



AGENDA
WATAUGA CITY COUNCIL
WORKSHOP MEETING
MONDAY, MAY 11, 2020
CITY HALL COUNCIL CHAMBER, 7105 WHITLEY ROAD
5:30 PM

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

COVID-19 PRECAUTIONS

The operation of a municipality is an Essential Service. The Texas Governor's Order, with the guidance of DSHS Commissioner Dr. Hellerstedt, allows all persons in Texas to obtain essential services, but directs the public to do so by minimizing in-person contact with people who are not in the same household and direct the implementation of social distancing, good hygiene, environmental cleanliness and sanitation. Therefore, the following social distancing rules apply to the public attending this meeting:

- 1) Any member of the public attending the meeting shall maintain a six-foot distance from others (except for those who live in the same household). City Staff and City Officials shall practice social distancing to the extent able without interfering in the ability to carry out the essential governmental functions to be conducted at this meeting.
- 2) To enter City Hall to attend this meeting all persons must wear a face covering (i.e. a cloth mask that effectively covers the mouth and nose with more than one layer of fabric) or equivalent device.
- 3) Attendance in the Council Chamber will be limited to allow for the public in attendance to practice social distancing. Seating may be assigned.
- 4) Coughs and sneezes must be covered with a cloth or tissue, which should then be properly disposed of or washed, and shall not be exposed to others.
- 5) Public courtesies such as handshakes or other greetings shall be respectfully avoided.
- 6) Any member of the public approaching city representatives, whether they be city staff or elected or appointed officials must maintain six-foot social distancing.

Any person who fails to comply with the COVID-19 Precautions may be removed from the meeting.

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)

ROLL CALL

PLEDGE OF ALLEGIANCE United States and Texas Flags

PRESENTATIONS

1. Presentation and discussion on Code Enforcement Operations

Kevin Mead, Sergeant PD

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, Andrea Gardner, 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 Thursday,

May 7, 2020, before 5:00 p.m., in accordance with Chapter 551 of the Texas Government Code.



Andrea Gardner, City Secretary





AGENDA MEMORANDUM

DATE: March 26, 2020

TO: Honorable City Council Members

FROM: Kevin Mead, Sergeant PD

THROUGH: James Parham, Sgt
Robert Parker, Chief of Police

SUBJECT: Presentation and discussion on Code Enforcement Operations

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. council workshop presentation 2020

REVIEWED BY:

Kevin Mead, Sergeant PD

James Parham, Sgt

Robert Parker, Chief of Police

Andrea Gardner, City Manager

Approved as to form for inclusion on Agenda

Approved - 5/4/2020

Approved - 5/4/2020

Approved - 5/4/2020

Final Approval - 5/7/2020



Code Enforcement City Council Workshop



City of Watauga Police Department Environmental Services Division



Sergeant Kevin Mead #251



Code Enforcement City Council Workshop



Code Enforcement

- Mission and Purpose
- Process
- Our People

Bulk Trash

- Current process
- Improving bulk/waste process





Code Enforcement

Police Department Mission



The mission of the Watauga Police Department is to provide the highest quality police services while safeguarding individual liberties and building positive community relationships.

On July 9th, 2018, Watauga Code Enforcement Officers became a part of our Police Department, under the Environmental Services Division.

The Code Enforcement Officers are contributing to the overall mission by enforcing local ordinances that help promote a Safe and Clean city!



Code Enforcement Purpose



- Improve quality of life for all citizens
- Provide quality inspections
- Improve and rehabilitate the community
- Keep Watauga beautiful

A GREAT PLACE TO LIVE !!



Code Enforcement Process



Step 1: Identifying Violations

City Code of Ordinance Violations are generally identified in one of two ways:

- 1. Complaint from a citizen or other employee**
- 2. Proactive Patrol**





Code Enforcement Process



Step 2: Initial Inspection

For efficiency, and to prevent allegations of targeting only certain residents, Code Officers generally perform a “sweep” of the entire street when investigating a violation at one address.

All code violations are documented, and generally receive a notice of violation mailing. The notice includes a photograph of the identified violation, as well as specific steps required to bring the property into compliance. The letter also provides a re-inspection date.



