, Watauga will reimburse Fort Worth for Watauga’s share of design costs for preparation of construction documents for Arcadia Trail Connection up to a maximum of \$50,000.00 (Fifty Thousand Dollars); and

WHEREAS, Watauga is able and willing to provide access and funding, at the appropriate time, for construction of the Watauga Segment of the Arcadia Trail Connection within the Watauga city limits; and

WHEREAS, Fort Worth is able and willing to design and construct both the Fort Worth Segment and the Watauga Segment of the Arcadia Trail Connection;

NOW, THEREFORE, in consideration of the above recitals and the premises and agreements, covenants and promises herein set forth, it is agreed as follows:

SECTION I. FORT WORTH

- A.** Fort Worth shall coordinate with Watauga concerning design of both the Fort Worth Segment and the Watauga Segment of the Arcadia Trail Connection and maintain a project schedule throughout the design phase of the project.
- B.** Fort Worth shall provide Watauga with timely project updates and requests for Watauga’s payment of their share of project design costs throughout the project.
- C.** Fort Worth shall obtain professional engineering related consultant services for preparation of construction documents for Arcadia Trail Connection necessary for the design of both the Fort Worth Segment and the Watauga Segment of the Arcadia Trail Connection.
- D.** Fort Worth shall ensure that its consultant designs both the Fort Worth Segment and the Watauga Segment of the Arcadia Trail Connection to the specifications approved by both Fort Worth and Watauga.

- E. Fort Worth or its consultant shall register the project with the Texas Department of Licensing Regulation (TDLR) for review of conformance with Texas Accessibility Standards (TAS) requirements. Nothing herein shall prohibit or prevent Watauga from performing its own inspection of project conformance with of TAS requirements.
- F. Fort Worth or its consultant shall design three (3) construction signs for the project within the overall limits of construction and located approximately as follows: (1) the Cedar View Court construction access point within Watauga city limits, (2) the existing Whites Branch Trail connection point within Watauga city limits, and (3) the existing Arcadia Trail connection point within Fort Worth city limits, as depicted on **Exhibit “A”** attached hereto and incorporated herein;

SECTION II. WATAUGA

- A. Watauga shall pay Fort Worth for Watauga’s share of design costs for preparation of construction documents for Arcadia Trail Connection (60%, 90%, 100%, Sealed construction documents) based upon the following formula: (design consultant’s estimated value of improvements within Watauga city limits) x (overall project design fee divided by design consultant’s estimated overall project construction cost). Watauga’s share of design cost shall not exceed \$50,000.00 (Fifty Thousand Dollars).
- B. Watauga shall provide timely responses to Fort Worth project schedule updates, information requests and updates, design submittal review comments, and requests for Watauga payments of their share of design and construction costs.
- C. Watauga hereby grants Fort Worth a license for the temporary use of Watauga’s rights-of-way, the Whites Branch Park maintenance gate at Cedar View Court, and Whites Branch Park for ingress and egress as is reasonably necessary to design and for future construction of both the Fort Worth Segment and the Watauga Segment of the Arcadia Trail Connection.

SECTION III. TERMS OF AGREEMENT

- A. OWNERSHIP:** Upon completion, and final acceptance by Watauga, design of the trail improvements described above, if not constructed within a reasonable period of time, shall be conveyed to Watauga for its use to construct its portion of the trail system.
- B. TERM:** This Agreement shall be effective upon full execution hereof, as described below, and shall continue in force and effect until the design services are complete, unless amended in writing by both parties hereto, in which case, any term provision in the amendment shall control.
- C. NOTICES:** All notices or communications provided for herein shall be electronically or hand-delivered to Watauga and Fort Worth or, if mailed, shall be sent to Watauga and Fort Worth at their respective addresses. For the purposes of notice, the addresses of the parties, until changed by written notice, are as set forth in the recitals, with Notice to be directed to:

FORT WORTH:

Richard Zavala, Director
Park & Recreation Department
4200 South Freeway, Suite 2200
Fort Worth, Texas 76115

WATAUGA:

Paul Hackleman, Director
Public Works Department
7800 Virgil R. Anthony, Sr. Blvd.
Watauga, Texas 76148

- D. IMMUNITY:** It is expressly understood and agreed that, in the execution of this Agreement, no party waives, nor shall be deemed hereby to waive, any privilege, immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions.
- E. SEVERABILITY:** If any of the terms, sections, subsections, sentences, clauses, phrases, provisions, covenants or conditions of this Agreement are for any reason held to be invalid, void or unenforceable, the remainder of the terms, sections, subsections, sentences, clauses, phrases, provisions, covenants, or conditions in this Agreement shall remain in full force and effect and shall in no way be affected, impaired or invalidated.
- F. GOVERNING LAW:** The validity of the Agreement and of any of its terms or provisions, as well as the rights and duties hereunder, shall be governed by the laws of the State of Texas.

- G. PLACE OF PERFORMANCE:** All actions to be taken or amounts due under this Agreement shall be performed in Tarrant County, Texas. In the event that any legal proceeding is brought to enforce this Agreement or any provision hereof, the same shall be brought in Tarrant County, Texas.
- H. ENTIRE AGREEMENT:** This Agreement contains all the terms, commitments and covenants of the parties. Any verbal or written commitment not contained in this Agreement or expressly referred to in this Agreement and incorporated by reference shall have no force or effect.
- I. CURRENT REVENUES:** The parties hereto shall make any payments called for hereunder only from current revenues legally available to each party.
- J. MULTIPLE COUNTERPARTS:** This Agreement may be executed in multiple counterparts which, when taken together, constitute the entire Agreement.

IN WITNESS WHEREOF, the signatories below, each acting under authority of their respective governing bodies, have caused this Agreement to be duly executed to be effective as of the date subscribed by the signatory last executing this Agreement.

CITY OF FORT WORTH

BY:

Fernando Costa
Assistant City Manager

(Date Signed)

ATTEST:

Mary J. Kayser
City Secretary

CITY OF FORT WORTH SEAL:

CITY OF WATAUGA

BY:

(Signature)

(Signatory's Printed Name)

(Signatory's Printed Title)

(Date Signed)

ATTEST:

(Signature)

(Signatory's Printed Name)

(Signatory's Printed Title)

CITY OF WATAUGA SEAL:

CITY OF FORT WORTH
APPROVAL RECOMMENDED:

BY:

Richard Zavala, Director
Park & Recreation Department

City of Fort Worth
Contract Compliance Manager

By signing, I acknowledge that I am the person responsible for the monitoring and administration of this contract, including ensuring all performance and reporting requirements.

Dwight Taylor
Project Manager

APPROVED AS TO FORM AND LEGALITY:

CITY OF FORT WORTH
BY:

Douglas W. Black
Senior Assistant City Attorney

CITY OF WATAUGA
BY:

(Signature)

(Signatory's Printed Name)

(Signatory's Printed Title)

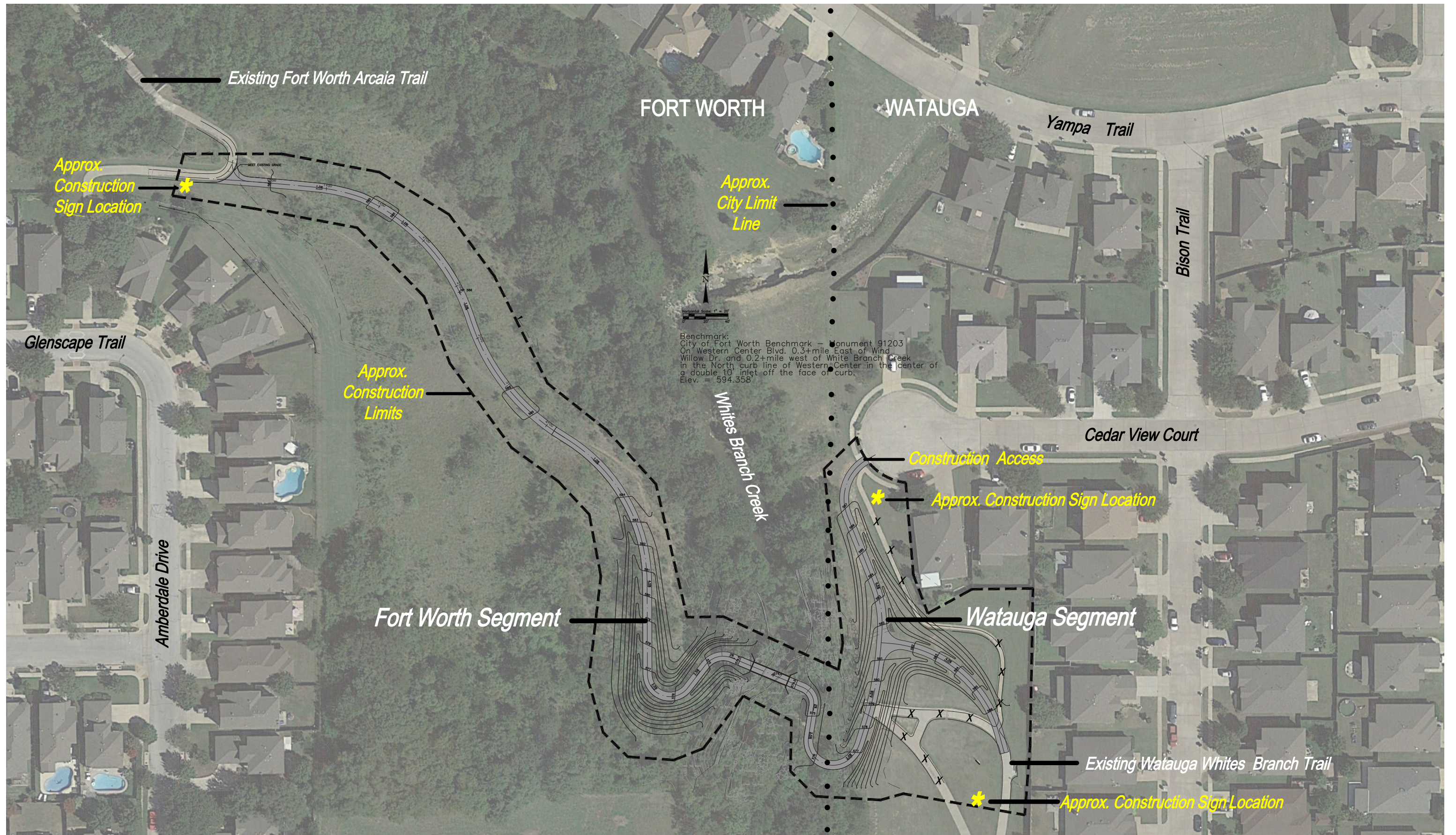


EXHIBIT A

Interlocal Agreement between City of Fort Worth and City of Watauga

Arcadia Trail Connection CFW Project No. 100317

Agenda Page 189 of 298

ARCADIA TRAIL CONNECTION



ARCADIA TRAIL | ENLARGEMENT A

Fort Worth, Texas



ARCADIA TRAIL | ENLARGEMENT B
Fort Worth, Texas



AGENDA MEMORANDUM

DATE: June 27, 2019

TO: Honorable City Council Members

FROM: Shawn Fannan, Fire Chief

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consider action to Amend the Interlocal Agreement between the Northeast Fire Department Association (NEFDA) and the Cities of Bedford, Colleyville, Euless, Grapevin, Haltom City, Hurst, Keller, North Richland Hills, Richland Hills, Roanoke, Southlake, Trophy Club MUD #1, Watauga and Westlake for the efficient use of Fire Department Equipment entered into on August 14, 2014 in a form approved by the City Attorney

BACKGROUND/INFORMATION:

On June 10, 2019, Stan Tinney with the North East Fire Department Association notified the Watauga City Manager of the Board of Directors approval of the proposed amendments to the attached Interlocal Agreement entered into by Watauga and dated on August 14, 2014.

Staff and Legal have reviewed the attached amendments and recommend approval.

FINANCIAL IMPLICATIONS:

Funds associated with the attached amendments have been included in the annual budget.

RECOMMENDATION/ACTION DESIRED:

City staff respectfully requests the City Council approve the Amendments to the Interlocal Agreement between NEFDA and partnering entities.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Notification of Changes Letter
2. Amendments to Interlocal Agreement

REVIEWED BY:

Shawn Fannan, Fire Chief
Sandra Gibson, CGFO, CGFM, Director of Finance
Andrea Gardner, City Manager

Approved - 6/27/2019
Approved - 6/30/2019
Approved - 7/3/2019



AGENDA MEMORANDUM

Terri Johnson, City Secretary

Final Approval - 7/3/2019

Approved as to form for inclusion on Agenda

Stan Tinney,
North East Fire Department Association
4301 City Point Drive
North Richland Hills TX. 76180
June 10, 2019



Ms. Andrea Gardner
City Manager
City of Watauga
7015 Whitley Rd.
Watauga TX 76148

Dear Ms. Andrea Gardner:

Last year the first apparatus purchased by North East Fire Department Association (NEFDA) and distributed to a participating City reached its recommended replacement age. The replacement process is outlined in the 2014 interlocal agreement between the NEFDA cities who make up NEFDA Incorporated. This was the first time the process outlined in the interlocal was used to purchase apparatus and the process has revealed the process is in need of some modifications to make the process more effective and efficient. The Board of Directors retained the services of attorney John D. Thorpe, Jr., to review the Interlocal Agreement (hereinafter "Agreement") and provide recommendations.

Based on the review and consultation with the NEFDA Board of Directors, the below two Amendments to the original Agreement are being recommended to improve the efficiency of replacing jointly-used emergency response equipment. The Section on Amendments in the original Agreement reads, "This agreement can be amended or replaced by a majority of the Parties. All of the Parties must be notified in writing within thirty (30) days and an open forum must be held in which all of the Parties have been invited to attend." Item will be presented to the Board of Directors July 11, 2019 at the monthly NEFDA Chiefs meeting in Colleyville and all members are invited to attend.

PROPOSED AMENDMENTS

Capital Replacement Fund Procedures

Each participating city/agency will be responsible for making contributions to the Capital Replacement Fund. The contributions will be based on a schedule approved by the NEFDA Board. The funds will be placed in a depository account managed by the NEFDA Board. The NEFDA Board and Members will complete an annual report detailing the status of the Fund and the plan for the

purchase and replacement of the jointly-used emergency response equipment. The replacement and funding schedules will be reviewed by the NEFDA Board and its Members at an Annual Meeting. Disbursements from the Fund will be approved by the NEFDA Board and its Members and as determined by the funding plan.

Transfer

The decision as to what equipment is in need of replacement will be made by the NEFDA and its Members. The decision to purchase equipment will be approved by the NEFDA board and its Members. The purchase of the equipment will be made by the NEFDA Board and its Members. Once the equipment is purchased it will be transferred to the appropriate participating city/agency via a transfer. This transfer will allow the equipment to be housed by the city/agency, and titled in the city/agency name. The city/agency will provide loss or damage insurance for the full replacement value of the equipment and properly maintain the equipment. The city/agency will assume all liability of the operation of the equipment. The city/agency and the NEFDA Board and Members will determine when the equipment has reached end of useful life and is ready to be retired. The city/agency will return the equipment to the NEFDA. The NEFDA will dispose of the equipment in the most efficient manner while ensuring fair market value is received. In the event the city/agency in possession of the transferred equipment chooses to discontinue participation in the Agreement, the city/agency will return the equipment to the NEFDA. The NEFDA Board and Members will determine the best course of action for the equipment.

REPLACING

~~The Northeast Fire Department Association (NEFDA) has purchased over \$2.8 million in capital equipment through grant programs and its operating budget since its inception. In order to assure that major equipment can be replaced in future years, a Capital Replacement Fund will be established, and all funds will be deposited in a depository account managed by the City of Hurst. Each participating entity will be responsible for making annual contributions to the Capital Replacement Fund based on a schedule approved by the NEFDA Board and participating cities/agencies. The administration of the Capital Replacement Fund will be the responsibility of the NEFDA Board of Directors and the City Managers of Hurst, Euless and North Richland Hills and Haltom City (representing the participating cities/agencies). A listing of all Major Capital purchases over \$15,000 will be detailed in a replacement schedule showing the replacement amount and the year that the equipment is scheduled for replacement.~~

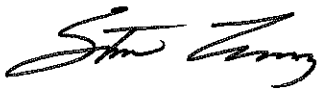
~~The Capital Replacement Program will be updated annually by the NEFDA Board and its members. The NEFDA Board and City Manager/District Manager representatives will meet annually, in March, prior to the budget year to approve the Capital Replacement Program and to determine the Capital Replacement funding schedule. The Capital Replacement Schedule may be adjusted as new equipment is received or as old equipment is retired. The replacement and funding schedules will be reviewed by all participating cities/agencies at an annual meeting that will be held in April, prior to the plans implementation on October 1st of the new fiscal year. All operational funds will be governed by the NEFDA Board of Directors. All year-end undesignated operational budget surpluses will be transferred to the Capital Fund by October 1st. At any time if a Federal Audit is required of Grant Funds, NEFDA will reimburse the cities/agencies for any audit expenses. Disbursements from the fund will be approved by the NEFDA Board and the City Manager/District Manager representatives as determined by the approved funding plan.~~

~~Each participating city/agency may house and operate specific equipment. If equipment is housed by a participating city/agency they will hold the title to that equipment. Each city/agency that holds title to equipment will be fully responsible for the equipment and will insure the equipment for loss or damage at full replacement value. Any retired equipment will be auctioned with the proceeds being deposited into the Capital Replacement Fund as permitted through grant funding procedures. Auctioned equipment will go through the public auction process as determined by State Law and by the entity that has responsibility for the equipment.~~

RECOMMENDATIONS

The Board of Directors and the Members have reviewed the proposed Amendments and recommend the adoption of the Amendments to the Agreements.

Sincerely,



Stan Tinney,
Treasurer

**AMENDMENTS TO THE INTERLOCAL AGREEMENT
BETWEEN THE NORTHEAST FIRE DEPARTMENT ASSOCIATION (NEFDA)
AND THE CITIES OF BEDFORD, COLLEYVILLE, EULESS, GRAPEVINE, HALTOM CITY, HURST, KELLER,
NORTH RICHLAND HILLS, RICHLAND HILLS, ROANOKE, SOUTHLAKE, TROPHY CLUB MUD #1,
WATAUGA, AND WESTLAKE FOR THE EFFICIENT USE OF FIRE EQUIPMENT WHICH WAS ENTERED
INTO ON AUGUST 14, 2014**

Proposed Amendments

The below two Amendments to the original Interlocal Agreement are being recommended to improve the efficiency of replacing jointly-used emergency response equipment. The NEFDA Board and Members recommend adopting these Amendments. The Section on Amendments in the original Agreement reads, "This agreement can be amended or replaced by a majority of the Parties. All of the Parties must be notified in writing within thirty (30) days and an open forum must be held in which all of the Parties have been invited to attend. The Amendment will not be effective to any party that does not agree."

Capital Replacement Fund Procedures

Each participating city/agency will be responsible for making contributions to the Capital Replacement Fund. The contributions will be based on a schedule approved by the NEFDA Board. The funds will be placed in a depository account managed by the NEFDA Board. The NEFDA Board and Members will complete an annual report detailing the status of the Fund and the plan for the purchase and replacement of the jointly-used emergency response equipment. The replacement and funding schedules will be reviewed by the NEFDA Board and its Members at an Annual Meeting. Disbursements from the Fund will be approved by the NEFDA Board and its Members and as determined by the funding plan.

Transfer

The decision as to what equipment is in need of replacement will be made by the NEFDA and its Members. The decision to purchase equipment will be approved by the NEFDA board and its Members. The purchase of the equipment will be made by the NEFDA Board and its Members. Once the equipment is purchased it will be transferred to the appropriate participating city/agency via a transfer. This transfer will allow the equipment to be housed by the city/agency, and titled in the city/agency name. The city/agency will provide loss or damage insurance for the full replacement value of the equipment and properly maintain the equipment. The city/agency will assume all liability of the operation of the equipment. The city/agency and the NEFDA Board and Members will determine when the equipment has reached end of useful life and is ready to be retired. The

Ms. Andrea Gardner

June 10, 2019

Page 5

city/agency will return the equipment to the NEFDA. The NEFDA will dispose of the equipment in the most efficient manner while ensuring fair market value is received. In the event the city/agency in possession of the transferred equipment chooses to discontinue participation in the Agreement, the city/agency will return the equipment to the NEFDA. The NEFDA Board and Members will determine the best course of action for the equipment.



AGENDA MEMORANDUM

DATE: June 18, 2019

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

THROUGH:

SUBJECT: Consider action on an ordinance of the City Council of the City of Watauga, Texas amending the Code of Ordinances, Chapter 2, Article VI, Division 2, Records Management Program {CAPTION}

BACKGROUND/INFORMATION:

On June 19, 2019, the Interim City Secretary was notified by the Texas State Library that City of Watauga should amend the original policy on file as it was unclear if the policies on file superseded each other and further recommended the City utilize the State's Model Ordinance when updating.

The Interim Attorney worked with the State Library to complete the legal update to the City's Records Management Program. The most substantive change is in the section titled "Records control schedules adopted; monitoring; filing with state," which is section 2-291 in the original and 2-292 in the revised document.

Subsection (a) is changed from:

"In lieu of filing amended and additional records control schedules, the city hereby adopts the state library and archives commission approved schedules that apply to different departments of the city."

to:

"Each records control schedule shall be monitored and amended as needed by the Records Management Officer on a regular basis to ensure that it is in compliance with records retention schedules issued by the state and that it continues to reflect the record keeping procedures and needs of the department and the records management program of the City of Watauga."

Most of the other changes are fairly minor. Legal concluded the Model Ordinance recommended by the State is cleaner and more concise.



