



**AGENDA**  
**WATAUGA CITY COUNCIL**  
**REGULAR MEETING**  
**MONDAY, JULY 8, 2024**  
**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.

**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**

**INVOCATION**

**PLEDGE OF ALLEGIANCE** United States and Texas Flags

**ANNOUNCEMENTS**

**PRESENTATIONS**

1. Presentation - By Chief Delvin Campbell a representative of the Texas Police Chiefs Association Accreditation Program, to the Watauga Police Department for obtaining Re-Accreditation.  
**Robert Parker, Police Chief**
2. Presentation of a proclamation to the Parks and Community Services Department for Parks and Recreation Month
3. Presentation of Employee of the Month Award for the month of July
4. Presentation of Service Awards for the City of Watauga Employees celebrating a Milestone Anniversary during the month of July

5. Presentation by Frontier Waste, Inc. regarding waste collection services  
**Sandra Gibson, Interim City Manager and Director of Finance**

**PUBLIC COMMENT** This is an opportunity for citizens to address the Council on items not posted on the current meeting agenda. Only those who have submitted a proper "Request to Speak Form" Shall be permitted to speak. Citizens should provide their name and address for the record and will have no more than 3 minutes to speak. If representing an organization or group, the speaker should identify who they represent. Those wishing to speak are reminded 1). All comments are to be directed to the Council. 2) Be respectful of others. 3) No profanity permitted. 4) Violators will be removed from the premises. No discussion by the Council or Staff is allowed except to correct factual inaccuracies or request that the item be placed on a future agenda.

**PUBLIC TESTIMONY FOR ACTION ITEMS** This is an opportunity for citizens to address the Council on current agenda action items (excludes presentations and reports). Only those persons who have submitted a proper "Request to Speak Form" will be allowed to speak. Citizens will be required to state their name and address for the record. They have up to 3 minutes to speak, and their comments must be germane to the item. If speaking for an organization or group, the speaker should identify the group represented. Council members may ask questions or discuss the item with the citizens directly.

## **REPORTS**

**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 approval of a Resolution approving amendments to the Bylaws of the Watauga Economic Development Corporation and recommending ratification; repealing all resolutions and provisions in conflict herewith, providing that all resolutions in conflict herewith are hereby repealed to the extent that they are in conflict, providing for a savings clause, providing for an effective date.  
**Sandra Gibson, Interim City Manager and Director of Finance**
2. Consider action to accept the Watauga Crime Control and Prevention District Proposed Budget for the Fiscal Year 2024-2025  
**Sandra Gibson, Interim City Manager and Director of Finance**
3. Consider action on approval of an Interlocal Agreement with Texas Municipal League Intergovernmental Risk Pool regarding Cyber Liability and Data Breach Response  
**Sandra Gibson, Interim City Manager and Director of Finance**

4. Consider action on setting a Public Hearing Date for the Crime Control and Prevention District FY2024-2025 Proposed Budget to allow for citizen input at 6:30 p.m. on August 12, 2024 and setting the budget adoption date for August 26, 2024  
**Sandra Gibson, Interim City Manager and Director of Finance**
5. Consider action on approval of the Monthly Financial Report for the period ending May 31, 2024  
**Sandra Gibson, Interim City Manager and Director of Finance**
6. Consider the reappointment of Karen Isbell to place 6 on the Planning and Zoning Commission.
7. Consider the reappointment of Quincy Adams to Place 1 on the Planning and Zoning Commission
8. Consider the appointment of Kimberly Martinez to place 2 on the Civil Service Commission.
9. Consider approval of the June 24, 2024, Regular City Council Meeting.  
**Linda Proskey, City Secretary**

## **PUBLIC HEARINGS**

## **ACTION ITEMS**

1. Discuss and consider action on approval of Water Tower Lease Amendment with T-Mobile West LLC  
**Sandra Gibson, Interim City Manager and Director of Finance**

**EXECUTIVE SESSION** The City Council will recess its open meeting and reconvene in executive session to discuss the following items pursuant to the below referenced section(s) of the Texas Government Code:

1. Pursuant to Section 551.074 of the Texas Government Code, discuss matters relating to personnel as follows: City Manager duties
2. Pursuant to Section 551.071 of the Texas Government Code (Legal Consultation), discuss and confer with the City Attorney regarding 1) council training and rules of procedure and 2) tax incentives and housing finance corporations and associations.