Code Enforcement Example Warning Letter



City of Watauga
7105 Whitley Road
Watauga, TX 76148



Sergeant B. Parham #226
817-514-5793

February 6, 2019

ID #: 19-EX001

Citizen Example
123 Main Street
Watauga, TX 76148

Re: Bulk Waste Out too Early at 123 Main Street.
Watauga Hills Addition Blk 01 Lot 2 3

Dear Citizen / Occupant:

The City of Watauga strives to be a community where all residents can enjoy the highest quality of life within safe and attractive neighborhoods. A vital component of achieving this vision is maintaining the property to meet the minimum requirements. During a recent inspection of your neighborhood I observed condition(s) on your property that need immediate attention.

Condition(s): Bulk trash pickup is the 3rd Monday of every month. Please remove bulk until appropriate time or dispose of properly. If bulk was missed or a tag left on the trash you may call Progressive for a charged special pickup at 817-222-2221.

2/6/19



This condition(s) is in violation of Sec. 32-21(f) of the Watauga Code of Ordinances, which states, Bulky waste and brush shall not be placed at a residential curbside earlier than 48 hours prior to the resident's scheduled bulky waste and brush collection day, and shall not be left at the residential curbside after 7:00 p.m. on the day following the 72-hour bulky waste and brush collection period.

Please have your property brought into compliance no later than Feb 13, 2019

If we can be of further assistance to you, or can answer any questions regarding this matter, please contact this office at (817) 514-5853. Your cooperation in this matter is greatly appreciated.

Respectfully,

Cale Hornsby
Code Compliance

RECIPIENTS: Citizen Example (Owner)

www.wataugatx.org

ID #: 19-EX001

Letter 1 of 2

City of Watauga
7105 Whitley Road
Watauga, TX 76148



Sergeant B. Parham #226
817-514-5793

ID #: 19-EX001

CORRECTION LIST

Re: 123 Main Street, City of Watauga, Texas

Bulk/Waste

- Remove
 - Bulk items must be removed from curbside and out of public view.
- Placement
 - Bulk waste may be placed at curbside 48 hours prior to scheduled pickup.
- Time
 - Bulk waste must be placed at curbside by 7:00 A.M. on your collection day.
- Too Early
 - Bulk Waste placed out earlier than 48 hours prior to scheduled collection day.
- Special Pickup
 - Bulk waste to order a special pickup, contact Progressive at (817) 222-2221.
- 3rd Monday
 - 3rd Monday of the month is your bulk pickup date.

www.wataugatx.org

ID #: 19-00685

Letter 2 of 2



Code Enforcement

New mailing letter



**New violation notice mailer created
For the current ongoing pandemic.
We want citizens to know we care
and understand there are special
circumstances regarding each case.
Code Enforcement wants to allow
citizens more time to comply
with certain violations observed.**

City of Watauga
7105 Whitley Road
Watauga, TX 76148



DATE

Recipient
Address
Address

Case type

Dear **Recipient**,

The City of Watauga understands these are difficult times and we wish you well. As a city, we still strive to be a better community. Our Code Enforcement Officers continue to patrol the city for items that are a possible danger to our health or sanitation.

During a recent neighborhood inspection, a condition was observed that needs attention.

Quick copy from case

Date

Insert Picture

The relevant ordinance can be found here: **Insert Ordinance Location**.

Please remedy the above condition by, **date of re-inspection**, 10 days from the date above. If you cannot comply by the date listed, please give us a call so that we can allow for reasonable accommodations to have the corrections made. Thank you for your understanding and cooperation.

Respectfully,

NAME
Code Enforcement Officer
(817) 514-####
Case ID #



Code Enforcement

Working with Citizens



In response to the warning letters, some residents call the Code Officer to discuss special circumstances such as family illness or financial hardship.

Code Officers may extend the re-inspection timeline for reasonable time periods to accommodate specific needs.



Code Enforcement Setbacks to Compliance



- **Some letters are returned, undelivered.**
- **Some Citizens are unable or unwilling to bring their properties into compliance.**

Many properties are owned by management companies.

Property management companies can be difficult to hold accountable, because they are not always easy to track down and it may be difficult to identify a person (rather than a business entity) to hold accountable.