AGENDA MEMORANDUM

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommends the City Council adopt an ordinance to amend the City of Watauga's Records Management Program.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Records Management Adoptive Ordinance
2. Records Management Blackline

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/3/2019

Final Approval - 7/3/2019

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 2, ARTICLE VI, DIVISION 2 RECORDS MANAGEMENT PROGRAM BY REPEALING DIVISION 2, RECORDS MANAGEMENT PROGRAM, IN ITS ENTIRETY AND REPLACING SAID DIVISION WITH A NEW DIVISION 2; PROVIDING FOR REPEALER CLAUSE AND SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Title 6, Subtitle C, Local Government Code (Local Government Records Act) provides that a municipality must establish by ordinance an active and continuing records management program to be administered by a Records Management Officer; and

WHEREAS, the City of Watauga desires to adopt an ordinance for that purpose and to prescribe policies and procedures consistent with the Local Government Records Act and in the interests of cost-effective and efficient recordkeeping;

NOW THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WATAUGA:

Section 1.

The City Council finds that the recitals set forth above are true and correct, and said recitals are incorporated into this ordinance as if set forth in full.

Section 2.

Division 2., Records Management Program, of Article VI., Records Management, of Chapter 2, Administration, of the City of Watauga Code of Ordinances is hereby repealed in its entirety and replaced with the following:

DIVISION 2. - RECORDS MANAGEMENT PROGRAM

Sec. 2-281. – Definition of Municipal Records

All documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other information recording media, regardless of physical form or characteristic and regardless of whether public access to them is open or restricted under the laws of the state, created or received by the City of Watauga or any of its officers or employees pursuant to law or in the transaction of public business are hereby declared to be the records of the City of Watauga and shall be created, maintained, and disposed of in accordance with the provisions of this ordinance or procedures authorized by it and in no other manner.

Sec. 2-282. - Additional Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Department head means the officer who, by ordinance, order, or administrative policy is in charge of an office of the City of Watauga that creates or receives records.

Essential record means any record of the City of Watauga necessary to the resumption or continuation of operations of the city in an emergency or disaster, to the re-creation of the legal and financial status of the city, or to the protection and fulfillment of obligations to the people of the state.

Permanent record means any record of the City of Watauga for which the retention period on a records control schedule is given as permanent.

Records control schedule means a document prepared by or under the authority of the Records Management Officer listing the records maintained by the city, their retention periods and other records disposition information that the records management program may require.

Records management means the application of management techniques to the creation, use, maintenance, retention, preservation, and disposal of records for the purposes of reducing the costs and improving the efficiency of recordkeeping. The term includes the development of records control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports, and correspondence, and the management of micrographics and electronic and other record storage systems.

Records management officer means the person designated in section 2-285.

Records management plan means the plan developed under section 2-287.

Retention period means the minimum time that must pass after the creation, recording, or receipt of a record, or the fulfillment of certain actions associated with a record, before it is eligible for destruction.

Sec. 2-283. - Municipal records declared public property.

All municipal records, as defined in section 2-281, are hereby declared to be the property of the city. No city official or employee has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

Sec. 2-284. - Policy.

It is hereby declared to be the policy of the City of Watauga to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all municipal records through a comprehensive system of integrated procedures for their management from creation to their ultimate disposition, consistent with the requirements of the Texas Local Government Records Act and accepted records management practice.

Sec. 2-285. - Designation of records management officer.

The city secretary office and the successive holders of said office shall serve as Records Management Officer for the city. As provided by state law, each successive holder of the office shall file his or her name with the director and librarian of the Texas State Library within thirty (30) days of the initial designation or of taking up the office, as applicable.

Sec. 2-286. - Records management plan to be developed; approval of plan; authority of plan.

- (a) The Records Management Officer shall develop a records management plan for the City of Watauga for submission to the City Council. The plan must contain policies and procedures designed to reduce the costs and improve the efficiency of recordkeeping, to adequately protect the essential records of the municipality and to properly preserve those records of the municipality that are of historical value. The plan must be designed to enable the Records Management Officer to carry out his or her duties prescribed by state law and this division effectively.
- (b) Once approved by the City Council, the records management plan shall be binding on all offices, departments, divisions, programs, commissions, bureaus, boards, committees, or similar entities of the city and records shall be created, maintained, stored, microfilmed or disposed of in accordance with the plan.
- (c) State law relating to the duties, other responsibilities, or recordkeeping requirements of a department head do not exempt the department head or the records in the department head's care from the application of this division and the records management plan adopted under it and may not be used by the department head as a basis for refusal to participate in the records management program of the City of Watauga.

Sec. 2-287. - Duties of records management officer.

In addition to other duties assigned in this division, the Records Management Officer shall:

- (1) administer the records management program and provide assistance to department heads in its implementation;
- (2) plan, formulate, and prescribe records disposition policies, systems, standards, and procedures;
- (3) in cooperation with department heads, identify essential records and establish a disaster plan for each municipal office and department to ensure maximum availability of the records in order to reestablish operations quickly and with minimum disruption and expense;
- (4) develop procedures to ensure the permanent preservation of the historically valuable records of the city;
- (5) establish standards for filing and storage equipment and for recordkeeping supplies;
- (6) study the feasibility of and, if appropriate, establish a uniform filing system and a forms design and control system for the city;
- (7) monitor records retention schedules and administrative rules issued by the state library and archives commission to determine if the records management program and the city's records control schedules are in compliance with state regulations;

- (8) disseminate to the city council and department heads information concerning state laws and administrative rules relating to local government records;
- (9) ensure that the maintenance, preservation, electronic storage, microfilming, destruction, or other disposition of city records is carried out in accordance with the policies and procedures of the records management program and the requirements of state law;
- (10) maintain records on the volume of records destroyed under approved records control schedules, the volume of records microfilmed or stored electronically, and the estimated cost and space savings as the result of such disposal or disposition;
- (11) report annually to the city on the implementation of the records management plan in each department of the city, including summaries of the statistical and fiscal data compiled under subsection (10) of this section; and
- (12) bring to the attention of the city council noncompliance by department heads or other municipal personnel with the policies and procedures of the records management program or the Local Government Records Act.

Sec. 2-288. - Duties and responsibilities of department heads.

In addition to other duties assigned by this division, department heads shall:

- (1) Cooperate with the Records Management Officer in carrying out the policies and procedures established in the City of Watauga for the efficient and economical management of records and in carrying out the requirements of this division;
- (2) adequately document the transaction of government business and the services, programs, and duties for which the department head and his staff are responsible; and
- (3) maintain the records in his or her care and carry out their preservation, electronic storage, microfilming, destruction, or other disposition only in accordance with the policies and procedures of the records management program of the City of Watauga and the requirements of this division.

Sec. 2-289. - Records control schedules adopted; monitoring; filing with state.

- (a) The Records Management Officer, in cooperation with department heads, shall prepare records control schedules on a department by department basis listing all records series created or received by the department and the retention period for each series. Records control schedules shall also contain such other information regarding the disposition of municipal records as the records management plan may require.
- (b) Each records control schedule shall be monitored and amended as needed by the Records Management Officer on a regular basis to ensure that it is in compliance with records retention schedules issued by the state and that it continues to reflect the recordkeeping procedures and needs of the department and the records management program of the City of Watauga.
- (c) Before its adoption a records control schedule or amended schedule for a department must be approved by the department head and the City Council.
- (d) Before its adoption, a records control schedule must be submitted to and accepted for filing by the director and librarian as provided by state law. If a schedule is not accepted for filing,

the schedule shall be amended to make it acceptable for filing. The Records Management Officer shall submit the records control schedules to the director and librarian.

Sec. 2-290. - Implementation of records control schedules; destruction of records under schedule.

- (a) A records control schedule for a department that has been approved and adopted under section 2-287 shall be implemented by department heads according to the policies and procedures of the records management plan.
- (b) A record whose retention period has expired on a records control schedule shall be destroyed unless an open records request is pending on the record, the subject of the record is pertinent to a pending lawsuit, or the department head requests in writing to the Records Management Officer that the record be retained for an additional period.
- (c) Prior to the destruction of a record under an approved records control schedule, authorization for the destruction must be obtained by the Records Management Officer from the City of Watauga.

Sec. 2-291. - Destruction of unscheduled records.

A record that has not yet been listed on an approved records control schedule may be destroyed if its destruction has been approved in the same manner as a record destroyed under an approved schedule and the Records Management Officer has submitted to and received back from the director and librarian an approved destruction authorization request.

Section 3.

That the City of Watauga Code of Ordinance Chapter 2 (entitled “Administration”), Article VI (entitled “Records Management”), Division 2 (entitled “Records Management Program”), Sections 2-203 through 2-323 are reserved.

Section 4.

This Ordinance shall be and is hereby cumulative of all Ordinances of the City of Watauga, Texas, and this Ordinance shall not operate to repeal or affect any such other Ordinances except insofar as the provision thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event, such conflicting provisions, if any, in such Ordinance or Ordinances are hereby repealed.

Section 5.

If any section, sub-section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 6.

This Ordinance shall become effective and shall be in full force and effect from and after the date of passage and adoption by the City Council of the City of Watauga, Texas, and upon

approval thereof by the Mayor of the City of Watauga, Texas, and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas this _____ day of _____, 2019.

APPROVED:

ARTHUR L. MINOR, Mayor

ATTEST:

ANDREA GARDNER, City Secretary

APPROVED AS TO FORM AND LEGALITY:

GEORGE E. HYDE, City Attorney

City Attorney's Approval to Form

And City Charter Section 8.04 Review:

Concur

Dissent

George E. Hyde

Interim City Attorney

CODE OF ORDINANCES
WATAUGA, TEXAS

. . . .

Chapter 2 – ADMINISTRATION

. . . .

ARTICLE VI. - RECORDS MANAGEMENT

DIVISION 1. - GENERALLY

Secs. 2-252—2-280. - Reserved.

DIVISION 2. - RECORDS MANAGEMENT PROGRAM

Sec. 2-281. — Definition of Municipal Records

All documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other information recording media, regardless of physical form or characteristic and regardless of whether public access to them is open or restricted under the laws of the state, created or received by the City of Watauga or any of its officers or employees pursuant to law or in the transaction of public business are hereby declared to be the records of the City of Watauga and shall be created, maintained, and disposed of in accordance with the provisions of this ordinance or procedures authorized by it and in no other manner.

Sec. 2-282. - Additional Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Department head means the officer who, by ordinance, order, or administrative policy is in charge of an office of the cityCity of Watauga that creates or receives records.

~~*Electronic storage* means the maintenance of municipal records in the form of digital electronic signals on a computer hard disk, magnetic tape, optical disk, or similar machine-readable medium.~~

Essential record means any record of the cityCity of Watauga necessary to the resumption or continuation of operations of the city in an emergency or disaster, to the re-creation of the legal and financial status of the city, or to the protection and fulfillment of obligations to the people of the state.

~~*Municipal records* means all documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other information recording media, including records which are electronically stored, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by the city or any of its officers or employees pursuant to law or in the transaction of public business are hereby declared to be the records of the city and shall be created, maintained and disposed of in accordance with the provisions of this division or procedures authorized by it and in no other manner.~~

Permanent record means any record of the cityCity of Watauga for which the retention period on a records control schedule is given as permanent.

Records control schedule means a document prepared by or under the authority of the ~~records management officer~~Records Management Officer listing the records maintained by the city, their retention periods and other records disposition information that the records management program may require.

~~*Records liaison officers* means the persons designated under section 2-289.~~

Records management means the application of management techniques to the creation, use, maintenance, retention, preservation, and disposal of records for the purposes of reducing the costs and improving the efficiency of recordkeeping. The term includes the development of records control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports, and correspondence, and the management of micrographics and electronic and other record storage systems.

~~*Records management committee* means the committee established in section 2-285.~~

Records management officer means the person designated in section 2-~~284~~285.

Records management plan means the plan developed under section 2-~~286~~287.

Retention period means the minimum time that must pass after the creation, recording, or receipt of a record, or the fulfillment of certain actions associated with a record, before it is eligible for destruction.

Sec. 2-~~282~~ - City~~283~~ - Municipal records declared public property.

All municipal records, as defined in section 2-281, are hereby declared to be the property of the city. No city official or employee has, by virtue of his ~~or her~~ position, any personal or property right to such records even though he ~~or she~~ may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

Sec. 2-~~283~~284 - Policy.

It is hereby declared to be the policy of the ~~city~~City of Watauga to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all ~~city~~municipal records through a comprehensive system of integrated procedures for ~~the~~their management ~~of records~~ from ~~their~~ creation to their ultimate disposition, consistent with the requirements of the Texas Local Government Records Act (~~V.T.C.A., Local Government Code ch. 201 et seq.~~) and accepted records management practice.

Sec. 2-~~284~~ - Sec. 2-285 - Designation of records management officer.

The city secretary office and the successive holders of said office shall serve as ~~records management officer~~Records Management Officer for the city. As provided by state law, each successive holder of the office shall file his ~~or her~~ name with the director and librarian of the ~~state library~~Texas State Library within thirty (30) days of the initial designation or of taking up the office, as applicable.

Sec. 2-~~285~~ - Records management committee.

~~A records management committee consisting of all department heads in the city is hereby established. The committee shall:~~

- ~~(1) Assist the records management officer in the development of policies and procedures governing the records management program;~~
- ~~(2) Review the performance of the program on a regular basis and propose changes and improvements if needed;~~
- ~~(3) Review and approve records control schedules submitted by the records management officer;~~
- ~~(4) Give final approval to the destruction of records in accordance with approved records control schedules; and~~
- ~~(5) Actively support and promote the records management program throughout the city.~~

Sec. 2-286. - Records management plan to be developed; approval of plan; authority of plan.

- (a) The ~~records management officer and the records management committee~~Records Management Officer shall develop a records management plan for the ~~city~~City of Watauga for submission to the ~~city council~~City Council. The plan must contain policies and procedures designed to reduce the costs and improve the efficiency of recordkeeping, to adequately protect the essential records of the ~~city~~municipality and to properly preserve those records of the ~~city~~municipality that are of historical value. The plan must be designed to enable the ~~records management officer~~Records Management Officer to carry out his ~~or her~~ duties prescribed by state law and this division effectively.
- (b) Once approved by the ~~city council~~City Council, the records management plan shall be binding on all offices, departments, divisions, programs, commissions, bureaus, boards, committees, or similar entities of the city and records shall be created, maintained, stored, microfilmed or disposed of in accordance with the plan.
- (c) State law relating to the duties, other responsibilities, or recordkeeping requirements of a department head do not exempt the department head or the records in the department head's care from the application of this division and the records management plan adopted under it and may not be used

by the department head as a basis for refusal to participate in the records management program of the ~~city~~ City of Watauga.

Sec. 2-287. - Duties of records management officer.

In addition to other duties assigned in this division, the ~~records management officer~~ Records Management Officer shall:

- (1) ~~Administer~~ administer the records management program and provide assistance to department heads in its implementation;
- (2) ~~Plan~~ plan, formulate, and prescribe records disposition policies, systems, standards, and procedures;
- (3) ~~In~~ in cooperation with department heads, identify essential records and establish a disaster plan for each ~~city~~ municipal office and department to ensure maximum availability of the records in order to reestablish operations quickly and with minimum disruption and expense;
- (4) ~~Develop~~ develop procedures to ensure the permanent preservation of the historically valuable records of the city;
- (5) ~~Establish~~ establish standards for filing and storage equipment and for recordkeeping supplies;
- (6) ~~Study~~ study the feasibility of and, if appropriate, establish a uniform filing system and a forms design and control system for the city;
- ~~(7) Provide records management advice and assistance to all city departments by preparation of a manual of procedure and policy and by on-site consultation;~~
- ~~(8) Monitor~~ (7) monitor records retention schedules and administrative rules issued by the state library and archives commission to determine if the records management program and the city's records control schedules are in compliance with state regulations;
- ~~(9) Disseminate~~ (8) disseminate to the city council and department heads information concerning state laws and administrative rules relating to local government records;
- ~~(10) Instruct records liaison officers and other personnel in policies and procedures of the records management plan and their duties in the records management program;~~
- ~~(11) Direct records liaison officers or other personnel in the conduct of records inventories in preparation for the development of records control schedules as required by state law and this division;~~
- ~~(12) Ensure~~ (9) ensure that the maintenance, preservation, electronic storage, microfilming, destruction, or other disposition of city records is carried out in accordance with the policies and procedures of the records management program and the requirements of state law;
- ~~(13) Maintain~~ (10) maintain records on the volume of records destroyed under approved records control schedules, the volume of records microfilmed or stored electronically, and the estimated cost and space savings as the result of such disposal or disposition;
- ~~(14) Report~~ (11) report annually to the city on the implementation of the records management plan in each department of the city, including summaries of the statistical and fiscal data compiled under subsection (13) of this section; and
- ~~(15) Bring~~ (12) bring to the attention of the city council noncompliance by department heads or other ~~city~~ municipal personnel with the policies and procedures of the records management program or the Local Government Records Act, ~~V.T.C.A., Local Government Code ch. 201 et seq.~~

Sec. 2-288. - Duties and responsibilities of department heads.

In addition to other duties assigned by this division, department heads shall:

- (1) Cooperate with the ~~records management officer~~Records Management Officer in carrying out the policies and procedures established in the ~~city~~City of Watauga for the efficient and economical management of records and in carrying out the requirements of this division;
- (2) ~~Adequately~~adequately document the transaction of government business and the services, programs, and duties for which the department head and his staff are responsible; and
- (3) ~~Maintain~~maintain the records in his ~~or her~~ care and carry out their preservation, electronic storage, microfilming, destruction, or other disposition only in accordance with the policies and procedures of the records management program of the ~~city~~City of Watauga and the requirements of this division.

Sec. 2-289. ~~Designation of records liaison officers.~~

~~Each department head shall designate a member of his staff to serve as records liaison officer for the implementation of the records management program in the department. If the records liaison officer determines that, in the best interests of the records management program, more than one records liaison officer should be designated for a department, the department head shall designate the number of records liaison officers specified by the records management officer. Persons designated as records liaison officers shall be thoroughly familiar with all the records created and maintained by the department and shall have full access to all records of the city maintained by the department. In the event of the resignation, retirement, dismissal, or removal by action of the department head of a person designated as a records liaison officer, the department head shall promptly designate another person to fill the vacancy. A department head may serve as records liaison officer for his department.~~

Sec. 2-290. ~~Duties and responsibilities of records liaison officers.~~

~~In addition to other duties assigned in this division, records liaison officers shall:~~

- ~~(1) Conduct or supervise the conduct of inventories of the records of the department in preparation for the development of records control schedules;~~
- ~~(2) In cooperation with the records liaison officer, coordinate and implement the policies and procedures of the records management program in their departments; and~~
- ~~(3) Disseminate information to department staff concerning the records management program.~~

Sec. 2-291. ~~Records control schedules adopted; monitoring; filing with state.~~

- ~~(a) In lieu of filing amended and additional records~~(a) The Records Management Officer, in cooperation with department heads, shall prepare records control schedules on a department by department basis listing all records series created or received by the department and the retention period for each series. Records control schedules, the city hereby adopts the state library and archives commission approved schedules that apply to different departments of the city. shall also contain such other information regarding the disposition of municipal records as the records management plan may require.
- ~~(b) Each records control schedule shall be monitored and amended as needed by the records management officer~~Records Management Officer on a regular basis to ensure that it is in compliance with records retention schedules issued by the state and that it continues to reflect the recordkeeping procedures and needs of the department and the records management program of the City of Watauga.
- ~~(c) Before its adoption a records control schedule or amended schedule for a department must be approved by the department head and the City Council.~~
- ~~(d) Before its adoption, a records control schedule must be submitted to and accepted for filing by the director and librarian as provided by state law. The records management officer~~If a schedule is not accepted for filing, the schedule shall be amended to make it acceptable for filing. The Records Management Officer shall submit the records control schedules to the director and librarian.

Sec. 2-~~292~~290. - Implementation of records control schedules; destruction of records under schedule.

- ~~(a) A records control schedule for a department that has been approved and adopted under section 2-286~~287 shall be implemented by department heads and records liaison officers according to the policies and procedures of the records management plan.

- (b) A record whose retention period has expired on a records control schedule shall be destroyed unless an open records request is pending on the record, the subject of the record is pertinent to a pending lawsuit, or the department head requests in writing to the ~~records management committee~~Records Management Officer that the record be retained for an additional period.
- (c) Prior to the destruction of a record under an approved records control schedule, authorization for the destruction must be obtained by the ~~records management officer~~Records Management Officer from the ~~records management committee~~City Council of the City of Watauga.

Sec. 2-~~293~~291. - Destruction of unscheduled records.

A record that has not yet been listed on an approved records control schedule may be destroyed if its destruction has been approved in the same manner as a record destroyed under an approved schedule and the ~~records management officer~~Records Management Officer has submitted to and received back from the director and librarian an approved destruction authorization request.

~~Sec. 2-294. - Records center.~~

~~A records center, developed pursuant to the plan required by section 2-286, shall be under the direct control and supervision of the records management officer. Policies and procedures regulating the operations and use of the records center shall be contained in the records management plan developed under section 2-286.~~

~~Sec. 2-295. - Electronic storage and micrographics.~~

~~Unless an electronic storage or micrographics program in a department is specifically exempted by order of the city council, all electronic storage or microfilming of records will be centralized and under the direct supervision of the records management officer. The records management plan will establish policies and procedures for the electronic storage or microfilming of city records, including policies to ensure that all electronic storage or microfilming is done in accordance with standards and procedures for the electronic storage or microfilming of local government records established in the Local Government Records Act (V.T.C.A., Local Government Code ch. 201 et seq.) or the rules of the state library and archives commission. The plan will also establish criteria for determining the eligibility of records for electronic storage or microfilming and protocols for ensuring that an electronic storage or microfilming program that is exempted from the centralized operations is, nevertheless, subject to periodic review by the records management officer as to cost-effectiveness, administrative efficiency and compliance with commission rules.~~

Secs. 2-~~296~~292—2-323. - Reserved.