Code Enforcement

Re-inspection Timetables



- **High Grass and Weeds - 7 days if left at door. (10 days mailed)**
- **Junk Motor Vehicles in street (Red Tag) – 3 days**
- **Inoperative Vehicle in driveway(Red Tag) – 30 days**
- **Vehicle blocking a right of way– 24 hours at the door (5 days mailed)**
- **Trees blocking right of way – 30 Days**
- **Property Maintenance – 30 Days**
- **Bulk Trash – 48 hours at the door, (8 Days mailed)**
- **Outside Storage – 7 days at the door (10 Days mailed)**



Code Enforcement

Second Notice



A reminder/courtesy notice may be issued when:

- **The resident has made efforts to correct the violation, but needs additional time.**
- **Weather events such as extreme heat or cold, or rain, contribute to a delay in compliance.**
- **Global pandemic**





Code Enforcement Citation Phase



When the time given for compliance has elapsed, the Code Officer conducts a re-inspection. If the violation has been corrected, the case is closed out. If the violation is still present, a citation may be issued.





Code Enforcement

Re-inspection After Citation



For more severe violations, re-inspections are conducted daily after the first citation, until abatement is achieved. A new citation can be issued during every 24 hours in which the violation remains.



In less severe cases, the first re-inspection after the citation may be as long as 4 days later. If the violation persists, a second citation can be issued.



Code Enforcement

Search and Seizure Warrant



If there is no compliance after the issuance of three citations, the Code Officer will seek a search and seizure warrant signed by Judge Bass.

When the warrant is signed, the City will abate the property.

Abatements are generally contracted out after obtaining multiple bids on the work needing to be performed .



Code Enforcement Lien Filed



After a City abatement, the invoiced costs, plus an administrative fee can be filed as a lien against the property after 30 days if invoice is not payed by the citizen.

Police Department
7101 Whitley Road
Watauga, TX 76148

WATAUGA
TEXAS
"A Great Place to Live"

Sergeant B. Parham #226
817-514-5793

PRIVILEGED LIEN

STATE OF TEXAS
COUNTY OF TARRANT

WHEREAS, the City of Watauga is a Texas home-rule municipality, situated in Tarrant County, operating under a municipal charter that has been adopted or amended as authorized by Article XI, Section 5 of the Texas Constitution;

WHEREAS, Chapter 342 of the Texas Health and Safety Code and Section 26-233 and 26-234 of the Watauga Code of Ordinances ("the City Code") authorizes the City of Watauga be permitted to enter upon the property and bring the property into compliance with the City Code; and further states the owner will be charged for any costs incurred by the City of Watauga and any fees accompanying the abatement action;

WHEREAS, the person signing this lien instrument has been duly authorized and designated to file a statement of expenses with the County Clerk of Tarrant County;

WHEREAS, in accordance with Chapter 342 of the Texas Health and Safety Code and Section 26-233 and 26-234 of the City Code, the City of Watauga did have to enter upon the property and bring the property into compliance with the City Code. The private property is located within the City of Watauga, Tarrant County, Texas, and as such, the City of Watauga hereby files a statement of expenses, which describes the property, lists the registered owner(s), states when the work was performed as a result of one of more of the owner(s) or an agent of the owner(s) failure and/or refusal to do so within the required period of time, and states the expenses of this work to the City of Watauga.

STATEMENT OF EXPENSES

CITY ADDRESS AND LEGAL DESCRIPTION (LOT/BLOCK/ADDITION):
123 Main Street, Hills Addition, Blk 20, Lot 16

OWNER(S) NAME(S) AND ADDRESS:
Watauga Citizen
123 Main Street
Watauga, TX 76148

SCOPE OR DESCRIPTION OF WORK AND DATE OR DATES WORK PERFORMED:
EXPENSE INCURRED BY CITY OF WATAUGA, TEXAS:
\$177.00
Date Work Performed: 09/03/2018

WHEREAS, one or more of the owner(s) or an agent of the owner(s) has failed and refused to pay the charges levied and assessed from the cutting and/or removal of the weeds, grass or debris on that property described in this lien after proper demand, and the allotted time for payment having passed.

www.watauga.org ID #: 18-EX001 Letter 1 of 2

Police Department
7101 Whitley Road
Watauga, TX 76148

WATAUGA
TEXAS
"A Great Place to Live"

Sergeant B. Parham #226
817-514-5793

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENT:

The city, to the end of perfecting its privileged lien against the property described in this lien, and in compliance with Chapter 342 of the Texas Health and Safety Code and Section 26-233 and 26-234 of the Code of Ordinances of the City of Watauga, gives notice to all by filing this statement of expenses with the County Clerk that the work described in this lien was done by and at the expense of the City of Watauga on the property described in this lien and on the claim(s) shown after proper notice to one or more of the owner(s) or an agent of the owner(s), and that one or more of the owner(s) or an agent of the owner(s) failed and refused to pay such charges when due, and that the City of Watauga has a claim against this property in the amount shown in this lien, together with ten percent (10%) interest per annum.

Watauga Mayor
Mayor of the City of Watauga, Texas

STATE OF TEXAS)
COUNTY OF TARRANT)

Before me, the undersigned, a Notary Public in and for the State of Texas and the County of Tarrant, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing document and on his oath stated that the above and foregoing statement and every part thereof are true and correct and that he personally knows that they are true and correct.

Given under my hand and seal of office this _____ day of _____, 20____.

Notary Public in and for Tarrant County, Texas

www.watauga.org ID #: 18-EX001 Letter 2 of 2



Code Enforcement

Condemnation of Properties



When a building or residence is unsafe, it can be deemed uninhabitable by the Code Officer. The condemnation of a building may involve a joint effort by the Police Department, the Fire Department, Public Works, the Municipal Court, and the Tarrant County Health Department.

After an extensive search and notification of owners (or potential owners, in cases where the owner is deceased) then a Condemnation order can be issued.



Code Enforcement Personnel



The City of Watauga has 3 full time Code Enforcement Officer positions.

**Officers are assigned to a district within the City.
Officers handle both commercial and residential
cases within their district.**



Code Enforcement

Meet your Code Officers



“Being a Code Officer allows me to become directly involved with the community. I enjoy seeing my efforts result in positive changes for the City of Watauga. I also share in the happiness of the citizens as they witness their own neighborhood’s improve.”

Sr. Officer Cale Hornsby



Code Enforcement

Meet your Code Officers



Officer Cale Hornsby

Case Load:

Active Cases: 100-200

**Average Re-inspections
per day: 15 - 30**

**Average New cases per
Day: 15 - 30**





Code Enforcement

Meet your Code Officers



“I received multiple complaints of outside storage. I worked with the homeowner who suffers from Mental Health issues. After several warnings and citations and contact made with the citizen, an abatement process was started. I secured a warrant and worked with a junk removal company to clean up the property. The citizen was grateful for our interactions and working with them through the abatement.”

Officer Cale Hornsby





Code Enforcement

Meet your Code Officers



Before



Code Enforcement

Meet your Code Officers



After



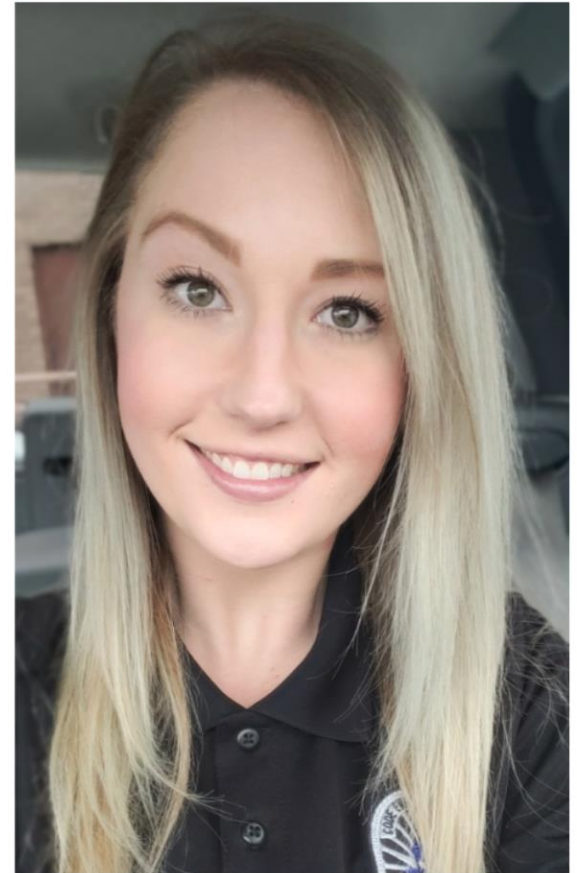
Code Enforcement

Meet your Code Officers



“I like being an Officer because it gives me a chance to put a friendly face out there, connect with citizens, and help people change the way they think about Code Enforcement. I also help the City of Watauga remain a beautiful place to live!”