AGENDA MEMORANDUM

DATE: June 28, 2019

TO: Honorable City Council Members

FROM: Paul Hackleman, P.E., CFM, Director of Public Works

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consider action on a Professional Services Agreement between the City of Watauga, Texas and Burgess & Niple, Inc. for the 2019 Sanitary Sewer Evaluation Study (SSES) in a form to be approved by the City Attorney

BACKGROUND/INFORMATION:

The current Five (5) Year Capital Improvement Plan (CIP) includes the SSES. The SSES is an engineering evaluation of existing sanitary sewer (SS) mains thru smoke testing, dye water flooding, SS main cleaning, and SS main internal television inspection. The study will include engineering analysis, recommended rehabilitation, construction cost estimates, and mapping. This study shall be used in updating and developing CIP Projects.

In addition to the SSES, the contract shall provide updated utility grip maps. The last update was performed in 2009. These maps are used by the City and developers.

The 2012 SSES was prepared by Burgess & Niple, Inc., as well as, the 2009 Utility Grid Maps.

FINANCIAL IMPLICATIONS:

\$225,000 Funding in 2018-19 Budget

RECOMMENDATION/ACTION DESIRED:

Respectfully recommend the Council review and approve the execution of the agreement upon legal review completion for the agreement.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Watauga 2019 SSES - Letter Proposal

REVIEWED BY:

Andrea Gardner, City Manager
Terri Johnson, City Secretary

Approved - 7/3/2019
Final Approval - 7/3/2019



AGENDA MEMORANDUM

Approved as to form for inclusion on Agenda

BURGESS & NIPLE

3950 Fossil Creek Blvd., Suite 210 | Fort Worth, TX 76137 | 817.306.1444

June 27, 2019

Paul Hackleman, P.E.
Public Works Director
City of Watauga, Texas
7800 Virgil Anthony Blvd.
Watauga, Texas 76148

Reference: 2019 Sanitary Sewer Evaluation Study
Professional Services Proposal

Dear Paul:

Burgess & Niple (B&N) is pleased to submit this Agreement for Professional Services to the City of Watauga. This agreement is for B&N to provide a Sanitary Sewer Evaluation Study. Attached is the Agreement, which is prepared for the Mayor's signature.

Thank you for the opportunity to serve the City of Watauga.

Respectfully submitted,
BURGESS & NIPLE, INC.
TBPE FIRM REGISTRATION NO. F-10834



William D. Wendland, P.E.
Associate
Director, Fort Worth Public Sector

Attachment

BURGESS & NIPLE

AGREEMENT BETWEEN CITY OF WATAUGA, TEXAS AND BURGESS & NIPLE, INC. FOR PROFESSIONAL SERVICES

THIS IS AN AGREEMENT EFFECTIVE AS OF _____ ("Effective Date") between CITY OF WATAUGA, TEXAS ("CLIENT") and Burgess & Niple, Inc. ("ENGINEER"). ENGINEER agrees to provide the services described below to CLIENT for **2019 Sanitary Sewer Evaluation Study** ("PROJECT").

Client Legal Name: City of Watauga, Texas

Street Address: 7105 Whitley Road

City: Watauga State: Texas Zip Code: 76148

Contact Person: Paul Hackleman, P.E., Public Works Director

Phone: (817) 514-5837 Fax: (817) 514-5854

☐ Corporation
☒ Public Agency

☐ Partnership
☐ Individual

☐ Sole Proprietor
☐ Limited Liability Company (LLC)

THE PROJECT: CLIENT desires to engage ENGINEER to provide professional engineering services for the 2019 Sanitary Sewer Evaluation Study. ENGINEER shall smoke test sanitary sewer lines that are along and that cross the CLIENT'S drainage channels. Sanitary sewer line found to be defective will then be cleaned and inspected with closed circuit color television equipment (limited to up to 25% of the system that is smoke tested). See the attached Location Map.

SCOPE OF SERVICES: ENGINEER shall provide the services to CLIENT described in accordance with the terms and conditions of this Agreement. This Agreement shall include this Agreement form; Exhibit A – Location Map and Exhibit B – Scope of Services.

PROJECT START: CLIENT shall execute two (2) copies of Agreement. A signed original of the Agreement returned to the office indicated will consummate our Agreement and serve as authorization for ENGINEER to proceed with the services. The person signing this contract warrants that he or she has the authority to sign as or on behalf of the CLIENT for whom or for whose benefit ENGINEER'S services are rendered. This Agreement may be executed by a facsimile signature that, when so executed, shall be deemed to be an original of the same Agreement.

CLIENT and ENGINEER further agree as follows:

1.01 Basic Agreement

- A. ENGINEER shall provide, or cause to be provided, the services set forth in this Agreement Exhibit A – Location Map and Exhibit B – Scope of Services, and CLIENT shall pay ENGINEER for such Services as set forth in Paragraph 10.01.
- B. The CLIENT and the ENGINEER understand, acknowledge, and agree that the ENGINEER shall be acting as an independent contractor at all times during the performance of this agreement and no provision or obligation expressed or implied in this agreement shall create an employment, agency, or fiduciary relationship.

2.01 *Payment Procedures*

- A. ENGINEER will prepare a monthly invoice in accordance with ENGINEER'S standard invoicing practices and submit the invoice to CLIENT.
- B. Invoices are due and payable upon receipt without retainage, back charges, or other deductions and are expressly not contingent upon receipt of payment, compensation or funding from others. If CLIENT fails to make any payment due ENGINEER for services and expenses within 30 days after receipt of ENGINEER'S invoice, that amount due ENGINEER will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day. If the account remains delinquent for more than 30 days after receipt of ENGINEER'S invoice, ENGINEER may, without liability, suspend services under this Agreement until ENGINEER has been paid in full all amounts due for services, expenses, and other related charges. Payments will be credited first to interest and then to principal. ENGINEER shall be entitled to recover its reasonable attorneys' fees and taxable costs resulting from its effort to secure payment from CLIENT.
- C. If CLIENT does not give ENGINEER written notice disputing an invoice within thirty (30) days of the date thereof, the invoice shall conclusively be deemed correct. All payments made by CLIENT should specify the invoice numbers being paid. If payments are received that do not specify the invoices being paid, ENGINEER may, at its sole discretion, apply payments against outstanding interest or invoices.
- D. In the event sales tax is imposed on professional services, CLIENT shall be responsible for this additional cost.
- E. ENGINEER shall not be required to release its files or work product to the CLIENT or to any other party until such time as ENGINEER receives full payment for all services rendered, including reimbursable expenses and interest incurred under the Agreement.

3.01 *Additional Services*

- A. If authorized by CLIENT, or if required because of changes in the PROJECT, ENGINEER shall furnish services in addition to those set forth above.
- B. CLIENT shall pay ENGINEER for such additional services as set forth in Section 10.01.

4.01 *Termination*

- A. The Agreement may be terminated with or without cause by either party on thirty (30) days' written notice, the end of such notice period being the effective date of termination. CLIENT shall pay ENGINEER in accordance with the Agreement for all services performed and reimbursable expenses incurred through the effective date of termination.

5.01 *Controlling Law*

- A. This Agreement is to be governed by the laws of the State of Texas. Each party consents to and submits itself to jurisdiction of the courts of the State of Texas, and to venue in Tarrant County, Texas.
- B. For claims, disputes, or other matters in question between the parties to the Agreement arising out of or relating to the Agreement or breach thereof, the parties shall endeavor to settle these matters by mediation in accordance with the Construction Industry Mediation Rules of the American Arbitration Association currently in effect, unless the parties mutually agree otherwise. Demand for mediation shall be filed in writing with the other party to the Agreement and with the American Arbitration Association. A demand for mediation shall be made within a reasonable time after the claim, dispute, or other matter in question has arisen.

6.01 *Successors, Assigns, and Beneficiaries*

- A. CLIENT and ENGINEER each is hereby bound and the partners, successors, executors, administrators, and legal representatives of CLIENT and ENGINEER (and to the extent permitted by paragraph 6.01.B the assigns of CLIENT and ENGINEER) are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all agreements and obligations of this Agreement.
- B. Neither CLIENT nor ENGINEER may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.
- C. Nothing contained in this agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the CLIENT or ENGINEER.

7.01 *General Considerations*

- A. The standard of care for all professional engineering and related services performed or furnished by ENGINEER under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. ENGINEER makes no warranties, express or implied, under this Agreement or otherwise, in connection with ENGINEER'S services and all warranties are specifically disclaimed, including warranties of merchantability and fitness for a particular purpose. ENGINEER and its consultants may use or rely upon the design services of others, including, but not limited to, contractors, manufacturers, and suppliers.
- B. All work products, including, but not limited to, tracings, survey notes, calculations, drawings, reports, specifications, and other original documents, whether in hard copy or machine-readable form, are instruments of professional service intended for one-time use in the construction of this PROJECT and shall remain the property of ENGINEER. CLIENT shall not reuse such documents without ENGINEER'S prior written consent, but the CLIENT may retain copies, including copies stored on magnetic tape or disk, for information and reference in connection with the occupancy and use of the PROJECT.
- C. ENGINEER shall not at any time supervise, direct, or have control over any contractor's work, nor shall ENGINEER have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, for safety precautions and programs incident to a contractor's work progress, nor for any failure of any contractor to comply with laws and regulations applicable to contractor's work.
- D. ENGINEER neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between CLIENT and such contractor.
- E. ENGINEER shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any contractor's agents or employees or any other persons (except ENGINEER'S own employees) at the PROJECT site or otherwise furnishing or performing any of construction work; or for any decision made on interpretations or clarifications of the construction contract given by CLIENT.
- F. The general conditions for any construction contract documents prepared hereunder are to be the "Standard General Conditions of the Construction Contract" as prepared by the ENGINEER'S Joint Contract Documents Committee (No. C-700, 2007 Edition).
- G. A VARIETY OF RISKS POTENTIALLY AFFECT ENGINEER BY VIRTUE OF ITS ENTERING INTO AN AGREEMENT TO PERFORM PROFESSIONAL SERVICES ON CLIENT'S BEHALF. IN ORDER FOR CLIENT TO OBTAIN THE BENEFIT OF A FEE THAT DOES NOT NEED TO ACCOUNT FOR UNLIMITED

RISKS, TO THE FULLEST EXTENT PERMITTED BY LAW, CLIENT AND ENGINEER (1) WAIVE AGAINST EACH OTHER, AND THE OTHER'S EMPLOYEES, OFFICERS, DIRECTORS, AGENTS, INSURERS, PARTNERS, AND CONSULTANTS, ANY AND ALL CLAIMS FOR OR ENTITLEMENT TO SPECIAL, INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES ARISING OUT OF, RESULTING FROM, OR IN ANY WAY RELATED TO THE PROJECT, AND (2) AGREE THAT ENGINEER'S TOTAL LIABILITY TO CLIENT UNDER THIS AGREEMENT SHALL BE LIMITED TO \$50,000 OR THE TOTAL AMOUNT OF COMPENSATION RECEIVED BY ENGINEER, WHICHEVER IS GREATER.

- H. In the event that ENGINEER undertakes to provide construction cost estimation services, the following shall apply. Evaluation of the CLIENT'S PROJECT budget, preliminary estimates of construction costs, and detailed estimates of construction costs (if any), or any portion thereof prepared by ENGINEER represent ENGINEER'S judgment, based upon the information provided to ENGINEER at the time of evaluation or preparation, as a design professional familiar with the construction industry. It is recognized, however, that neither ENGINEER nor the CLIENT has control over the cost of labor, materials, or equipment, over a contractor's methods of determining bid prices, or over competitive bidding, market, or negotiating conditions. Accordingly, ENGINEER does not have any responsibility in the event that bids or negotiated prices vary from the CLIENT'S PROJECT budget or from any estimate or construction cost or evaluation prepared or agreed to by ENGINEER.
- I. The parties acknowledge that ENGINEER'S scope of services does not include any services related to a Hazardous Environmental Condition (the presence of asbestos, PCBs, petroleum, hazardous substances or waste, and radioactive materials). If ENGINEER or any other party encounters a Hazardous Environmental Condition, ENGINEER may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the PROJECT affected thereby until CLIENT: (i) retains appropriate specialist consultants or contractors to identify and, as appropriate, abate, remediate, or remove the Hazardous Environmental Condition; and (ii) warrants that the site is in full compliance with applicable Laws and Regulations.
- J. The parties acknowledge that ENGINEER'S scope of services does not include any services specifically not included within ENGINEER'S Scope of Service
- K. In the event CLIENT chooses to take advantage of the time and cost savings benefits of an accelerated project delivery process, CLIENT acknowledges that it has been advised that the PROJECT will be affected by such a process. Some of the effects of an accelerated project delivery process include the necessity of making early or premature commitments to design decisions and the issuance of incomplete and uncoordinated construction documents for permitting, bidding, and construction purposes in order to maintain a fast track or accelerated schedule, or the actual progress of the work of the contractor. CLIENT acknowledges that it has been advised that the PROJECT, if developed on an accelerated project delivery basis, may require associated coordination, design, and redesign of parts of the PROJECT after construction documents are issued and the construction contract is executed, and may require removal of work in place, all of which events may cause an increase in the cost of the work and/or an extension of the PROJECT construction schedule. Therefore CLIENT acknowledges and understands that change orders arising from the accelerated project delivery process should be expected as a part of and related to this process; and CLIENT understands the necessity of including sufficient contingencies in the budget for the cost of the work to account for additional cost and construction schedule extensions arising from this process and agrees to include such contingencies in the PROJECT construction budget commensurate with industry standards for projects of similar scope and quality of this PROJECT.
- L. The parties acknowledge that ENGINEER'S scope of services is based upon the ordinance, criteria and/or policies and procedures currently in effect in the City of Watauga, Texas, as reasonably interpreted. Any revisions to these policies could impact the proposed civil engineering services and therefore necessitate and appropriate adjustment in the above fees.

8.01 *Total Agreement*

- A. This Agreement (consisting of pages 1 to 9, inclusive), together with any expressly incorporated appendix or attachments, constitutes the entire agreement between CLIENT and ENGINEER and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

9.01 *Severability*

- A. If any part, term, or provision of the Agreement is held to be illegal or unenforceable, the validity and enforceability of the remaining parts, terms, and provisions of the Agreement shall not be affected, and the rights of the ENGINEER and CLIENT shall be construed and enforced as if the Agreement did not contain the illegal or unenforceable part, term, or provision.

10.01 *Payment (Combination of Unit Costs and Lump Sum)*

- A. Using the procedures set forth in paragraph 2.01, CLIENT shall pay ENGINEER based on the unit costs or percent complete of each task authorized as follows:

Task	Description of Services	Unit	Estimated Quantity	Unit Cost (\$)	Estimated Cost (\$)
100	Mobilization, Printing of Forms and Maps	Lump Sum	1	\$2,250.00	\$2,250.00
110	Review of Existing Data and Information	Lump Sum	1	\$1,500.00	\$1,500.00
200	Project Management, Administration and QA/QC	Lump Sum	1	\$6,750.00	\$6,750.00
300	Smoke Testing				
310	Street	Linear Foot	10,550	\$0.50	\$5,275.00
320	Backyard / Unimproved Areas / Drainage Channels	Linear Foot	56,388	\$0.60	\$33,832.80
400	Dye Water Flooding	Each	30	\$350.00	\$10,500.00
500	Sanitary Sewer Main Cleaning				
500.1	Sanitary Sewer Main Cleaning (6"-10")	Linear Foot	6,900	\$1.00	\$6,900.00
500.2	Sanitary Sewer Main Cleaning (12"-15")	Linear Foot	7,200	\$2.00	\$14,400.00
500.3	Sanitary Sewer Main Cleaning (18"-27")	Linear Foot	7,200	\$2.50	\$18,000.00
500.4	Sanitary Sewer Main Cleaning (>27")	Linear Foot	400	\$3.00	\$1,200.00
510	Sanitary Sewer Main Internal Television Inspection				
510.1	Sanitary Sewer Main Internal Television Inspection (6-10")	Linear Foot	6,900	\$1.15	\$7,935.00
510.2	Sanitary Sewer Main Internal Television Inspection (12"-15")	Linear Foot	7,200	\$1.75	\$12,600.00
510.3	Sanitary Sewer Main Internal Television Inspection (18"-27")	Linear Foot	7,200	\$2.20	\$15,840.00
510.4	Sanitary Sewer Main Internal Television Inspection (>27")	Linear Foot	400	\$2.30	\$920.00
510.5	TV Supervision / Management / Coordination	Linear Foot	21,700	\$0.75	\$16,275.00
510.6	TV / DVD Review	Linear Foot	21,700	\$0.30	\$6,510.00
600	Engineering Analysis, Recommended Rehabilitation Summaries & Cost Estimates	Lump Sum	1	\$8,500.00	\$8,500.00
610	Mapping and Data Visualization	Lump Sum	1	\$3,500.00	\$3,500.00
620	Draft Report	Lump Sum	1	\$12,000.00	\$12,000.00
630	Final Report	Lump Sum	1	\$5,000.00	\$5,000.00
700	Utility Grid Maps	Lump Sum	1	\$35,000.00	\$35,000.00
					\$224,687.80

Agreement between City of Watauga, Texas and Burgess & Niple, Inc. for professional services
2019 Sanitary Sewer Evaluation Study

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

CLIENT: **City of Watauga, Texas**

ENGINEER: **Burgess & Niple, Inc.**

By: _____
Arthur L. Miner

By:  _____
Steven D. Sanders, P.E.

Title: Mayor

Title: Vice President

Date Signed: _____

Date Signed: June 27, 2019

Address for giving notices:

Address for giving notices:

7105 Whitley Road

3950 Fossil Creek Blvd., Suite 210

Watauga, TX 76148

Fort Worth, Texas 76137

Address for remitting invoices:

Attention: Burgess & Niple, Inc. – Accounting Department

5085 Reed Road

Columbus, Ohio 43220

EXHIBIT A
LOCATION MAP

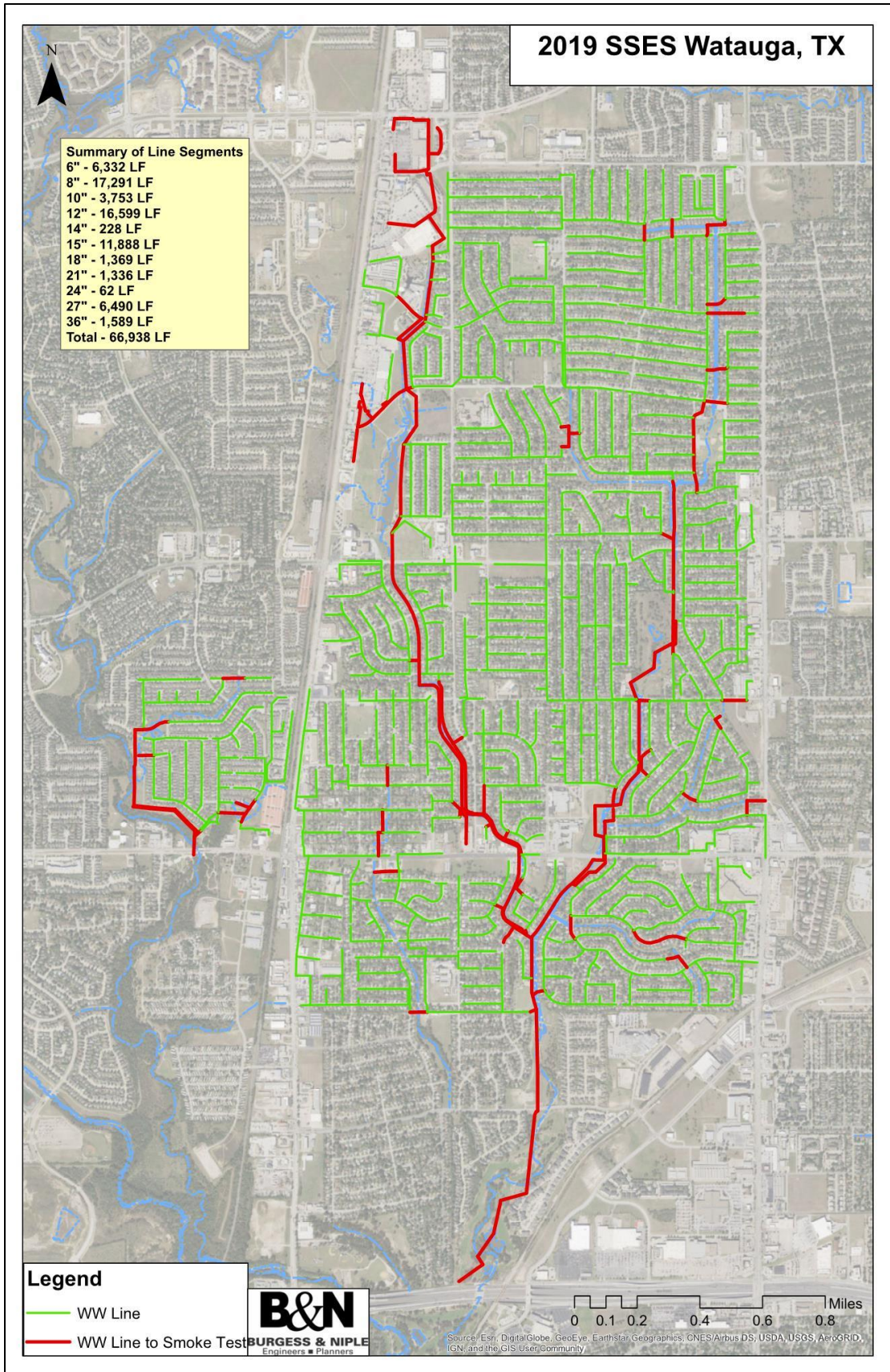


EXHIBIT B

SCOPE OF SERVICES

Task 100 – Mobilization, Printing of Forms and Maps

This task will include a project Kickoff Meeting, development of field task maps and discussion of data collection procedures and formats. It also provides for the deployment of equipment and personnel to the project area and development of formal communication channels for CLIENT action items and data security protocol.

Task 110 – Review of Existing Data and Information

All available reports and historical data regarding flow monitoring, on-going and proposed construction projects, hydraulic modeling, and SSES evaluations will be reviewed during this task. This information will be requested at the Kickoff Meeting in order to obtain the data early in the project.

Task 200 – Project Management, Administration, QA/QC

This task consists of project administration and management, scheduling of field tasks, general management and supervision of field personnel, and supervision of subconsultants. It also includes the quality assurance/control of all fieldwork, data management and security, data collection activities, engineering evaluations, and report preparation.

Task 300 – Smoke Testing

Smoke testing will be completed on the designated study area. Harmless smoke will be introduced into the sewer system using air blowers having a minimum rated capacity of 4,000 CFM. Smoke testing will be conducted under dry weather conditions to allow the maximum detection of inflow and rainfall responsive infiltration sources. Notification of residences and businesses will be made 24 hours prior to smoke testing. During smoke testing, the proximity of the collection system to storm sewers, creek crossings, drainage paths and ponding areas will be noted. Digital photographs of every smoke leak found will be taken along with GPS shots. Measurements to the leak locations will be provided. Surcharged pipelines, pipelines with sags and/or blockages will be reported to the CLIENT on a weekly basis. Any public meetings, if required for this project, should be conducted before the smoke testing operations begin.

The CLIENT will assist in locating and opening existing manholes, cleanouts, and access devices as required and provide access to all system appurtenances in the study area. The CLIENT will provide listings of persons to be notified on a daily basis of work locations during smoke testing. Typical persons receiving daily notification are the City of Watauga Fire Department and the CLIENT's project manager. The CLIENT will approve the smoke flier content and will provide any available information regarding community groups in the study area.

Task 400 – Dye Water Flooding

This task consists of identifying interconnections, pinpointing inflow sources and quantifying selected collection line, manhole, and service line leaks that were identified from the results of previous tasks. Quantification estimates are based on field measurements and empirical values developed from past experience. Leak quantification will also be performed using portable weirs or hydrostatic devices in conjunction with dye water flooding. This information is then used to evaluate I/I rates to determine quantities of I/I. A portion of the dye flooding will be performed in conjunction with sanitary sewer main internal inspection.

Task 500 – Sanitary Sewer Main Cleaning

This task consists of preparing the sewer lines to be internally inspected by cleaning the pipe walls to provide for unobstructed internal inspection. An analysis of the collected field data will be performed to prepare a listing of sewer lines requiring television inspection for approval by the CLIENT. The cleaning will be accomplished by use of a hydraulic cleaning unit. Most line designated for internal inspection will be cleaned prior to that inspection. It is the intent of the cleaning to flush the sludge, mud, sand, gravel and other sediment and debris down the sewer line. All debris, sediment and sludge removed from the sewer lines will be disposed of at a permitted site designated by the CLIENT.

When obstructions are encountered, an attempt will be made to clean the sewer from both upstream and downstream manholes.

The sanitary sewer main cleaning will be conducted in accordance with the standard NASSCO specifications for sewer main cleaning.

Task 510 – Sanitary Sewer Main Internal Television Inspection

This task consists of the internal TV inspection, using closed circuit color television equipment, of the sewer lines cleaned and for location of buried manholes. The TV inspection will be recorded on DVDs. Concurrent dyed water flooding will be performed

EXHIBIT B

SCOPE OF SERVICES

with television inspection to verify locations of main line defects. Field inspection log sheets will be used to document problems and defects discovered during inspection. When obstructions are encountered, an attempt will be made to televise the sewer line from both upstream and downstream manholes.

The CLIENT will provide the personnel and equipment necessary to remove the television camera should it become lodged in the sewer main during operations. The CLIENT, however, assumes no liability for damage to the television camera and/or equipment in the pipeline. The CLIENT will provide review, input, and approval of line segments recommended for inspection.

Task 600 – Engineering Analysis, Recommended Rehabilitation Summaries & Cost Estimates

This task consists of evaluating and analyzing the data collected, reviewing DVDs of the TV inspection, and presenting the results in the form of a report. All noted system defects will be referenced by existing CLIENT manhole numbers. Rehabilitation recommendations will be based on constructability, cost, and effect on overall system performance. This will include segregating maintenance related improvements and Capital Improvement Program recommendations. All recommendations for rehabilitation will be prioritized based on the goals of the overall project. The CLIENT will provide input regarding preferred rehabilitation methods and current local construction cost information, if available.

B&N will provide a report detailing the methods used to determine the recommended system rehabilitation; listings of defects; digital photographs of the noted system defects; construction cost estimates; and the estimated quantity of inflow/infiltration removed by the recommended improvements.

Task 610 – Mapping and Data Visualizations

This task provides for the transfer of visual information generated as part of this project. System defects will be referenced by CLIENT manhole numbers. The data visualizations will use ArcGIS as the basic mapping product. The CLIENT will provide review and input regarding data visualization products prepared in support of the report. B&N will provide all data visualizations in both hard copy and electronic format. Three (3) copies of the draft report will be provided. All data and conclusions presented in the report will be subject to finalization based on comments from the CLIENT.

Task 620 – Draft Report

This task provides for the development of a draft report to be submitted to the CLIENT for comments to be incorporated into the final report.

Task 630 – Final Report

This task provides for the development of a final report, which incorporates comments from the CLIENT stemming from the draft report. Two (2) bound copies of the final report document, one (1) electronic copy of the report in Adobe Acrobat format, as well as electronic deliverables of the field data (in Microsoft Access format), all report text, exhibits and graphics will be delivered to the CLIENT.

Task 700 – Utility Grid Maps

The last update to the water and wastewater utility grid maps was in 2009 and was not based upon GIS data. ENGINEER will prepare new utility grid maps (combined water and wastewater) based upon GIS data and revisions to the system that have occurred since 2009 from Capital Improvement Projects. Engineer will deliver to the Utilities Superintendent one (1) CD containing the updated water and wastewater GIS shapefiles, the updated Watauga GIS map in ArcReader format and ten (10) updated 11"x17" Utility Grid map booklets. No other effort, including but not limited to field surveying or sub-surface utility engineering (SUE) services, will be performed. All updates will be based on the project record drawings.



AGENDA MEMORANDUM

DATE: July 1, 2019

TO: Honorable City Council Members

FROM: Sandra Gibson, CGFO, CGFM, Director of Finance

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consider action on accepting the Crime Control and Prevention District 2019-2020 Proposed Budget as adopted by the Watauga Crime Control and Prevention District Board of Directors

BACKGROUND/INFORMATION:

As stated in the Local Government Code Section 363.206(e), the Watauga Crime Control and Prevention District (WCCPD) must submit their adopted budget to the governing body of the political subdivision (Watauga City Council) for acceptance no later than the 10th date after it was adopted by the WCCPD Board of Directors. The WCCPD Board held the required public hearing on June 17, 2019 and adopted the FY2019-2020 Budget on July 8, 2019.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

Respectfully recommend the Council review and take action on the item presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. CCD PROPOSED BUDGET DOCUMENT

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/2/2019

Final Approval - 7/2/2019



POLICE DEPARTMENT



The mission of the Watauga Police Department is to provide the highest quality police services while safeguarding individual liberties and building positive community relationships.



CRIME CONTROL DISTRICT

PROPOSED BUDGET 2019-2020

SPECIAL REVENUE FUNDS

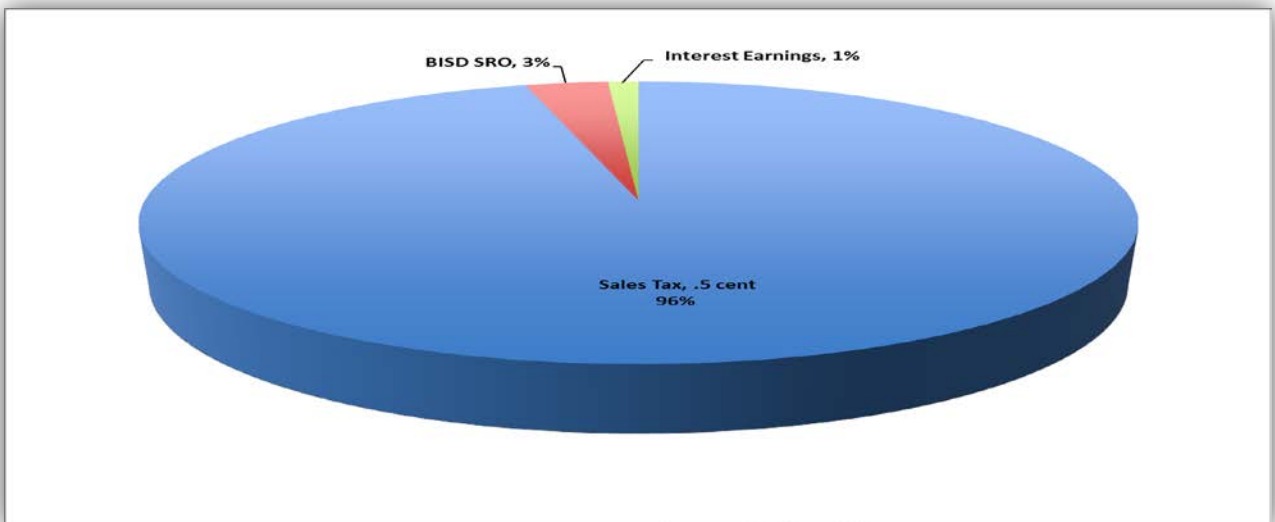
CRIME CONTROL DISTRICT – FUND 18

The Crime Control and Prevention District was established to account for a one-half cent sales tax increase approved by voters on March 23, 1996, for an initial five years. On May 5, 2001, voters extended the sales tax collection for ten more years. The purpose of the increase in sales tax is to enhance law enforcement in Watauga. The additional funding is used to add officers and purchase additional equipment and supplies for law enforcement purposes. A ten-year extension of the sales tax was passed during the November 2010 election.

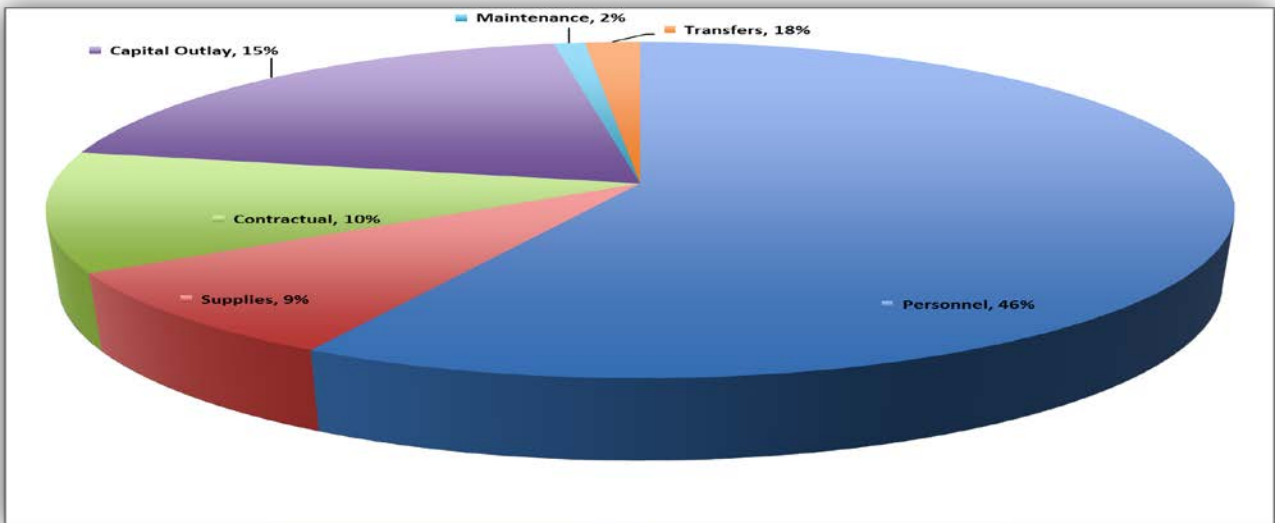
This is a Special Revenue Fund and is used to account for specific revenues that are legally restricted to expenditures for particular purposes. The fund is accounted for on the modified accrual basis of accounting. Revenues are recorded when available and measurable, and expenditures are recorded when the liability is incurred.

Sales tax revenue for FY2019-20 is expected to be \$1,509,000. Revenues are projected to be approximately 5% higher than the FY2018-19 Budget.

Where Does the Money Come From?

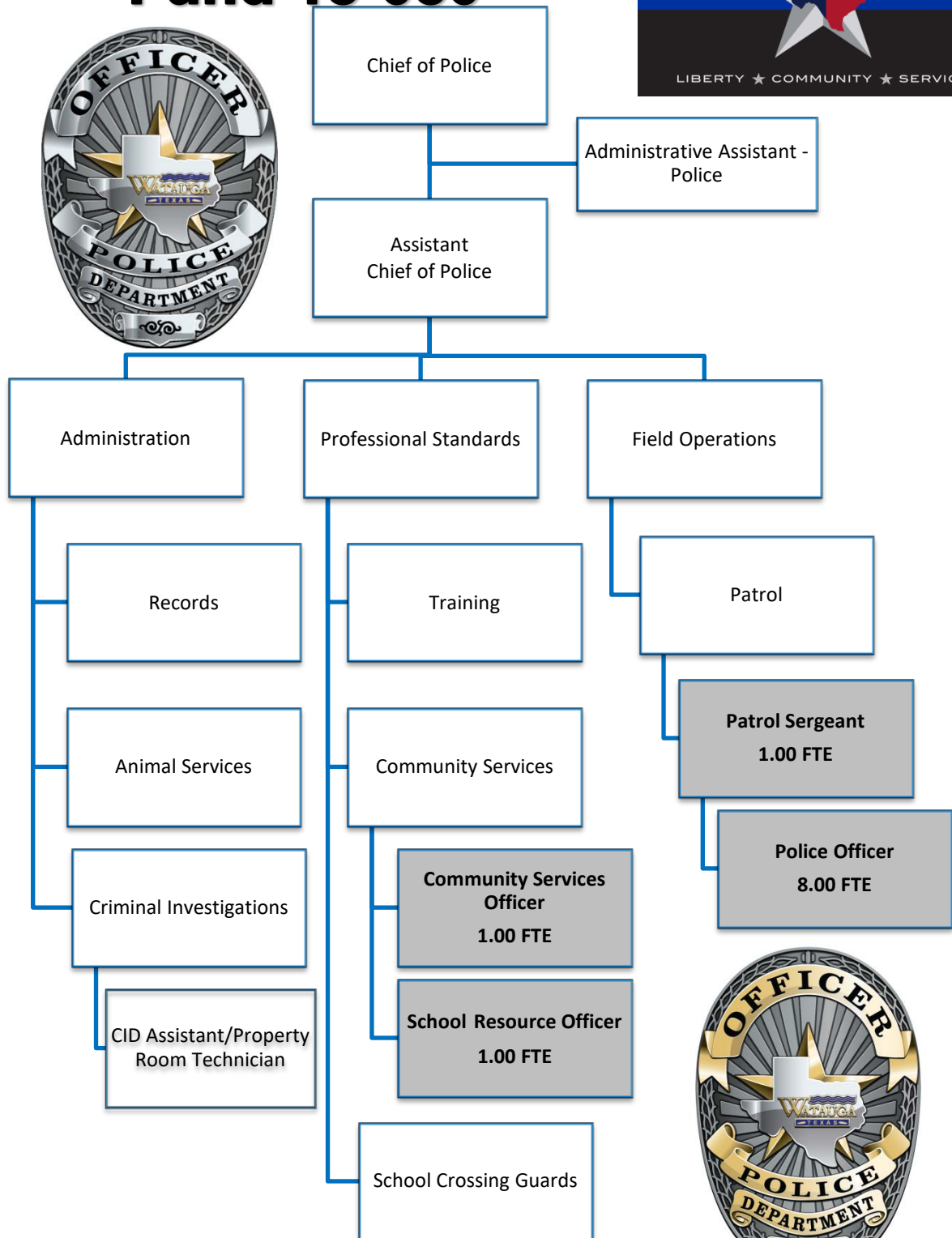


Where Does the Money Go?



Crime Control District

Fund 18-080



SPECIAL REVENUE FUNDS

CRIME CONTROL DISTRICT BUDGET SUMMARY - FUND 18

	HISTORY		PROJECTED YEAR		BUDGET	%CHANGE
	2016-2017 Actual	2017-2018 Actual	2018-2019 Budget	2018-2019 Projected	2019-2020 Budget	FY2019-20 VS2018-19
Fund Balance, October 1	\$1,098,418	\$1,233,129	\$698,509	\$726,911	\$681,641	
<u>Revenues:</u>						
Sales Taxes	1,435,448	1,434,679	1,436,000	1,480,000	1,509,000	5%
BISD SRO	44,114	0.00	48,000	47,000	49,000	2%
Interest Earnings/Other	6,539	17,856	9,000	43,000	18,000	100%
Operating Revenues	\$ 1,486,101	\$ 1,452,535	\$ 1,493,000	\$ 1,570,000	\$ 1,576,000	6%
Total Available Resources	\$ 2,584,519	\$ 2,685,664	\$ 2,191,509	\$ 2,296,911	\$ 2,257,641	3.0%
<u>Expenditures:</u>						
Operating Expenditures	1,273,966	1,533,250	1,664,370	1,550,770	1,658,370	-0.4%
Capital Outlay	48,611	28,807	24,500	20,500	17,000	-30.6%
Total Expenditures	1,322,577	1,562,057	1,688,870	1,571,270	1,675,370	-0.8%
<u>Operating Transfers-Out</u>						
To General Fund	28,813	28,696	29,000	29,000	30,000	3.4%
To Capital Projects	0.00	0.00	0.00	0.00	0.00	0.00%
To Internal Service Fund	0.00	368,000	15,000	15,000	0.00	-100.0%
Total Operating Transfers-Out	28,813	396,696	44,000	44,000	30,000	-34.1%
TOTAL OPERATING & TRANSFERS	\$ 1,351,390	\$ 1,958,753	\$ 1,732,870	\$ 1,615,270	\$ 1,705,370	-1.6%
Fund Balance, September 30	\$1,233,129	\$726,911	\$458,639	\$681,641	\$552,271	
CHANGE IN FUND BALANCE	\$134,711	(\$506,218)	(\$239,870)	(\$45,270)	(\$129,370)	
Fund Balance Policy Min @ 20%					\$337,674	

SPECIAL REVENUE FUNDS

DEPARTMENT: POLICE

DIVISION / ACTIVITY: WATAUGA CRIME CONTROL AND PREVENTION DISTRICT – FUND 18

LOCATION:

7101 Whitley Road
Watauga, Texas 76148

HOURS OF OPERATION:

24 hours a day

MISSION / PROGRAMS / SERVICES:

The mission of the Watauga Police Department is to provide the highest quality police services while safeguarding individual liberties and building positive community relationships. Our mandate is to reduce both crime and the fear of crime through training, technology and the implementation of the most modern and progressive resources available. The Watauga Police Department is responsible for all crime prevention, crime reports, crime investigations, traffic law enforcement, professional standards and animal services.