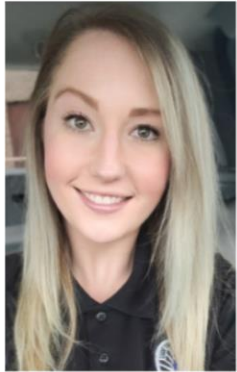
Officer Madelyn Corbin





Code Enforcement

Meet your Code Officers



Officer Madelyn Corbin



Case Load:

Active Cases: 100-200

**Average Re-inspections
per day: 15-30**

**Average New cases per
Day: 15-30**



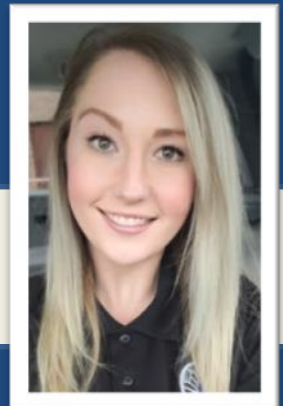
Code Enforcement

Meet your Code Officers



“This case took a lot of work and contact with the resident to get the property into compliance. I had received several complaints about the outside storage issue and eye soar it was creating. After several inspections and citations issued, the property was finally brought into compliance. I received several thankful phone calls on the work that was put into this property.”

Officer Madelyn Corbin





Code Enforcement

Meet your Code Officers



Before



Code Enforcement

Meet your Code Officers



After



CODE ENFORCEMENT

Meet your Code Officers



Officer Tomas Hasselteg



Case Load:

Active Cases: 100-200

**Average Re-inspections
per day: 15-30**

**Average New cases per
Day: 15-30**



Code Enforcement

Meet your Code Officers



Officer Tomas Hasselteg

“I enjoy working as a code enforcement officer in Watauga because it gives me an opportunity to interact with the citizens in the community on a daily basis. Citizens may not always be happy with an first encounter/letter from us, in the end a majority of the citizens understand why we contacted them and want to live in a community that is clean and looked after.”



Code Enforcement

Violations (Parking and Bulk)



- **Expired Motor Vehicle Registration (after 5 business days of month following expiration)**
- **No Registration Sticker Displayed**
- **Wrecked, dismantled, or partially dismantled**
- **Flat Tire(s)**
- **Significant body damage (wrecked)**
- **Recreational Vehicle in roadway 3 + hours**
- **Vehicles stored on roadway for 5 + days**



INOPERATIVE VEHICLES !!



Code Enforcement Parking



Red Tag Violations on Private Property (but in public view).

**Red Tags on
private property
are re-checked in
30 days.**





Code Enforcement Parking



Red Tag Violations on Public Property

**Red Tags on
public roadways
are re-checked in
72 hours.**





Code Enforcement Vehicle Impounds



Red Tag Process

- Identify the violation
- 72 hour Red Tag / 30 Day Inop
- Certified letter sent to Registered Owner
- Minimum 10 Day period
- Receive USPS return receipt
- Obtain warrant if needed
- Impound the vehicle



Code Enforcement Bulk Trash



Bulk Trash Process

- Identify the violation
- Notice of violation mailer sent (48 hours at door, 8 days if mailed)
- Re-inspection of property/violation
- Citation phase
- Abatement if needed.



Citizens allowed 5 cubic yards for bulk/waste pick-up per month



Code Enforcement Bulk Trash



Improving Bulk Trash Process

- Discontinue services altogether and have citizens schedule own bulk/waste pick-up
- Allow up to 3 bulk pick-up days for citizens. If further services are needed, citizen schedules the pick-up directly with waste company.
- Continue services as is with waste company invoicing properties that set out more than 5 cubic yards of bulk/waste.
- Once notified that a bulk/waste zone has been completed, any violations observed will be given 72 hours to come into compliance or Code Enforcement will schedule additional bulk/waste pick-up at citizens expense (ABATEMENT)



Code Enforcement Questions



- **What aspects of Code Enforcement would you like to hear more about?**
- **What are we doing well?**
- **Where can we improve?**