FY2018-2019 HIGHLIGHTS / ACHIEVEMENTS:

- Maintained the Texas Police Chief's Association Recognition
- Accrued close to 2,000 volunteer hours (VIPS)
- Utilized specially trained officers in crime enforcement and prevention such as a Bike Patrol
- Implemented a workout room for all police employees
- Implemented the "Coffee with Cops" program
- Participated in the Back to School program distributing over 1,000 backpacks
- Implemented new in-car computers for all vehicles
- Implemented new In-car audio/video recording
- Created the Crossing Guard Coordinator position

FY2019-2020 GOALS/ OBJECTIVES:

- Obtain full staffing to ensure quick and effective response to community needs
- Obtain and assign needed personnel to meet the increasing needs of the community
- Continuation of ongoing commitment to be prudent stewards of public funds while providing for the safety of the community through effective and efficient use of available and affordable technologies
- Continue succession planning and career development to identify and support employee and department goals
- Create planned responses and prevention of crime using available resources and technology

MAJOR BUDGETARY ISSUES AND OPERATIONAL TRENDS:

- Staffing levels continue to be an issue due to fewer officers and acceptable candidate applications
- Maintaining personnel salaries within market
- Aging fleet replacements in a continuing effort to create a safe environment for the public and staff
- Possible impact to this fund due to proposed State Legislation to prohibit red light cameras
- Renewal election required in May, 2020 for dedicated sales tax for Crime Control

SPECIAL REVENUE FUNDS

DEPARTMENT: POLICE						
DIVISION / ACTIVITY: WATAUGA CRIME CONTROL AND PREVENTION DISTRICT - FUND 18						
EXPENDITURES	2015-2016 ACTUAL	2016-2017 ACTUAL	2017-2018 ACTUAL	2018-2019 BUDGET	2018-2019 PROJECTED	2019-2020 BUDGET
Personnel	\$966,361	\$775,532	\$889,873	\$994,000	\$902,500	\$982,500
Supplies	\$138,487	\$127,289	\$148,808	\$147,500	\$132,600	\$147,500
Maintenance	\$175,037	\$172,581	\$206,498	\$206,000	\$196,000	\$198,500
Contractual/Sundry	\$222,638	\$198,809	\$288,071	\$316,870	\$319,670	\$329,870
Capital Outlay	\$42,148	\$48,365	\$28,807	\$24,500	\$20,500	\$17,000
Transfers	\$113,942	\$28,813	\$396,696	\$44,000	\$44,000	\$30,000
TOTAL	\$1,658,613	\$1,351,389	\$1,958,753	\$1,732,870	\$1,615,270	\$1,705,370
PERSONNEL						
Officer	4.00	9.00	8.00	9.00	9.00	8.00
Sergeant	1.00	1.00	1.50	1.00	1.00	1.00
Traffic Enforcement	3.00	0.00	0.00	0.00	0.00	0.00
Community Resources Officer	0.00	0.00	1.00	0.00	0.00	1.00
School Resource Officer (SRO)	1.00	1.00	1.00	1.00	1.00	1.00
CID Secretary/Property Tech	0.00	1.00	0.00	0.00	0.00	0.00
TOTAL	9.00	12.00	11.50	11.00	11.00	11.00
PERFORMANCE MEASURES / SERVICE LEVELS						
Input / Demand			Actual 17-18	Budget 18-19	Projected 18-19	Budget 19-20
Number of Sworn Police Officers			11.50	11.00	11.00	11.00
Efficiency Measures / Impact			Actual 17-18	Budget 18-19	Projected 18-19	Budget 19-20
M&O Budget per Capita			\$79.87	\$73.46	\$68.47	\$72.23
M&O Percentage of City Budget			4.51%	4.02%	3.75%	3.96%
Number of Sworn Officers Per 1000 Population from WCCPD			0.47	0.47	0.47	0.38
Effectiveness Measures / Outcomes		Goals	Actual 17-18	Budget 18-19	Projected 18-19	Budget 19-20
SRO Presentations		1,3,5	0	15	10	18
SRO Student Contacts		1,3,5	0	450	392	450
Area School Events/Contacts		1,3,5	10	5	6	10
Explorer Post Meetings		1,3,5	41	48	45	47
Explorer Post Meetings Training Hours		1,3,5	700	720	1,620	2,115
Crime Prevention Training - Community Svc.		1,3,5	20	50	50	90
Business Contacts - Community Svc.		1,3,4,5	100	250	100	175
Neighborhood Watch Mtgs - Community Svc.		1,3,5	15	15	15	35
VIPS Hours		1,2,3,5	1,800	1,800	2,200	2,600
Town Hall Meetings		1,2,3,4,5	1	1	1	1



SPECIAL REVENUE FUNDS

BUDGET CHANGES

Fiscal Year 2019-20 Compared to Fiscal Year 2018-19

DEPARTMENT: POLICE

DIVISION / ACTIVITY: CRIME CONTROL DISTRICT - FUND 18-080

DESCRIPTION	CATEGORY	ONE-TIME	ON-GOING	CHANGE EXPLANATION
Personnel	Personnel Services		(\$7,700)	Tenure, Step Pay & Corporal Position Adjustments
Step Up Pay	Personnel Services		(\$4,000)	Historical Usage Adjustment
Certification Pay	Personnel Services		(\$1,000)	Usage & Corporal Position Adjustments
Retirement	Personnel Services		\$3,200	Increased Rate
Dep. Health Supplement	Personnel Services		(\$2,000)	Historical Usage & Corporal Position Adjustments
Minor Tools & Apparatus	Maintenance		\$500	Historical Adjustment - Cost Increases Adjustment
Software Maintenance	Maintenance		(\$8,000)	Sunridge RIMS Maintenance Removal
Sundry	Contractual/Sundry		\$2,000	Program Increases - K9 Expenses
Special Services	Contractual/Sundry		\$3,000	FY19-20 New Request Approval - On-Going
Training	Contractual/Sundry		\$2,000	FY19-20 New Request Approval - On-Going
Investigation Expese	Contractual/Sundry		\$6,000	FY19-20 New Request Approval - On-Going
Other Equipment	Capital Outlay	(\$4,000)		New/Expanded FY18-19 - Interview Room AV Equipment
Other Equipment	Capital Outlay	(\$3,500)		New/Expanded FY18-19 - Fitness Area Improvements
Trans to General Fund	Transfers		\$1,000	Revenue Adjustment
Trans to Internal Services	Transfers	(\$15,000)		New/Expanded FY18-19 - Building Security
TOTALS:		(\$22,500)	(\$5,000)	

(\$27,500) NET INCREASE/DECREASE

SPECIAL REVENUE FUNDS

FY2019-20 NEW AND EXPANDED PROGRAM REQUESTS

POLICE - CRIME CONTROL DISTRICT FUND 18-080

Rank	Item	One-Time FY2019-20	On-Going and/or Amort.	Total Requested	Funded Amount		Account Category
1	Investigation Expenses Increase		\$ 6,000	\$ 6,000	\$ 6,000	F	Investigation Expenses
2	Special Services Increase		\$ 3,000	\$ 3,000	\$ 3,000	F	Special Services
3	Training Increase		\$ 2,000	\$ 2,000	\$ 2,000	F	Training
TOTAL		\$ -	\$ 11,000	\$ 11,000	\$ 11,000		

F =FUNDED (INCLUDED IN BUDGET TOTALS)
 T = TO BE DETERMINED (NOT INCLUDED IN BUDGET TOTALS)
 C = IN CURRENT BUDGET YEAR
 P = PARTIALLY FUNDED REQUEST
 U = UNFUNDED



NEW REQUEST FORM

FISCAL YEAR:

2019-20

DEPARTMENT: Police - Crime Control District
PROGRAM TITLE: Increase Investigation Expenses Line Item
REQUEST TYPE: On-Going **RANKING:** 1
FUND/DEPT: 18-080 **GOAL #:** 2
FULL FY2019-2020 COST: \$6,000
ANY ON-GOING FUTURE COSTS: \$6,000
FULL FY2019-2020 SAVINGS OFFSET:
LIST ANY EQUIPMENT TO BE REPLACED BY REQUEST:
RECOMMENDATION FOR DISPOSITION:

PROGRAM DESCRIPTION

This is a request to increase our investigation expenses due to increased costs of lab fees and other miscellaneous items purchased for investigations.

SAVINGS/BENEFITS

This is not an area that would be affected with any savings as this is a general increase needed due to investigating costs increases and an increase in the current lab testing contract with NIMS.

CONSEQUENCES OF NOT FUNDING PROGRAM

Not having sufficient funds to properly analyze evidence for prosecution of cases therefor not have successful prosecution of WPD cases.

EXPENSE IMPACT

ACCOUNT NUMBER	ACCOUNT NAME	FY2019-2020 EXPENSE	ON-GOING EXPENSE
18-080-74450	Investigation expenses	\$6,000	\$6,000
	TOTALS:	\$6,000	\$6,000

SAVINGS IMPACT/OFFSET

ACCOUNT NUMBER	ACCOUNT NAME	FY2019-2020 SAVINGS	ON-GOING SAVINGS
	TOTALS:	\$0	\$0



NEW REQUEST FORM

FISCAL YEAR:**2019-20****DEPARTMENT:** Police - Crime Control District**PROGRAM TITLE:** Department Awards Program**REQUEST TYPE:** On-Going**RANKING:** 2**FUND/DEPT:** 18-080**GOAL #:** 6**FULL FY2019-2020 COST:** \$3,000**ANY ON-GOING FUTURE COSTS:** \$3,000**FULL FY2019-2020 SAVINGS OFFSET:****LIST ANY EQUIPMENT TO BE REPLACED BY REQUEST:****RECOMMENDATION FOR DISPOSITION:**

PROGRAM DESCRIPTION

Increase the Special Services line item by \$3,000 to accommodate for the annual departmental awards.

SAVINGS/BENEFITS

Awards and recognition for officers and staff in order to develop a strong desire to serve the public and aid in meeting strategic plan Goal # 6 of having a highly skilled, well trained, fairly compensated, customer service oriented work- force. In addition, this annual recognition helps build moral and is part of the employee retention effort.

CONSEQUENCES OF NOT FUNDING PROGRAM

Not funding could result in a strain on the current level of budget dollars in the effort to continue the annual awards program.

EXPENSE IMPACT

ACCOUNT NUMBER	ACCOUNT NAME	FY2019-2020 EXPENSE	ON-GOING EXPENSE
18-080-74040	Special Services	\$3,000	\$3,000
	TOTALS:	\$3,000	\$3,000

SAVINGS IMPACT/OFFSET

ACCOUNT NUMBER	ACCOUNT NAME	FY2019-2020 SAVINGS	ON-GOING SAVINGS
	TOTALS:	\$0	\$0

**NEW REQUEST FORM****FISCAL YEAR:****2019-20****DEPARTMENT:** Police - Crime Control District**PROGRAM TITLE:** Increase Training Line Item**REQUEST TYPE:** On-Going**RANKING:** 3**FUND/DEPT:** 18-080**GOAL #:** 6**FULL FY2019-2020 COST:** \$2,000**ANY ON-GOING FUTURE COSTS:** \$2,000**FULL FY2019-2020 SAVINGS OFFSET:****LIST ANY EQUIPMENT TO BE REPLACED BY REQUEST:****RECOMMENDATION FOR DISPOSITION:****PROGRAM DESCRIPTION**

Request to increase the Training line item due to increasing costs and training opportunities to develop well trained staff.

SAVINGS/BENEFITS

Training for officers and other staff to develop skills to serve the public and aid in meeting strategic plan Goal #6 of having a highly skilled, well trained, customer service oriented work force.

CONSEQUENCES OF NOT FUNDING PROGRAM

Training opportunities for officers and staff will be minimized in order to stay within the current budget constraints.

EXPENSE IMPACT

<i>ACCOUNT NUMBER</i>	<i>ACCOUNT NAME</i>	<i>FY2019-2020 EXPENSE</i>	<i>ON-GOING EXPENSE</i>
18-080-74100	Training	\$2,000	\$2,000
	TOTALS:	\$2,000	\$2,000

SAVINGS IMPACT/OFFSET

<i>ACCOUNT NUMBER</i>	<i>ACCOUNT NAME</i>	<i>FY2019-2020 SAVINGS</i>	<i>ON-GOING SAVINGS</i>
	TOTALS:	\$0	\$0



AGENDA MEMORANDUM

DATE: July 1, 2019

TO: Honorable City Council Members

FROM: Sandra Gibson, CGFO, CGFM, Director of Finance

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consider action on setting the Public Hearing date for the Watauga Crime Control and Prevention District 2019-2020 for August 5, 2019 and the Watauga Crime Control and Prevention District Budget Adoption Date for August 12, 2019

BACKGROUND/INFORMATION:

Local Government Code, Section 363.205(a) and 363.205(d) require that the governing body creating the District shall hold a Public Hearing on the Budget adopted by the Watauga Crime Control and Prevention District Board (WCCPD) not later than the 45th day before the fiscal year begins, and that the WCCPD adopted Budget shall be approved or rejected by the governing body not later than the 30th day before the fiscal year begins.

To meet these requirements, the Public Hearing date should be set as August 5, 2019 and the budget approval date should be set as August 12, 2018.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

Recommend action on the item as presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

None

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/2/2019

Final Approval - 7/2/2019

BLACKLINE

Code of Ordinances
Watauga, Texas

. . . .

Chapter 2 - Administration

. . . .

Article III. Boards and Commissions

Division I. Generally

Sec. 2-46. Interview policy and procedure.

The city council shall annually determine the process for interviewing applicants to fill vacancies on all city boards, commissions, committees and corporations, except as otherwise may be provided by the Watauga Charter or law. At the city council meeting in January every year, the city council shall determine whether to utilize a committee of the city council during such calendar year for the purposes of interviewing applicants to the city boards, commissions, committees and corporations provided for in the Watauga Home Rule Charter and the Watauga Code. In the event the city council determines to utilize such an interview committee, the city council shall provide for the number of members of such committee and any procedures related thereto.

. . . .

Division 2. Charter Review Commission

. . . .

Sec. 2-65. Composition; appointment and removal of members.

- (a) The Charter Review Commission shall consist of seven regular members. Places on the Commission shall be numbered one through seven, with all members appointed for two-year terms to expire June 30. Members serving in odd-numbered places shall have their terms expire on each odd-numbered year, and members serving in even-numbered places shall have their terms expire on even-numbered years. ~~The Commission may submit to the Mayor the names of those current members who are recommended for reappointment. An Interview Committee composed of three members of the City Council shall be appointed by the Mayor for a term of one year (October 1 through September 30) to interview applicants to fill vacancies on the Commission. The Mayor shall designate one of these three members as an "alternate." In the event the City Council has a quorum of four members, all three members (including the alternate) shall serve in their capacity to interview applicants. In the event~~

~~the City Council has a quorum of three members, the alternate will not participate in the interviewing of applicants. However, the alternate shall serve in his or her capacity to interview applicants in the absence of one of the two other members. Members of the Interview Committee, individually, or as a group, shall submit the names of those recommended for appointment to the Mayor. No person shall be recommended for appointment to the Mayor by a member of the Interview Committee unless they have been interviewed by at least one member of the Interview Committee. The Mayor may accept or reject the names submitted. The Mayor, subject to the approval and consent of the City Council~~The commission may submit to the mayor the names of those current members who are recommended for reappointment. The mayor may accept or reject the names submitted. The mayor, subject to the approval and consent of the city council in an open meeting, shall appoint members to the Commission.

. . . .

Division 4. Board of Appeals

. . . .

Sec. 2-108. Composition; appointment and removal of members; terms of office.

- (a) ~~The Board of Appeals shall consist of five members. An Interview Committee composed of three members of the City Council shall be appointed by the Mayor for a term of one year (October 1 through September 30) to interview applicants to fill vacancies on the Board. The Mayor shall designate one of these three members as an "alternate." In the event the City Council has a quorum of four members, all three members (including the alternate) shall serve in their capacity to interview applicants. In the event the City Council has a quorum of three members, the alternate will not participate in the interviewing of applicants. However, the alternate shall serve in his or her capacity to interview applicants in the absence of one of the two other members. Members of the Interview Committee, individually, or as a group, shall submit the names of those recommended for appointment to the Mayor. No person shall be recommended for appointment to the Mayor by a member of the Interview Committee unless they have been interviewed by at least one member of the Interview Committee. The Mayor, subject to the approval and consent of the City Council in an open meeting, shall appoint members to the Board. Members of the Board of Appeals may be removed by a majority vote of the City Council.~~

~~The Board of Appeals~~The board of appeals shall consist of five members. The city council in an open meeting shall appoint members to the board. Members of the board of appeals may be removed by a majority vote of the city council.

The board of appeals shall recommend to ~~the Mayor and City Council~~city council removal of any member who is absent from two consecutive meetings without first

notifying the chair or the ~~City Secretary's~~city secretary's office by 12:00 noon of the meeting date and/or fails to exhibit a general interest in the endeavors of the ~~B~~board. Two consecutive absences by a member, whether or not the member first notifies the chair or the ~~City Secretary's~~city secretary's office by 12:00 noon of the meeting date, shall require a specific agenda item at the next regularly scheduled meeting to determine if the reasons for the absences are sufficient to be excused or constitute a failure to exhibit a general interest in the endeavors of the ~~B~~board. Members serve at the pleasure of the ~~City Council~~city council and may be removed at the discretion of the ~~C~~council.

. . . .

DIVISION 6. - Council Rules of Procedure Review Committee

Sec. 2-131. - Committee Established.

. . . .

- (b) Members. The Committee shall consist of three members of the City Council members who shall be appointed by the ~~Mayor~~city council for a term of one year (June 30 through June 30). The ~~Mayor~~city council shall designate one of these three members as an "alternate." In the event the ~~City Council~~city council has a quorum of four members, all three members (including the alternate) shall serve in their capacity. In the event the ~~City Council~~city council has a quorum of three members, the alternate will not participate in the meetings. However, the alternate shall serve in his or her capacity in the absence of one of the two other members.

. . . .

Chapter 6 - Animals

. . . .

Article II. Animal Advisory Committee

Sec. 6-18. Composition; powers.

The ~~Animal Services Center Advisory Committee~~animal services center advisory committee, herein also called "~~Animal Advisory Committee~~animal advisory committee," shall be composed of four members. Pursuant to V.T.C.A., Health and Safety Code § 823.005(b), the ~~Animal Services Center Advisory Committee~~animal services center advisory committee must be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter, and one representative from an animal welfare organization. ~~An Interview Committee composed of three members of the City Council shall be appointed by the Mayor for a term of one year (October 1 through September~~

~~30) to interview applicants to fill vacancies on the Committee. The Mayor shall designate one of these three members as an "alternate." In the event the City Council has a quorum of four members, all three members (including the alternate) shall serve in their capacity to interview applicants. In the event the City Council has a quorum of three members, the alternate will not participate in the interviewing of applicants. However, the alternate shall serve in his or her capacity to interview applicants in the absence of one of the two other members. Members of the Interview Committee, individually, or as a group, shall submit the names of those recommended for appointment to the Mayor. No person shall be recommended for appointment to the Mayor by a member of the Interview Committee unless they have been interviewed by at least one member of the Interview Committee. The Mayor, subject to the approval and consent of the City Council in an open meeting, shall appoint members to the Committee. The Animal Advisory Committee~~The animal advisory committee shall exercise such powers as prescribed by V.T.C.A., Health and Safety Code ch. 823, and as further granted by the ~~City Council~~city council, so long as those granted powers are not in conflict with V.T.C.A., Health and Safety Code ch. 823.

. . . .

Chapter 20 - Library

. . . .

Article II. Library Board

. . . .

Sec. 20-23. Composition; appointment and removal of members.

- (a) The ~~Library Board~~library board shall consist of seven regular members. Places on the ~~B~~board shall be numbered one through seven with all members appointed for two-year terms to expire August 31. Members serving in odd-numbered places shall have their terms expire on each odd-numbered year, and members serving in even-numbered places shall have their terms expire on even-numbered years. ~~The Board may submit to the Mayor the names of those current members who are recommended for reappointment. An Interview Committee composed of three members of the City Council shall be appointed by the Mayor for a term of one year (October 1 through September 30) to interview applicants to fill vacancies on the Board. The Mayor shall designate one of these three members as an "alternate." In the event the City Council has a quorum of four members, all three members (including the alternate) shall serve in their capacity to interview applicants. In the event the City Council has a quorum of three members, the alternate will not participate in the interviewing of applicants. However, the alternate shall serve in his or her capacity to interview applicants in the absence of one of the two other members. Members of the Interview Committee, individually, or as a group, shall submit the names of those recommended for~~

~~appointment to the Mayor. No person shall be recommended for appointment to the Mayor by a member of the Interview Committee unless they have been interviewed by at least one member of the Interview Committee. The Mayor may accept or reject the names submitted. The Mayor, subject to the approval and consent of the City Council in an open meeting, shall appoint members to the Board. The board may submit to the city council the names of those current members who are recommended for reappointment. The city council may accept or reject the names submitted. The city council in an open meeting shall appoint members to the board.~~

. . . .

Subpart B - Land Development

Chapter 101. General and Administrative Provisions

. . . .

Article II. Planning and Zoning Commission

Sec. 101-23. Commission established.

. . . .

(c) *Members.*

- (1) The ~~P~~lanning and ~~Zoning Commission~~zoning commission shall consist of seven regular members. Places on the ~~C~~commission shall be numbered one through seven, with all members appointed for two-year terms to expire August 31. Members serving in odd-numbered places shall have their terms expire on each odd-numbered year, and members serving in even-numbered places shall have their terms expire on even-numbered years. ~~The commission may submit to the Mayor the names of those current members who are recommended for reappointment. An Interview Committee composed of three members of the City Council shall be appointed by the Mayor for a term of one year (October 1 through September 30) to interview applicants to fill vacancies on the Commission. The Mayor shall designate one of these three members as an "alternate." In the event the City Council has a quorum of four members, all three members (including the alternate) shall serve in their capacity to interview applicants. In the event the City Council has a quorum of three members, the alternate will not participate in the interviewing of applicants. However, the alternate shall serve in his or her capacity to interview applicants in the absence of one of the two other members. Members of the Interview Committee, individually, or as a group, shall submit the names of those recommended for appointment to the Mayor. No person shall be recommended for appointment to the Mayor by a member of the Interview Committee unless they have been~~

~~interviewed by at least one member of the Interview Committee. The Mayor may accept or reject the names submitted. The Mayor, subject to the approval and consent of the City Council in an open meeting, shall appoint members to the Commission. The commission may submit to the city council the names of those current members who are recommended for reappointment. The city council in an open meeting shall appoint members to the commission.~~

. . . .

Article III. Capital Improvement Advisory Committee

Sec. 101-50. Composition; powers; appointment and removal of members.

- (a) The ~~Capital Improvement Advisory Committee~~capital improvement advisory committee, herein also called "~~Advisory Committee~~advisory committee," shall be composed of the seven regular members of the ~~P~~planning and ~~Z~~oning commission plus one additional member engaged in the real estate, development and/or building industry who shall be appointed by the ~~Mayor and the City Council and serve as an ad hoc voting member of the Planning and Zoning commission when it acts as the Capital Improvement Advisory Committee. An Interview Committee composed of three members of the City Council shall be appointed by the Mayor for a term of one year (October 1 through September 30) to interview applicants to fill vacancies in the ad hoc voting member position on the Committee. The Mayor shall designate one of these three members as an "alternate." In the event the City Council has a quorum of four members, all three members (including the alternate) shall serve in their capacity to interview applicants. In the event the City Council has a quorum of three members, the alternate will not participate in the interviewing of applicants. However, the alternate shall serve in his or her capacity to interview applicants in the absence of one of the two other members. Members of the Interview Committee, individually, or as a group, shall submit the names of those recommended for appointment to the Mayor. No person shall be recommended for appointment to the Mayor by a member of the Interview Committee unless they have been interviewed by at least one member of the Interview Committee. The Mayor may accept or reject the names submitted. The Mayor, subject to the approval and consent of the City Council in an open meeting, shall appoint the ad hoc voting member to the Committee. The Advisory Committee~~city council and serve as an ad hoc voting member of the planning and zoning commission when it acts as the capital improvement advisory committee. The city council in an open meeting shall appoint the ad hoc voting member to the Committee. The advisory committee shall exercise such powers as prescribed by V.T.C.A., Local Government Code ch. 395, and as further granted by the ~~City Council~~city council, so long as those granted powers are not in conflict with V.T.C.A., Local Government Code ch. 395.

. . . .

Chapter 115 - Zoning

. . . .

Article II. Administration and Enforcement

. . . .

Sec. 115-34. Board of adjustment.

(a) *Organization of the board.*

. . . .

(2) *Term of office.* The ~~B~~board of ~~A~~adjustment shall consist of five regular members. Places on the ~~B~~board shall be numbered one through five with all members appointed for two-year terms to expire August 31. Members serving in odd-numbered places shall have their terms expire on each odd-numbered year, and members serving in even-numbered places shall have their terms expire on even-numbered years. ~~The Board may submit to the Mayor the names of those current members who are recommended for reappointment. An Interview Committee composed of three members of the City Council shall be appointed by the Mayor for a term of one year (October 1 through September 30) to interview applicants to fill vacancies on the Board. The Mayor shall designate one of these three members as an "alternate." In the event the City Council has a quorum of four members, all three members (including the alternate) shall serve in their capacity to interview applicants. In the event the City Council has a quorum of three members, the alternate will not participate in the interviewing of applicants. However, the alternate shall serve in his or her capacity to interview applicants in the absence of one of the two other members. Members of the Interview Committee, individually, or as a group, shall submit the names of those recommended for appointment to the Mayor. No person shall be recommended for appointment to the Mayor by a member of the Interview Committee unless they have been interviewed by at least one member of the Interview Committee. The Mayor may accept or reject the names submitted. The Mayor, subject to the approval and consent of the City Council in an open meeting, shall appoint members to the Board.~~ The board may submit to the city council the names of those current members who are recommended for reappointment. The city council in an open meeting shall appoint members to the board.

CITY OF WATAUGA, TEXAS

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTERS 2, 6, 20, 30, 101, AND 115 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING RULES AND REGULATIONS RELATED TO THE PROCEDURES FOR SELECTION AND APPOINTMENT OF MEMBERS TO THE CHARTER REVIEW COMMISSION, THE CRIME CONTROL DISTRICT BOARD, THE BOARD OF APPEALS, THE WATAUGA IMPROVING NEIGHBORHOODS COMMITTEE, THE ANIMAL ADVISORY COMMITTEE, THE LIBRARY BOARD, THE PARKS DEVELOPMENT CORPORATION, THE PLANNING AND ZONING COMMISSION, THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE AND THE BOARD OF ADJUSTMENT; PROVIDING FOR REPEAL; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Watauga recognizes the need for various boards, committees, commissions and corporations (collective, the “boards”) are necessary and appropriate to assist the City with carrying out municipal functions in an efficient and responsive manner; and

WHEREAS, the City Council of the City of Watauga further recognizes an efficient selection process for the members of the various boards ensures qualified individuals are identified for the appointment to such boards; and

WHEREAS, the City Council of the City of Watauga desires to provide for a effective process for staffing the City’s Boards and Commissions.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Watauga, Texas as follows:

I.

The facts and recitations set forth in the preamble of this ordinance are hereby found to be true and correct and adopted herein for all purposes.

II.

The City of Watauga Code of Ordinances is hereby amended by adding a new section 2-46 of Chapter 2 to provide as follows:

“Chapter 2 - Administration

.

Article III. Boards and Commissions

Division I. Generally

Section 2-46. Interview policy and procedure.

The city council shall annually determine the process for interviewing applicants to fill vacancies on all city boards, commissions, committees and corporations, except as otherwise may be provided by the Watauga Charter or law. At the city council meeting in January every year, the city council shall determine whether to utilize a committee of the city council during such calendar year for the purposes of interviewing applicants to the city boards, commissions, committees and corporations provided for in the Watauga Home Rule Charter and the Watauga Code. In the event the city council determines to utilize such an interview committee, the city council shall provide for the number of members of such committee and any procedures related thereto.”

III.

The City of Watauga Code of Ordinances is hereby amended by deleting subsection 2-65(a) of Chapter 2 thereof and substituting therefor a new subsection 2-65(a) of Chapter 2 to provide as follows:

“Chapter 2 - Administration

.

Article III. Boards and Commissions

.

Division 2. Charter Review Commission

.

Sec. 2-65. Composition; appointment and removal of members.

- (a) The Charter Review Commission shall consist of seven regular members. Places on the commission shall be numbered one through seven, with all members appointed for two-year terms to expire June 30. Members serving in odd-numbered places shall have their terms expire on each odd-numbered year, and members serving in even-numbered places shall have their terms expire on even-numbered years. The commission may submit to the

mayor the names of those current members who are recommended for reappointment. The mayor may accept or reject the names submitted. The mayor, subject to the approval and consent of the city council in an open meeting, shall appoint members to the Commission.”

IV.

The City of Watauga Code of Ordinances is hereby amended by deleting subsection 2-108(a) of Chapter 2 thereof and substituting therefor a new subsection 2-108(a) of Chapter 2 to provide as follows:

“Chapter 2 - Administration

. . . .

Article III. Boards and Commissions

. . . .

Division 4. Board of Appeals

. . . .

Sec. 2-108. Composition; appointment and removal of members; terms of office.

- (a) The board of appeals shall consist of five members. The city council in an open meeting shall appoint members to the board. Members of the board of appeals may be removed by a majority vote of the city council.

The board of appeals shall recommend to city council removal of any member who is absent from two consecutive meetings without first notifying the chair or the city secretary's office by 12:00 noon of the meeting date and/or fails to exhibit a general interest in the endeavors of the board. Two consecutive absences by a member, whether or not the member first notifies the chair or the city secretary's office by 12:00 noon of the meeting date, shall require a specific agenda item at the next regularly scheduled meeting to determine if the reasons for the absences are sufficient to be excused or constitute a failure to exhibit a general interest in the endeavors of the board. Members serve at the pleasure of the city council and may be removed at the discretion of the council.”

V.

The City of Watauga Code of Ordinances is hereby amended by deleting subsection 2-131(b) of Chapter 2 thereof and substituting therefor a new subsection 2-131(b) of Chapter 2 to provide as follows:

“Chapter 2 - Administration

.

Article III. Boards and Commissions

.

DIVISION 6. - Council Rules of Procedure Review Committee

Sec. 2-131. - Committee Established.

.

- (b) Members. The Committee shall consist of three members of the City Council members who shall be appointed by the city council for a term of one year (June 30 through June 30). The city council shall designate one of these three members as an "alternate." In the event the city council has a quorum of four members, all three members (including the alternate) shall serve in their capacity. In the event the city council has a quorum of three members, the alternate will not participate in the meetings. However, the alternate shall serve in his or her capacity in the absence of one of the two other members.”

VI.

The City of Watauga Code of Ordinances is hereby amended by deleting section 6-18 of Chapter 6 thereof and substituting therefor a new section 6-18 of Chapter 6 to provide as follows:

“Chapter 6 - Animals

.

Article II. Animal Advisory Committee

Sec. 6-18. Composition; powers.

The animal services center advisory committee, herein also called "animal advisory committee," shall be composed of four members. Pursuant to V.T.C.A., Health and Safety Code § 823.005(b), the animal services center advisory committee must be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter, and one representative from an animal welfare organization. The animal advisory committee shall exercise such powers as prescribed by V.T.C.A., Health and Safety Code ch. 823, and as further granted by the city council, so long as those granted powers are not in conflict with V.T.C.A., Health and Safety Code ch. 823.”

VII.

The City of Watauga Code of Ordinances is hereby amended by deleting subsection 20-23(a) of Chapter 20 thereof and substituting therefor a new subsection 20-23(a) of Chapter 20 to provide as follows:

“Chapter 20 - Library

. . . .

Article II. Library Board

. . . .

Sec. 20-23. Composition; appointment and removal of members.

- (a) The library board shall consist of seven regular members. Places on the board shall be numbered one through seven with all members appointed for two-year terms to expire August 31. Members serving in odd-numbered places shall have their terms expire on each odd-numbered year, and members serving in even-numbered places shall have their terms expire on even-numbered years. The board may submit to the city council the names of those current members who are recommended for reappointment. The city council may accept or reject the names submitted. The city council in an open meeting shall appoint members to the board.”

Section VIII.

The City of Watauga Code of Ordinances is hereby amended by deleting subsection 101-23(c)(1) of Chapter 101 thereof and substituting therefor a new subsection 101-23(c)(1) of Chapter 101 to provide as follows:

“Subpart B - Land Development

Chapter 101. General and Administrative Provisions

. . . .

Article II. Planning and Zoning Commission

Sec. 101-23. Commission established.

. . . .

- (c) *Members.*
 - (1) The planning and zoning commission shall consist of seven regular members. Places on the commission shall be numbered one through seven, with all members appointed for two-year terms to expire August 31. Members serving in odd-

numbered places shall have their terms expire on each odd-numbered year, and members serving in even-numbered places shall have their terms expire on even-numbered years. The commission may submit to the city council the names of those current members who are recommended for reappointment. The city council in an open meeting shall appoint members to the commission.”

IX.

The City of Watauga Code of Ordinances is hereby amended by deleting subsection 101-50(a) of Chapter 101 thereof and substituting therefor a new subsection 101-50(a) of Chapter 101 to provide as follows:

“Subpart B - Land Development

. . . .

Article III. Capital Improvement Advisory Committee

Sec. 101-50. Composition; powers; appointment and removal of members.

- (a) The capital improvement advisory committee, herein also called "advisory committee," shall be composed of the seven regular members of the planning and zoning commission plus one additional member engaged in the real estate, development and/or building industry who shall be appointed by the city council and serve as an ad hoc voting member of the planning and zoning commission when it acts as the capital improvement advisory committee. The city council in an open meeting shall appoint the ad hoc voting member to the Committee. The advisory committee shall exercise such powers as prescribed by V.T.C.A., Local Government Code ch. 395, and as further granted by the city council, so long as those granted powers are not in conflict with V.T.C.A., Local Government Code ch. 395.”

X.

The City of Watauga Code of Ordinances is hereby amended by deleting subsection 115-34(a)(2) of Chapter 115 thereof and substituting therefor new subsection 115-34(a)(2) of Chapter 115 to provide as follows:

“Chapter 115 - Zoning

.

Article II. Administration and Enforcement

.

Sec. 115-34. Board of adjustment.

(a) *Organization of the board.*

.

- (2) *Term of office.* The board of adjustment shall consist of five regular members. Places on the board shall be numbered one through five with all members appointed for two-year terms to expire August 31. Members serving in odd-numbered places shall have their terms expire on each odd-numbered year, and members serving in even-numbered places shall have their terms expire on even-numbered years. The board may submit to the city council the names of those current members who are recommended for reappointment. The city council in an open meeting shall appoint members to the board.”

XI.

This Ordinance shall be and is hereby cumulative of all Ordinances of the City of Watauga, Texas, and this Ordinance shall not operate to repeal or affect any such other Ordinances except insofar as the provision thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event, such conflicting provisions, if any, in such Ordinance or Ordinances are hereby repealed.

XII.

If any section, sub-section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

XIII.

This Ordinance shall become effective and shall be in full force and effect from and after the date of passage and adoption by the City Council of the City of Watauga, Texas, and upon approval thereof by the Mayor of the City of Watauga, Texas, and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas this _____ day of _____, 2019.

APPROVED:

ARTHUR L. MINOR, Mayor

ATTEST:

ANDREA GARDNER, City Secretary

APPROVED AS TO FORM:
City Charter Section 8.04 Review:

Concur Dissent

GEORGE E. HYDE, Interim City Attorney



AGENDA MEMORANDUM

DATE: June 11, 2019

TO: Honorable City Council Members

FROM: Mark Taylor

THROUGH: Andrea Gardner, City Manager

SUBJECT: Discuss and consider action to direct City Manager regarding the development of a policy for award nominations and presentations to include the Hometown Hero Program and the NE Tarrant Chamber Leadership Program

BACKGROUND/INFORMATION:

On February 14, 2019, The City Secretary sent an email to all Department Heads and blind copied the members of City Council regarding the 2019 Hometown Heroes program which included the nomination form. The email requested department heads and Council Members return nominations to the City Secretary by March 1, 2019 for processing. No responses were received from Council or staff.

On June 11, 2019, following repeated comments from citizens over the past several months regarding the Hometown Hero Award, Council Member Taylor requested an agenda item to discuss developing a policy regarding nominations and awards.

As a result of the request, Information Technology researched the City email archive system and identified the attached emails that indicate the process of nominating individuals has not included a presentation to the governing body for a vote and further indicates that members of the governing body have made nominations without Council approval.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

Council Member Taylor requests the Council provide direction to staff regarding the need and for a policy and subsequent content for inclusion is such a policy.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. 2019 Hometown Heroes Honoree Nomination Form



AGENDA MEMORANDUM

2. Hometown Hero 2019
3. 2013 Hometown Hero
4. 2017 Nomination Notification
5. 2017 2nd Notice of Nominations
6. 2017 RDavis Declination of HH Award
7. 2017 Final Nominations HH Award
8. NE Tarrant Chamber Leadership

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/3/2019

Final Approval - 7/3/2019



Our Hometown Hero in 2019 is:

Honoree Name _____

Address of Honoree _____

Contact Phone Number(s) of Honoree _____

Email address of Honoree _____

Nominating Organization/Business _____

This honoree deserves to be recognized because... *(keep in mind, this is what will be read about your Hero on stage at the event; give specific reasons for this recognition) --*

Please limit your nomination explanation to 75 words maximum & we ask you TYPE your reason & email back to Ellen McEwen, saved as a WORD DOCUMENT.

(Note: Information is subject to editing)

**Submit to: Ellen McEwen, Vice President @ emcewen@netarrant.org
by Friday, March 15th close of business
Hometown Heroes event will be held on Friday, April 26th @ 11:00am.**

Andrea Gardner

From: Zolaina Parker
Sent: Thursday, February 14, 2019 5:37 AM
To: Department Heads
Subject: Nominations for Hometown Heroes Is Open
Attachments: 2019 Hometown Heroes Honoree Nomination Form.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Good Morning,

Please return your nominations by March 1, 2019 to my attention for processing.

Per the Chamber:

On Friday, April 26th, The Northeast Tarrant Chamber will present our annual“Hometown Heroes” event. This will be our 15th year to host this Tribute and in that time span, we have honored over 410 local citizens who have contributed their time, efforts and talents to making Northeast Tarrant County a better place. Our Hometown Heroes event allows YOU the opportunity to recognize and celebrate the efforts of your“Hero” publicly along with many others like them!

Hometown Heroes is a very special event that provides all who are honored with a fantastic, memorable experience! Last year’s event was a big hit with Super Bowl MVP, Larry Brown & WFAA Meteorologist, Colleen Coyle co-hosting and helping celebrate the local efforts of over 30 Hometown Heroes. This year, the tribute will again be presented in a luncheon setting at the Bowden Center in Keller. We expect over 300 in attendance including local, state and national leaders.

Sent Via BCC

Respectfully,

Zolaina R. Parker
City Secretary, TRMC, CMC
City of Watauga
817.514.5825 | www.cowtx.org |
7105 Whitley Road

ATTENTION: Please note all correspondence may be considered a public record and made available upon a Public Information Request.

PUBLIC OFFICIALS: A "Reply to All" of this e-mail may lead to violations of the Texas Open Meetings Act.

NOTE: This e-mail (including any attachments) is confidential and may be legally privileged. If you are not an intended recipient or an authorized representative of an intended recipient, you are prohibited from using, copying or distributing the information in this e-mail or its attachments. If you have received this e-mail in error, please notify the sender immediately by return e-mail and delete all copies of this message and any attachments.

This email was scanned by Bitdefender

From: [Marcia Reyna](#)
To: [City Council](#); [Department Heads](#)
Cc: [Gena Camacho](#); [Patricia Rodriguez](#); [Randy Richards](#); [Brandon Dupree](#)
Subject: FW: HOMETOWN HEROES Luncheon Request
Date: Friday, March 8, 2013 1:55:53 PM
Attachments: [2013 Hometown Heroes Honoree Information Form.doc](#)

Honorable Mayor Pro Tem, City Council and Department Heads:

Please see the email below from the NE Tarrant Chamber of Commerce. If you have any nominations for the "Hometown Heroes" award, please let myself or Randy Richards know **by Friday, March 15th** by completing the attached nomination form. We will gather all of Watauga's nomination forms, select 3 and submit them to the Chamber.

Sincerely,

Marcia

From: Gena Camacho
Sent: Friday, March 08, 2013 11:30 AM
To: Marcia Reyna; Bill Crawford
Subject: FW: HOMETOWN HEROES Luncheon Request
[Received this today from the NETC Chamber. In the past the Mayor and the City Manager \(I think\) picked these. We have never done anything with it. If you need us to do it, just let me know. Thanks!](#)

From: Jack Bradshaw [<mailto:jbradshaw@netarrant.org>]
Sent: Friday, March 08, 2013 11:06 AM
To: Gena Camacho; Patricia Rodriguez; Randy Richards
Cc: Heather Bruce; Balles@netarrant.org
Subject: HOMETOWN HEROES Luncheon Request

Dear Gena, Patricia and Randy,

On **Thursday, April 18th**, The Northeast Tarrant Chamber of Commerce will present our annual "Hometown Heroes" event. This will be our 10th year to host this Tribute honoring unsung local citizens who contribute their time and talent to our area. This year's tribute will be presented in a LUNCHEON setting at the Birdville ISD Fine Arts/Athletic Complex in North Richland Hills. Senator Kelly Hancock is the Honorary Chairman and we expect over 300 in attendance including local, state and national leaders.

We'd like to know who your heroes are!

As a member city, you get to nominate three people from your community who "make a difference." It can be members of your fire department, police department or other residents of your city, who will then be spotlighted during our "Hometown Heroes" luncheon program.

Please provide the name, address, phone, email and a short bio of each of your three honorees by March 22nd via the attached nomination form to the Chamber Director of Events, Heather Bruce at hbruce@netarrant.org. After receiving your honoree's info, we will do the rest by contacting each honoree to secure photos and inform them of the details of the event.

Your city also has a reserved table for eight complimentary attendees that includes your nominees and their guest as well as two city representatives. This will allow you to enjoy the program with your nominees.

Thank you for allowing the Chamber and the business community to spotlight these special city "Heroes" at our Annual Hometown Heroes Tribute. If you have any questions about this event, please feel free to contact me personally at (817) 281-9376.

Best regards,

Jack

Jack Bradshaw

President/CEO

Northeast Tarrant Chamber

From: [Zolaina Parker](#)
To: [Mayor Hector Garcia](#)
Cc: [Department Heads](#)
Subject: Fwd: Hometown Heroes is approaching fast! Don't miss out!
Date: Monday, March 6, 2017 5:53:55 PM
Attachments: [NortheastTarrantTXCOC 2700 2017 Hometown Heroes Honoree Nomination Form.doc](#)
[ATT00001.htm](#)
[NortheastTarrantTXCOC 2701 HTH letter to nominating orgs.docx](#)
[ATT00002.htm](#)

Please advise if you have any nominations.

Respectfully,

Zolaina R. Parker
City Secretary
Ph-(817) 514-5825
Fx-(817) 514-3625

ATTENTION: Please note all correspondence may be considered a public record and made available upon a Public Information Request.

PUBLIC OFFICIALS: A "Reply to All" of this e-mail may lead to violations of the Texas Open Meetings Act.

NOTE: This e-mail (including any attachments) is confidential and may be legally privileged. If you are not an intended recipient or an authorized representative of an intended recipient, you are prohibited from using, copying or distributing the information in this e-mail or its attachments. If you have received this e-mail in error, please notify the sender immediately by return e-mail and delete all copies of this message and any attachments. Thank you.

Begin forwarded message:

From: Heather Bruce <hbruce@netarrant.org>
Date: March 6, 2017 at 5:45:44 PM CST
To: City of Watauga <zreyes@cowtx.org>
Subject: Hometown Heroes is approaching fast! Don't miss out!

On Thursday, April 20th, The Northeast Tarrant Chamber will present our annual **"Hometown Heroes"** event. This will be our 13th year to host this Tribute and in that time span, we have honored over 360 local citizens who have contributed their time, efforts and talents to making Northeast Tarrant County a better place. Our Hometown Heroes event allows **YOU** the opportunity to recognize and celebrate the efforts of your **"Hero"** publically along with many others like them!

Hometown Heroes is a very special event that provides all who are honored with a fantastic, memorable experience! Last year's event was a big hit with Super Bowl

MVP, Larry Brown & WFAA Meteorologist, Colleen Coyle co-hosting and helping celebrate the local efforts of over forty Hometown Heroes. This year, the tribute will again be presented in a luncheon setting at the Hurst Conference Center. We expect over 350 in attendance including local, state and national leaders.

We'd like to know who is your hero?!!?

Each year, we ask our member non-profit, educational and healthcare organizations as well as our city partners to nominate unsung people from our community who you feel “make a difference.” It can be someone who volunteers tirelessly, goes above and beyond the call of their job or someone that deserves special recognition for their efforts. We'd like to spotlight their efforts during our “Hometown Heroes” luncheon program.

Please provide the name, phone, email and a short bio of your honoree by Friday, March 17th via the form attached & return to the Chamber Director of Events, Heather Bruce at hbruce@netarrant.org. After receiving your honoree's info, we will do the rest by contacting each honoree to secure photos and inform them of the details of the event. This is a ticketed lunch event, so please make plans to attend and bring guests! (Your Honoree's ticket will be compliments of the Chamber) Individual tickets are \$35 each and tables of 8 are \$300 with sponsor signage and premium seating.

Thank you for allowing the Chamber and the business community to honor your organization's “Hero” at our Annual Hometown Heroes Tribute. If you have any questions about this event, please feel free to contact me personally at (817) 281-9376.

From: [Zolaina Parker](#)
To: [Department Heads](#)
Cc: [Greg Vick](#)
Subject: PLEASE READ- DO NOT DELETE-FW: Hometown Heroes is approaching fast! Don't miss out!
Date: Wednesday, March 15, 2017 8:13:12 AM
Attachments: [NortheastTarrantTXCOC_2700_2017 Hometown Heroes Honoree Nomination Form.doc](#)
[ATT00001.htm](#)
[NortheastTarrantTXCOC_2701_HTH letter to nominating orgs.docx](#)
[ATT00002.htm](#)
[Zolaina Parker.vcf](#)
Importance: High

Good Morning,

I have not received any nominations from any department. The Mayor has submitted two, so I will proceed with those. If you have a nomination please submit to me before the end of the day as they are due to the Chamber by Friday.

Respectfully,



ATTENTION: Please note all correspondence may be considered a public record and made available upon a Public Information Request.

PUBLIC OFFICIALS: A "Reply to All" of this e-mail may lead to violations of the Texas Open Meetings Act.

NOTE: This e-mail (including any attachments) is confidential and may be legally privileged. If you are not an intended recipient or an authorized representative of an intended recipient, you are prohibited from using, copying or distributing the information in this e-mail or its attachments. If you have received this e-mail in error, please notify the sender immediately by return e-mail and delete all copies of this message and any attachments.

From: Zolaina Parker
Sent: Monday, March 6, 2017 5:54 PM
To: Mayor Hector Garcia
Cc: Department Heads
Subject: Fwd: Hometown Heroes is approaching fast! Don't miss out!
Please advise if you have any nominations.

Respectfully,
Zolaina R. Parker
City Secretary
Ph-(817) 514-5825
Fx-(817) 514-3625

ATTENTION: Please note all correspondence may be considered a public record and made available upon a Public Information Request.

PUBLIC OFFICIALS: A "Reply to All" of this e-mail may lead to violations of the Texas Open Meetings Act.

NOTE: This e-mail (including any attachments) is confidential and may be legally privileged. If you are not an intended recipient or an authorized representative of an intended recipient, you are prohibited from using, copying or distributing the information in this e-mail or its attachments. If you have received this e-mail in error, please notify the sender immediately by return e-mail and delete all copies of this message and any attachments. Thank you.

Begin forwarded message:

From: Heather Bruce <hbruce@netarrant.org>
Date: March 6, 2017 at 5:45:44 PM CST
To: City of Watauga <zreyes@cowtx.org>
Subject: Hometown Heroes is approaching fast! Don't miss out!

On Thursday, April 20th, The Northeast Tarrant Chamber will present our annual **"Hometown Heroes"** event. This will be our 13th year to host this Tribute and in that time span, we have honored over 360 local citizens who have contributed their time, efforts and talents to making Northeast Tarrant County a better place. Our Hometown Heroes event allows **YOU** the opportunity to recognize and celebrate the efforts of your **"Hero"** publically along with many others like them!

Hometown Heroes is a very special event that provides all who are honored with a fantastic, memorable experience! Last year's event was a big hit with Super Bowl MVP, Larry Brown & WFAA Meteorologist, Colleen Coyle co-hosting and helping celebrate the local efforts of over forty Hometown Heroes. This year, the tribute will again be presented in a luncheon setting at the Hurst Conference Center. We expect over 350 in attendance including local, state and national leaders.

We'd like to know who is your hero?!?

Each year, we ask our member non-profit, educational and healthcare organizations as well as our city partners to nominate unsung people from our community who you feel "make a difference." It can be someone who volunteers tirelessly, goes above and beyond the call of their job or someone that deserves special recognition for their efforts. We'd like to spotlight their efforts during our "Hometown Heroes" luncheon program.

Please provide the name, phone, email and a short bio of your honoree by Friday, March 17th via the form attached & return to the Chamber Director of Events, Heather Bruce at hbruce@netarrant.org. After receiving your honoree's info, we will do the rest by contacting each honoree to secure photos and inform them of the details of the event. This is a ticketed lunch event, so please make plans to attend and bring guests! (Your Honoree's ticket will be compliments of the Chamber) Individual tickets are \$35 each and tables of 8 are \$300 with sponsor signage and premium seating.

Thank you for allowing the Chamber and the business community to honor your organization's "Hero" at our Annual Hometown Heroes Tribute. If you have any

questions about this event, please feel free to contact me personally at (817) 281-9376.

From: [Council Member Robert Davis](#)
To: [Zolaina Parker](#); [Mayor Hector Garcia](#)
Subject: Re: Hometown Hero Nomination-PLEASE READ
Date: Wednesday, March 15, 2017 10:10:11 AM

Thank you Mayor Garcia for the nomination for Hometown Hero. I received the award in 2015. At this time, I respectfully decline. Please select someone more deserving.
Thank you for considering me.
Robert Davis

Sent from my iPhone

On Mar 15, 2017, at 8:09 AM, Zolaina Parker <Zreyes@cowtx.org> wrote:

Good Morning,
Congratulations!!

Mayor Garcia has nominated you to be a Hometown Hero. If you would be so kind as to respond to this email with some facts about your military service, Mayor Garcia will draft a nomination form and submit. We need the information at your earliest convenience if at all possible.

If you have any questions, please contact Mayor Garcia.

Respectfully,

ATTENTION: Please note all correspondence may be considered a public record and made available upon a Public Information Request.

PUBLIC OFFICIALS: A "Reply to All" of this e-mail may lead to violations of the Texas Open Meetings Act.

NOTE: This e-mail (including any attachments) is confidential and may be legally privileged. If you are not an intended recipient or an authorized representative of an intended recipient, you are prohibited from using, copying or distributing the information in this e-mail or its attachments. If you have received this e-mail in error, please notify the sender immediately by return e-mail and delete all copies of this message and any attachments.

From: [Zolaina Parker](#)
To: [Heather Bruce](#)
Subject: RE: Hometown Heroes is approaching fast! Don't miss out!
Date: Thursday, March 23, 2017 2:44:00 PM
Attachments: [Zolaina Parker.vcf](#)

Heather,

The City will be nominating Dana Harper and Bernard and Roma Bowman. I will have the nomination forms to you in a bit.

Dana's number is 817-514-5762 and Bernard and Roma's number is 817-281-7906

I'm sorry for being so late!

Respectfully,



ATTENTION: Please note all correspondence may be considered a public record and made available upon a Public Information Request.

PUBLIC OFFICIALS: A "Reply to All" of this e-mail may lead to violations of the Texas Open Meetings Act.

NOTE: This e-mail (including any attachments) is confidential and may be legally privileged. If you are not an intended recipient or an authorized representative of an intended recipient, you are prohibited from using, copying or distributing the information in this e-mail or its attachments. If you have received this e-mail in error, please notify the sender immediately by return e-mail and delete all copies of this message and any attachments.

From: Heather Bruce [mailto:hbruce@netarrant.org]
Sent: Monday, March 6, 2017 5:46 PM
To: Zolaina Parker
Subject: Hometown Heroes is approaching fast! Don't miss out!

REMINDER, we have not received your Hometown Hero selection... the deadline is approaching, don't miss out!!

On Thursday, April 20th, The Northeast Tarrant Chamber will present our annual **"Hometown Heroes"** event. This will be our 13th year to host this Tribute and in that time span, we have honored over 360 local citizens who have contributed their time, efforts and talents to making Northeast Tarrant County a better place. Our Hometown Heroes event allows **YOU** the opportunity to recognize and celebrate the efforts of your **"Hero"** publically along with many others like them!

Hometown Heroes is a very special event that provides all who are honored with a fantastic, memorable experience! Last year's event was a big hit with Super Bowl MVP, Larry Brown & WFAA Meteorologist, Colleen Coyle co-hosting and helping celebrate the local efforts of over forty Hometown Heroes. This year, the tribute will again be presented in a luncheon setting at the Hurst Conference Center. We expect over 350 in attendance including local, state and national leaders.

We'd like to know who is your hero?!?

Each year, we ask our member non-profit, educational and healthcare organizations as well as our city partners to nominate unsung people from our community who you feel “make a difference.” It can be someone who volunteers tirelessly, goes above and beyond the call of their job or someone that deserves special recognition for their efforts. We’d like to spotlight their efforts during our “Hometown Heroes” luncheon program.

Please provide the name, phone, email and a short bio of your honoree by Friday, March 17th via the form attached & return to the Chamber Director of Events, Heather Bruce at hbruce@netarrant.org. After receiving your honoree’s info, we will do the rest by contacting each honoree to secure photos and inform them of the details of the event. This is a ticketed lunch event, so please make plans to attend and bring guests! (Your Honoree’s ticket will be compliments of the Chamber) Individual tickets are \$35 each and tables of 8 are \$300 with sponsor signage and premium seating.

Thank you for allowing the Chamber and the business community to honor your organization’s “Hero” at our Annual Hometown Heroes Tribute. If you have any questions about this event, please feel free to contact me personally at (817) 281-9376.

Andrea Gardner

From: Marcia Reyna
Sent: Tuesday, July 2, 2019 1:37 PM
To: Andrea Gardner
Subject: FW: TAKING APPLICATIONS NOW FOR LEADERSHIP NE CLASS OF 2019-2020!

Andrea,

In the past the City Manager has directed me to ask the Directors if they had any nominations for the NE Leadership Class. The City Manager selected the candidate. We've been sending only one person these past few years. Let me know if you would like the City to participate this year. Jeanette is really interested in attending. I told her I would check with you first, but the Directors would have to nominate employees.

Thanks,
Marcia

From: LEADERSHIP NE [mailto:info@netarrant.org]
Sent: Tuesday, July 2, 2019 7:33 AM
To: Jeannette Garcia
Subject: TAKING APPLICATIONS NOW FOR LEADERSHIP NE CLASS OF 2019-2020!

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The Northeast Tarrant Chamber is proud to present our Leadership NE Program for the 31st consecutive year! With more than 500 graduates to date, all new participants join an impressive group of community and business leaders.

Who should apply...

1. Individuals who desire to develop leadership skills and who want to be more knowledgeable about Northeast Tarrant County and the opportunities and challenges within our communities.
2. Individuals committed to improving the quality of life in Northeast Tarrant County and who wish to have a sincere, personal involvement in shaping its future.

[Download the program brochure HERE](#)

[Download the Leadership NE program calendar HERE](#)

If you are ready to sign-up or need further information, please email emcewen@netarrant.org.

This email was scanned by Bitdefender



AGENDA MEMORANDUM

DATE: June 20, 2019

TO: Honorable City Council Members

FROM: Sal Torres, Parks and Community Services Director

THROUGH: Sal Torres, Parks and Community Services Director
Andrea Gardner, City Manager

SUBJECT: Discuss and consider action to create a Parks Advisory board, declaring the purpose of the board, establish membership size for the board and require bylaws be created by the board for Council approval

BACKGROUND/INFORMATION:

At the February 20, 2019 Council meeting, it was requested that this item be included on a future Council agenda for consideration. Prior to the interim City Attorney creating any documents to establish such a board, staff requires direction be provided on the ordinance contents.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

City staff respectfully request the Council (each member provide direction with the consensus of the Council being the final direction) provide direction on establishing a Parks Advisory Board, declaring its purpose and establishing membership number and requirements.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

None

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/1/2019

Final Approval - 7/2/2019



AGENDA MEMORANDUM

DATE: June 28, 2019

TO: Honorable City Council Members

FROM: Sandra Gibson, CGFO, CGFM, Director of Finance

THROUGH: Andrea Gardner, City Manager

SUBJECT: Discuss and consider action on a Resolution by the City Council of the City of Watauga, Texas authorizing and approving publication of Notice of Intention to issue Certificates of Obligation in an amount not to exceed \$8,850,000; complying with the requirements contained in Securities and Exchange Commission 15c2-12 {CAPTION}

BACKGROUND/INFORMATION:

During the June 10, 2019 Council meeting, staff presented information regarding projects that are proposed to be financed through a debt issuance. These projects include water and sewer infrastructure projects, and various capital equipment needs to include vehicles and equipment that are necessary for City operations.

With this agenda item, the Council is considering a Resolution authorizing the publication of Notice of Intention notifying residents of the Council's intention to issue Certificates of Obligation in an amount not to exceed \$8,850,000. The Certificates of obligation would be payable from the levy of an annual ad valorem tax, within the limitations prescribed by law, upon all taxable property within the City and additionally from a pledge of and lien on certain revenues derived from the operation of the City's Utility System. The issuance of debt is desirable if Council wishes to proceed with these projects. Debt service for the water and wastewater projects and capital outlay items relating to the Utility Fund operations would be paid from water and sewer user fees. Debt service for General Fund capital outlay items would be paid from ad valorem taxes.

This publication would be to give notice of the Intention to Issue Certificates of Obligation at the August 12, 2019 Watauga City Council Meeting. It is estimated that the \$8,850,000 Certificates of Obligation issuance would require debt service payments of approximately \$600,000 annually to begin in Fiscal Year 2019-2020.

The attached resolution has been reviewed and approved by legal.

FINANCIAL IMPLICATIONS:

Nominal advertising costs for this publication

RECOMMENDATION/ACTION DESIRED:

Consideration and Approval of Proposed Resolution Authorizing and Approving the Publication of Notice of Intention to Issue Certificates of Obligation in an amount not to exceed \$8,850,000.

Motion Format:



AGENDA MEMORANDUM

I move that the City Council adopt a Notice of Intention Resolution authorizing the publication of the Notice of Intention Resolution

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Watauga NOI Resolution
2. WATAUGA_NOI

REVIEWED BY:

Sandra Gibson, CGFO, CGFM, Director of Finance

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/3/2019

Approved - 7/3/2019

Final Approval - 7/3/2019

RESOLUTION NO.

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council (the *City Council*) of the City of Watauga, Texas (the *City*) has determined that it is advisable and necessary to issue and sell one or more series of certificates of obligation (the *Certificates*) in an amount not to exceed \$8,850,000 as provided pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code, Section 271.041 through Section 271.064, for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) constructing street improvements (including utilities repair, replacement, and relocation), curbs, gutters, and sidewalk improvements, including drainage and landscaping incidental thereto; (2) designing, constructing, acquiring, purchasing, renovating, equipping, enlarging, and improving the City's utility system; (3) designing, constructing, renovating, improving, and equipping the City's parks and recreational facilities; (4) the purchase of public safety vehicles, public safety machinery, and public safety equipment, public works vehicles, public works machinery, public works equipment, library personal property, technology, hardware and software improvements, and vehicles; (5) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (6) payment for professional and employee services relating to the design, construction, project management, inspection, consultant services, and financing of the aforementioned projects; and

WHEREAS, prior to the offering, sale, and issuance of the Certificates, the appropriate officials of the City must review and approve the distribution of a "deemed final" preliminary official statement (the *Official Statement*) in order to comply with the requirements contained in 17 C.F.R. §240.15c2-12 (the *Securities and Exchange Commission Rule*); and

WHEREAS, based upon their review of the Official Statement, the appropriate officials of the City must find to the best of their knowledge and belief, after reasonable investigation, that the representations of facts pertaining to the City contained in the Official Statement are true and correct and that, except as disclosed in the Official Statement, there are no facts pertaining to the City that would adversely affect the issuance of the Certificates or the City's ability to pay the debt service requirements on the Certificates when due; and

WHEREAS, the City Council will comply with the requirements contained in the Securities and Exchange Commission Rule concerning the creation of a contractual obligation between the City and the proposed purchaser(s) of the Certificates (the *Purchasers*) to provide the Purchasers with an Official Statement in a time and manner that will enable the Purchasers to comply with the distribution requirements and continuing disclosure requirements contained in the Securities and Exchange Commission Rule; and

WHEREAS, the City Council authorizes the Mayor, City Manager, Interim City Secretary, and the City Attorney, as appropriate, or their designees, to review, approve, and execute any document or certificate in order to allow the City to comply with the requirements contained in the Securities and Exchange Commission Rule; and

WHEREAS, prior to the issuance of the Certificates, the City Council is required to publish notice of its intention to issue the Certificates in a newspaper of general circulation in the City, such notice stating (i) the time and place the City Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the Certificates are to be issued, (iv) and the manner in which the City Council proposes to pay the Certificates; and

WHEREAS, the City Council hereby finds and determines that such documents pertaining to the sale of the Certificates should be approved, and the City should proceed with the giving of notice of intention to issue the Certificates in the time, form, and manner provided by law; and

WHEREAS, the City Council hereby finds and determines that the adoption of this Resolution is in the best interests of the residents of the City; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS THAT:

SECTION 1. The Interim City Secretary is hereby authorized and directed to cause notice to be published of the City Council's intention to issue the Certificates in an amount not to exceed \$8,850,000 for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) constructing street improvements (including utilities repair, replacement, and relocation), curbs, gutters, and sidewalk improvements, including drainage and landscaping incidental thereto; (2) designing, constructing, acquiring, purchasing, renovating, equipping, enlarging, and improving the City's utility system; (3) designing, constructing, renovating, improving, and equipping the City's parks and recreational facilities; (4) the purchase of public safety vehicles, public safety machinery, and public safety equipment, public works vehicles, public works machinery, public works equipment, library personal property, technology, hardware and software improvements, and vehicles; (5) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (6) payment for professional and employee services relating to the design, construction, project management, inspection, consultant services, and financing of the aforementioned capital improvements. The Certificates will be payable from the levy of an annual ad valorem tax, within the limitations prescribed by law, upon all taxable property within the City and additionally from a pledge of and lien on certain revenues derived from the operation of the City's utility system. The notice hereby approved and authorized to be published shall read substantially in the form and content of Exhibit A attached hereto, which notice is incorporated herein by reference as a part of this Resolution for all purposes.

SECTION 2. The Interim City Secretary shall cause the notice described in Section 1 to be published in a newspaper of general circulation in the City, once a week for two consecutive

weeks, the date of the first publication shall be at least thirty (30) days prior to the date stated therein for passage of the ordinance authorizing the issuance of the Certificates.

SECTION 3. The Mayor, City Manager, Interim City Secretary, and the City Attorney, as appropriate, or their designees, are authorized to review and approve the Official Statement pertaining to the offering, sale, and issuance of the Certificates and to execute any document or certificate in order to comply with the requirements contained in the Securities and Exchange Commission Rule.

SECTION 4. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 5. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 6. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 7. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 8. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 9. This Resolution shall be in force and effect from and after the date of its adoption, and it is so resolved.

[The remainder of this page intentionally left blank.]

PASSED AND APPROVED, this the 8th day of July, 2019.

CITY OF WATAUGA, TEXAS

Mayor

ATTEST:

Interim City Secretary

(CITY SEAL)

Exhibit A

NOTICE OF INTENTION TO ISSUE
CITY OF WATAUGA, TEXAS
CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Watauga, Texas will convene at its regular meeting place in the City Hall in Watauga, Texas, at 6:30 o'clock P.M., Watauga, Texas time on August 12, 2019, and, during such meeting, the City Council will consider the passage of an ordinance or ordinances and take such other actions as may be deemed necessary to authorize the issuance of one or more series of certificates of obligation in an aggregate principal amount not to exceed \$8,850,000 for the purpose or purposes of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) constructing street improvements (including utilities repair, replacement, and relocation), curbs, gutters, and sidewalk improvements, including drainage and landscaping incidental thereto; (2) designing, constructing, acquiring, purchasing, renovating, equipping, enlarging, and improving the City's utility system; (3) designing, constructing, renovating, improving, and equipping the City's parks and recreational facilities; (4) the purchase of public safety vehicles, public safety machinery, and public safety equipment, public works vehicles, public works machinery, public works equipment, library personal property, technology, hardware and software improvements, and vehicles; (5) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (6) payment for professional and employee services relating to the design, construction, project management, inspection, consultant services, and financing of the aforementioned projects. The certificates of obligation (the *Certificates*) will be payable from the levy of an annual ad valorem tax, within the limitations prescribed by law, upon all taxable property within the City and from a lien on and pledge of certain revenues derived by the City from the operation of the City's utility system. The Certificates are to be issued, and this notice is given, under and pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code Section 271.041 through Section 271.064, Chapter 1502, as amended, Texas Government Code, and the City's Home Rule Charter.

/s/ Terri Johnson
Interim City Secretary,
City of Watauga, Texas

NOTICE OF INTENTION TO ISSUE
CITY OF WATAUGA, TEXAS
CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Watauga, Texas will convene at its regular meeting place in the City Hall in Watauga, Texas, at 6:30 o'clock P.M., Watauga, Texas time on August 12, 2019, and, during such meeting, the City Council will consider the passage of an ordinance or ordinances and take such other actions as may be deemed necessary to authorize the issuance of one or more series of certificates of obligation in an aggregate principal amount not to exceed \$8,850,000 for the purpose or purposes of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) constructing street improvements (including utilities repair, replacement, and relocation), curbs, gutters, and sidewalk improvements, including drainage and landscaping incidental thereto; (2) designing, constructing, acquiring, purchasing, renovating, equipping, enlarging, and improving the City's utility system; (3) designing, constructing, renovating, improving, and equipping the City's parks and recreational facilities; (4) the purchase of public safety vehicles, public safety machinery, and public safety equipment, public works vehicles, public works machinery, public works equipment, library personal property, technology, hardware and software improvements, and vehicles; (5) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (6) payment for professional and employee services relating to the design, construction, project management, inspection, consultant services, and financing of the aforementioned projects. The certificates of obligation (the *Certificates*) will be payable from the levy of an annual ad valorem tax, within the limitations prescribed by law, upon all taxable property within the City and from a lien on and pledge of certain revenues derived by the City from the operation of the City's utility system. The Certificates are to be issued, and this notice is given, under and pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code Section 271.041 through Section 271.064, Chapter 1502, as amended, Texas Government Code, and the City's Home Rule Charter.

/s/ Terri Johnson
Interim City Secretary,
City of Watauga, Texas



AGENDA MEMORANDUM

DATE: July 3, 2019

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

THROUGH:

SUBJECT: Discuss and consider action authorizing a member(s) of Council to participate in the NE Tarrant Chamber Leadership NE Program.

BACKGROUND/INFORMATION:

On July 2, 2019, the HR Director received an email from the NE Tarrant Chamber regarding the Leadership NE Program. The program begins on August 20, 2019. The full calendar for the program is attached.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommends the City Council obtain interest and consider authorizing any interested members to participate in the Leadership NE Program.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Leadership NE Program Calendar

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/3/2019

Final Approval - 7/3/2019



2019 – 2020 CLASS CALENDAR

Welcome Dinner	6:30 p.m. – 8:30 p.m.	August 20, 2019
Challenge Course	7:45 a.m. – 5:00 p.m.	August 23, 2019
Orientation	9:00 a.m. – 12:00 p.m.	August 24, 2019

Session 1: <i>Public Safety</i>	September 10, 2019
Session 2: <i>Human/Community Services</i>	October 8, 2019
Session 3: <i>Health Care</i>	November 12, 2019
Session 4: <i>Leadership & Government</i>	December 10, 2019
Session 5: <i>Economic Development</i>	January 14, 2020
Session 6: <i>Education</i>	February 11, 2020
Session 7: <i>State Government</i> Visit to the Capitol	March 10 or 11, 2020 TBD
Session 8: <i>Environment & Arts</i>	April 14, 2020
Session 9: <i>Transportation</i>	May 12, 2020
Graduation Dinner	May 26, 2020
Community Service Project	To Be Determined

Subject To Change

Tuesday, June 4, 2019



AGENDA MEMORANDUM

DATE: July 1, 2019

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

SUBJECT: Discuss and consider action on a Resolution to approving an Economic Development Grant Agreement for the installation of a Splash Pad between the Watauga Economic Development Corporation and the City of Watauga on the first of two readings {CAPTION}

BACKGROUND/INFORMATION:

The Economic Development Corporation is a Type B sales tax corporation and is authorized to expend funds related to community or recreational facilities. A public hearing was held for citizen input on the proposed splashpad project in accordance with Local Government Code 505.152.

The project cannot begin and monies cannot be expended until 60 days after the WEDC holds a Public Hearing per Local Government Code 505.160. A public hearing was held on June 18, 2019 by the WEDC for citizen input on the proposed splashpad project in accordance with Local Government Code 505.152. Texas LGC requires two readings of the City Council, thus this item serves as the first reading.

The WEDC Board agreed to pay a portion of the debt service for the splashpad project during its June 18, 2019 Meeting.

The Interim City Attorney's office prepared the attached agreement.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommends the City Council approve the attached agreement and authorize the Mayor to execute the agreement on the City's behalf.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. City of Watauga Economic Development Agreement resolution
2. Splashpad Agreement_2019



AGENDA MEMORANDUM

REVIEWED BY:

Sandra Gibson, CGFO, CGFM, Director of Finance

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/2/2019

Final Approval - 7/3/2019

CITY OF WATAUGA, TEXAS
RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS, APPROVING A CITY OF WATAUGA ECONOMIC DEVELOPMENT GRANT AGREEMENT FOR THE INSTALLATION OF A SPLASHPAD BETWEEN THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION AND THE CITY OF WATAUGA, TEXAS AND AUTHORIZING THE MAYOR OF THE CITY OF WATAUGA TO EXECUTE SAID AGREEMENT.

WHEREAS, the Watauga Economic Development Corporation (the “WEDC”) is a Type B Economic Development Corporation; and

WHEREAS, Texas Local Government Code Section 505.152 defines as an authorized “project” to include “...equipment... and improvements found by the board of directors to be... suitable for use for... public park purposes and events, including... parks and park facilities, open space improvements... and other related improvements that enhance any of the items described in this section.”; and

WHEREAS, the WEDC Board of Directors has determined that the installation of a splashpad is an authorized project as provided by Texas Local Government Code Section § 505.152; and

WHEREAS, the WEDC has agreed to allocate an amount of funds sufficient to cover the costs of constructing a splashpad within the boundaries of the City of Watauga; and

WHEREAS, the City Council of Watauga finds the splashpad will improve and enhance public facilities and parks for the community, and facilitate business recruitment, retention, and expansion efforts for the future benefit of the City of Watauga; and

WHEREAS, the City Council of Watauga further finds that the splashpad will promote and develop new and expanding business enterprises in the City of Watauga and improve the community; and

WHEREAS, the action authorized by this Resolution is in furtherance of the public interest, for the good of the community, and necessary and proper for carrying out the authority granted by law to the City and the WEDC.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Watauga, Texas that:

I.

The City Council hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the Council hereby incorporates such recitals as a part of this Resolution.

II.

The City of Watauga Economic Development Grant Agreement between the City of Watauga and the Watauga Economic Development Corporation is hereby in all things approved and authorized.

III.

The Mayor of the City of Watauga, Texas is hereby authorized to execute for and on behalf of the City of Watauga, and the City Secretary is hereby authorized to attest the Economic Development Grant Agreement between the City of Watauga, Texas, and the Watauga Economic Development Corporation, pertaining to the construction of a splashpad in the City of Watauga. A copy of such economic development agreement is attached hereto and made a part hereof for all purposes.

IV.

This Resolution shall be and is hereby cumulative of all other resolutions of the City of Watauga, Texas and this resolution shall not operate to repeal or affect any such other resolutions except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this resolution, in which event such conflicting provisions, if any, in such other resolution or resolutions are hereby repealed.

V.

If any section, subsection, sentence, clause or phrase of this resolution shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

VI.

This resolution shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council of the City of Watauga, Texas, and upon approval thereof by the Mayor of the City of Watauga, Texas and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas on this ____ day of June 2019.

APPROVED

Arthur L. Miner, Mayor

ATTEST:

Terri Johnson, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY:

City Attorney

STATE OF TEXAS
COUNTY OF TARRANT

§
§

CITY OF WATAUGA ECONOMIC DEVELOPMENT GRANT AGREEMENT

Authority

This Agreement is made under the authority of the TEX. LOC. GOV. CODE chapters 501, 502 and 505, as amended (the "Code")

Parties

This Agreement is made and entered into by and between the City of Watauga Economic Development Corporation (the "WEDC") organized under the Code, and the City of Watauga (the "GRANTEE"), and shall be effective when duly executed by signature of the authorized representatives of both WEDC and Grantee ("Effective Date").

Preamble

WHEREAS, the WEDC held a meeting concerning the expenditure of the funds that are the subject of this agreement on _____; and

WHEREAS, upon the recommendation of the WEDC, the City Council of Watauga, Texas on _____, approved the expenditure of said funds; and

NOW THEREFORE, in view of the above and foregoing, and in consideration of the mutual agreements herein contained, WEDC and Grantee hereby agree as follows:

Terms

In consideration for the mutual promises and covenants given and the mutual benefits received, which is hereby acknowledged by the Parties, the Parties agree as follows:

1) Purpose; Allocation; Schedule of Payments

- i) WEDC shall allocate an amount of funds ("Funds") sufficient to cover the costs of constructing a splashpad to be located within the corporate boundaries of the City of Watauga as pre-approved by the WEDC and City of

Watauga City Council in order to facilitate business recruitment, retention and expansion efforts for the future benefit of the WEDC and City of Watauga.

- ii) Said Funds allocated shall be used by GRANTEE for the purpose of providing paying the debt service requirements (each February and August) on the 2018 Certificates of Obligation issued by the City of Watauga specific to the splashpad project. The splashpad project is instrumental to the WEDC in the promotion and development of new and expanded business enterprises in the City of Watauga and shall benefit the WEDC in their goals of creating and expanding business in the City of Watauga.
- iii) The exact amount of Funds to be allocated shall be determined by the City's Financial Advisor with a separate debt schedule set forth solely for the purpose of the branding signs. The schedule for payment shall be based on a 19 year timeline beginning in February 2020 and ending in August 2038, with a minimum of two semi-annual payments due on or before January 15 and August 15, at the interest rate set at the bond issuance in July 2018 by the City to pay for the splashpad Project.

2) Default:

- i) This Agreement may be terminated if it is determined that GRANTEE has used the funds for any purpose other than those identified in Section 1(i) of this agreement. Termination of this Agreement may be affected if any such default is not cured within ninety (90) days after written notice by WEDC to GRANTEE.
- ii) In the event of termination for default under this agreement WEDC's sole remedy shall be termination of this agreement and reimbursement of the funds determined to be improperly used.

3) Miscellaneous

- i) Assignment. GRANTEE may not assign this Agreement.
- ii) No Right of Renewal. It is understood and agreed that the receipt of these funds by GRANTEE shall not imply any right of automatic renewal of this contract.
- iii) Notice. Any notice required under the provisions of this Agreement shall be in writing and delivered in person, by fax or deposited in the United States Mail, registered or certified, return receipt requested. Any such notice must be addressed to WEDC or GRANTEE at the following addresses. Any notice shall be deemed received three days after the date of deposit in the United States Mail, unless proof is offered to the contrary. Unless otherwise

VIP GRANT AGREEMENT

provided in this Agreement, all notices shall be delivered to the following addresses:

WEDC: Mr. Art Miner, Chairman
City of Watauga Economic Development Corporation
7105 Whitley Road
Watauga, Texas 76148

GRANTEE: Andrea Gardner, City Manager
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

Either party may designate a different address or fax number by giving the other party written notice.

- iv) Binding Agreement. This Agreement has been duly executed and delivered by both parties and constitutes a legal, valid and binding obligation of the parties. Each person executing this Agreement on behalf of each party represents and warrants that they have full right and authority to enter into this Agreement.
- v) Amendment. This Agreement may not be amended except in a written instrument specifically referring to this Agreement and signed by the parties hereto.
- vi) Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. The State of Texas shall have jurisdiction over this Agreement and the parties hereto, and venue of any legal action filed by either WEDC or GRANTEE shall be in Tarrant County, Texas.
- vii) Severability. In the event that one or more of the provisions contained in the Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein, but shall not affect the remaining provisions of this Agreement, which shall remain in full force and effect.

viii) Execution. WEDC executes this Agreement by and through its President, _____ . GRANTEE executes this Agreement by and through its Mayor, Art Miner. The parties further agree that this Agreement may be executed in multiple counterparts, each of which shall be considered an original.

**WATAUGA ECONOMIC
DEVELOPMENT CORPORATION:**

_____, 2019
DATE

CHAIRMAN

ATTEST:

**JAN HILL,
CORPORATION SECRETARY**

CITY OF WATAUGA:

_____, 2019
DATE

MAYOR

ATTEST:

**TERRI JOHNSON,
INTERIM CITY SECRETARY**



AGENDA MEMORANDUM

DATE: July 3, 2019

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

THROUGH:

SUBJECT: Discuss and consider action on a resolution approving an Economic Development Grant Agreement for the Installation of a Splash Pad between the Watauga Economic Development Corporation and the City of Watauga on second and final reading {CAPTION}

BACKGROUND/INFORMATION:

The Economic Development Corporation is a Type B sales tax corporation and is authorized to expend funds related to community or recreational facilities. A public hearing was held for citizen input on the proposed splashpad project in accordance with Local Government Code 505.152.

The project cannot begin and monies cannot be expended until 60 days after the WEDC holds a Public Hearing per Local Government Code 505.160. A public hearing was held on June 18, 2019 by the WEDC for citizen input on the proposed splashpad project in accordance with Local Government Code 505.152. Per Texas LGC the action requires two readings of the City Council with this reading being the second required reading.

The WEDC Board agreed to pay a portion of the debt service for the splashpad project during its June 18, 2019 Meeting.

The Interim City Attorney's office prepared the attached agreement.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommends the City Council approve the attached resolution and agreement to authorize the Mayor to execute the agreement on the City's behalf and approve the project.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:



AGENDA MEMORANDUM

1. City of Watauga Economic Development Agreement resolution
2. Splashpad Agreement_2019

REVIEWED BY:

Sandra Gibson, CGFO, CGFM, Director of Finance

Terri Johnson, City Secretary

Andrea Gardner, City Manager

Approved as to form for inclusion on Agenda

Approved - 7/3/2019

Approved - 7/3/2019

Final Approval - 7/3/2019

CITY OF WATAUGA, TEXAS
RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS, APPROVING A CITY OF WATAUGA ECONOMIC DEVELOPMENT GRANT AGREEMENT FOR THE INSTALLATION OF A SPLASHPAD BETWEEN THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION AND THE CITY OF WATAUGA, TEXAS AND AUTHORIZING THE MAYOR OF THE CITY OF WATAUGA TO EXECUTE SAID AGREEMENT.

WHEREAS, the Watauga Economic Development Corporation (the “WEDC”) is a Type B Economic Development Corporation; and

WHEREAS, Texas Local Government Code Section 505.152 defines as an authorized “project” to include “...equipment... and improvements found by the board of directors to be... suitable for use for... public park purposes and events, including... parks and park facilities, open space improvements... and other related improvements that enhance any of the items described in this section.”; and

WHEREAS, the WEDC Board of Directors has determined that the installation of a splashpad is an authorized project as provided by Texas Local Government Code Section § 505.152; and

WHEREAS, the WEDC has agreed to allocate an amount of funds sufficient to cover the costs of constructing a splashpad within the boundaries of the City of Watauga; and

WHEREAS, the City Council of Watauga finds the splashpad will improve and enhance public facilities and parks for the community, and facilitate business recruitment, retention, and expansion efforts for the future benefit of the City of Watauga; and

WHEREAS, the City Council of Watauga further finds that the splashpad will promote and develop new and expanding business enterprises in the City of Watauga and improve the community; and

WHEREAS, the action authorized by this Resolution is in furtherance of the public interest, for the good of the community, and necessary and proper for carrying out the authority granted by law to the City and the WEDC.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Watauga, Texas that:

I.

The City Council hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the Council hereby incorporates such recitals as a part of this Resolution.

II.

The City of Watauga Economic Development Grant Agreement between the City of Watauga and the Watauga Economic Development Corporation is hereby in all things approved and authorized.

III.

The Mayor of the City of Watauga, Texas is hereby authorized to execute for and on behalf of the City of Watauga, and the City Secretary is hereby authorized to attest the Economic Development Grant Agreement between the City of Watauga, Texas, and the Watauga Economic Development Corporation, pertaining to the construction of a splashpad in the City of Watauga. A copy of such economic development agreement is attached hereto and made a part hereof for all purposes.

IV.

This Resolution shall be and is hereby cumulative of all other resolutions of the City of Watauga, Texas and this resolution shall not operate to repeal or affect any such other resolutions except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this resolution, in which event such conflicting provisions, if any, in such other resolution or resolutions are hereby repealed.

V.

If any section, subsection, sentence, clause or phrase of this resolution shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

VI.

This resolution shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council of the City of Watauga, Texas, and upon approval thereof by the Mayor of the City of Watauga, Texas and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas on this ____ day of June 2019.

APPROVED

Arthur L. Miner, Mayor

ATTEST:

Terri Johnson, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY:

City Attorney

STATE OF TEXAS
COUNTY OF TARRANT

§
§

CITY OF WATAUGA ECONOMIC DEVELOPMENT GRANT AGREEMENT

Authority

This Agreement is made under the authority of the TEX. LOC. GOV. CODE chapters 501, 502 and 505, as amended (the "Code")

Parties

This Agreement is made and entered into by and between the City of Watauga Economic Development Corporation (the "WEDC") organized under the Code, and the City of Watauga (the "GRANTEE"), and shall be effective when duly executed by signature of the authorized representatives of both WEDC and Grantee ("Effective Date").

Preamble

WHEREAS, the WEDC held a meeting concerning the expenditure of the funds that are the subject of this agreement on _____; and

WHEREAS, upon the recommendation of the WEDC, the City Council of Watauga, Texas on _____, approved the expenditure of said funds; and

NOW THEREFORE, in view of the above and foregoing, and in consideration of the mutual agreements herein contained, WEDC and Grantee hereby agree as follows:

Terms

In consideration for the mutual promises and covenants given and the mutual benefits received, which is hereby acknowledged by the Parties, the Parties agree as follows:

1) Purpose; Allocation; Schedule of Payments

- i) WEDC shall allocate an amount of funds ("Funds") sufficient to cover the costs of constructing a splashpad to be located within the corporate boundaries of the City of Watauga as pre-approved by the WEDC and City of

Watauga City Council in order to facilitate business recruitment, retention and expansion efforts for the future benefit of the WEDC and City of Watauga.

- ii) Said Funds allocated shall be used by GRANTEE for the purpose of providing paying the debt service requirements (each February and August) on the 2018 Certificates of Obligation issued by the City of Watauga specific to the splashpad project. The splashpad project is instrumental to the WEDC in the promotion and development of new and expanded business enterprises in the City of Watauga and shall benefit the WEDC in their goals of creating and expanding business in the City of Watauga.
- iii) The exact amount of Funds to be allocated shall be determined by the City's Financial Advisor with a separate debt schedule set forth solely for the purpose of the branding signs. The schedule for payment shall be based on a 19 year timeline beginning in February 2020 and ending in August 2038, with a minimum of two semi-annual payments due on or before January 15 and August 15, at the interest rate set at the bond issuance in July 2018 by the City to pay for the splashpad Project.

2) Default:

- i) This Agreement may be terminated if it is determined that GRANTEE has used the funds for any purpose other than those identified in Section 1(i) of this agreement. Termination of this Agreement may be affected if any such default is not cured within ninety (90) days after written notice by WEDC to GRANTEE.
- ii) In the event of termination for default under this agreement WEDC's sole remedy shall be termination of this agreement and reimbursement of the funds determined to be improperly used.

3) Miscellaneous

- i) Assignment. GRANTEE may not assign this Agreement.
- ii) No Right of Renewal. It is understood and agreed that the receipt of these funds by GRANTEE shall not imply any right of automatic renewal of this contract.
- iii) Notice. Any notice required under the provisions of this Agreement shall be in writing and delivered in person, by fax or deposited in the United States Mail, registered or certified, return receipt requested. Any such notice must be addressed to WEDC or GRANTEE at the following addresses. Any notice shall be deemed received three days after the date of deposit in the United States Mail, unless proof is offered to the contrary. Unless otherwise

VIP GRANT AGREEMENT

provided in this Agreement, all notices shall be delivered to the following addresses:

WEDC: Mr. Art Miner, Chairman
City of Watauga Economic Development Corporation
7105 Whitley Road
Watauga, Texas 76148

GRANTEE: Andrea Gardner, City Manager
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

Either party may designate a different address or fax number by giving the other party written notice.

- iv) Binding Agreement. This Agreement has been duly executed and delivered by both parties and constitutes a legal, valid and binding obligation of the parties. Each person executing this Agreement on behalf of each party represents and warrants that they have full right and authority to enter into this Agreement.
- v) Amendment. This Agreement may not be amended except in a written instrument specifically referring to this Agreement and signed by the parties hereto.
- vi) Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. The State of Texas shall have jurisdiction over this Agreement and the parties hereto, and venue of any legal action filed by either WEDC or GRANTEE shall be in Tarrant County, Texas.
- vii) Severability. In the event that one or more of the provisions contained in the Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein, but shall not affect the remaining provisions of this Agreement, which shall remain in full force and effect.

viii) Execution. WEDC executes this Agreement by and through its President, _____ . GRANTEE executes this Agreement by and through its Mayor, Art Miner. The parties further agree that this Agreement may be executed in multiple counterparts, each of which shall be considered an original.

**WATAUGA ECONOMIC
DEVELOPMENT CORPORATION:**

_____, 2019
DATE

CHAIRMAN

ATTEST:

**JAN HILL,
CORPORATION SECRETARY**

CITY OF WATAUGA:

_____, 2019
DATE

MAYOR

ATTEST:

**TERRI JOHNSON,
INTERIM CITY SECRETARY**



AGENDA MEMORANDUM

DATE: June 17, 2019

TO: Honorable City Council Members

FROM:

THROUGH:

SUBJECT: Texas Government Code Section 551.071 to deliberate upon, seek advice of the City Attorney regarding the specific powers of the council as provided by Section 3.07 of the Watauga City Charter

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

None

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/2/2019

Final Approval - 7/2/2019



AGENDA MEMORANDUM

DATE: June 10, 2019

TO: Honorable City Council Members

FROM:

THROUGH:

SUBJECT: Texas Government Code Section 551.074 Personnel Matters to deliberate regarding the duties of City Manager Andrea Gardner

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

None

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/3/2019

Final Approval - 7/3/2019



AGENDA MEMORANDUM

DATE: June 10, 2019

TO: Honorable City Council Members

FROM:

THROUGH:

SUBJECT: Discuss and consider action regarding the duties for City Manager
Andrea Gardner

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

None

REVIEWED BY:

Andrea Gardner, City Manager

Terri Johnson, City Secretary

Approved as to form for inclusion on Agenda

Approved - 7/3/2019

Final Approval - 7/3/2019