**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.

## **ITEMS OF EXECUTIVE SESSION DELIBERATION**

## **ITEMS FOR FUTURE AGENDAS**

## **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 [City Council/Board/Commission/Committee] to address a subject matter on the agenda. Action, if any, will be taken in open session.

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, Linda Proskey, 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 July 5, 2024, before 5:00 p.m., in accordance with Chapter 551 of the Texas Government Code.

/S/ Linda Proskey  
City Secretary





## AGENDA MEMORANDUM

**DATE:** June 19, 2024

**TO:** Honorable City Council Members

**FROM:** Robert Parker, Police Chief

**THROUGH:** Sandra Gibson, Interim City Manager and Director of Finance

**SUBJECT:** Presentation - By Chief Delvin Campbell a representative of the Texas Police Chiefs Association Accreditation Program, to the Watauga Police Department for obtaining Re-Accreditation.

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### **BACKGROUND/INFORMATION:**

Every three years, the Watauga Police Department is evaluated on our policy and a two-day on-site visit where assessors evaluate the application of the 173 standards set by the Texas Police Chiefs Association Accreditation Program. This is the third time the Watauga Police Department has earned this prestigious status. Program Manager Ben Davis worked to make sure we were successful in our goal and made sure all the department staff were up-to-date with policy and procedures. The onsite assessors evaluated policy, the facility and interviewed random staff for proof that those 173 standards were being followed.

### **FINANCIAL IMPLICATIONS:**

This was budgeted and paid for in the 2023-2024 Budget

### **RECOMMENDATION/ACTION DESIRED:**

### **ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

None

### **REVIEWED BY:**

Sandra Gibson, Interim City Manager and Director of Finance Approved - 7/2/2024  
Linda Proskey, City Secretary Final Approval - 7/2/2024  
*Approved as to form for inclusion on Agenda*



## AGENDA MEMORANDUM

**DATE:** July 3, 2024

**TO:** Honorable City Council Members

**FROM:**

**THROUGH:** Timothy Hamilton, Parks and Recreation Director

**SUBJECT:** Presentation of a proclamation to the Parks and Community Services Department for Parks and Recreation Month

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**BACKGROUND/INFORMATION:**

Mayor Miner will present the proclamation to the Parks and Community Services Department

**FINANCIAL IMPLICATIONS:**

None

**RECOMMENDATION/ACTION DESIRED:**

This item does not require a recommendation as it is a presentation/report.

**ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

None

**REVIEWED BY:**

Sandra Gibson, Interim City Manager and Director of Finance Approved - 7/3/2024  
Linda Proskey, City Secretary Final Approval - 7/3/2024  
*Approved as to form for inclusion on Agenda*



## AGENDA MEMORANDUM

**DATE:** June 24, 2024  
**TO:** Honorable City Council Members  
**FROM:**  
**THROUGH:**  
**SUBJECT:** Presentation of Employee of the Month Award for the month of July

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**BACKGROUND/INFORMATION:**

**FINANCIAL IMPLICATIONS:**

**RECOMMENDATION/ACTION DESIRED:**

**ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

1. Employee of the Month - July 2024

**REVIEWED BY:**

Juliet Rodriguez, Human Resources and Civil Service Director Approved - 7/3/2024

Sandra Gibson, Interim City Manager and Director of Finance Approved - 7/3/2024

Linda Proskey, City Secretary

Final Approval - 7/3/2024

*Approved as to form for inclusion on Agenda*



**July 2024**

# **Employee of the Month**

*Pete Green*





## AGENDA MEMORANDUM

**DATE:** June 25, 2024  
**TO:** Honorable City Council Members  
**FROM:**  
**THROUGH:**  
**SUBJECT:** Presentation of Service Awards for the City of Watauga Employees celebrating a Milestone Anniversary during the month of July

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**BACKGROUND/INFORMATION:**

**FINANCIAL IMPLICATIONS:**

**RECOMMENDATION/ACTION DESIRED:**

**ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

1. Employee Service Awards - July 2024 - Kevin Knox

**REVIEWED BY:**

Juliet Rodriguez, Human Resources and Civil Service Director Approved - 7/3/2024

Sandra Gibson, Interim City Manager and Director of Finance Approved - 7/3/2024

Linda Proskey, City Secretary

Final Approval - 7/3/2024

*Approved as to form for inclusion on Agenda*



# Employee Service Awards

July 2024

# Kevin Knox

Fire Lieutenant

15 Years of Service

*Thank  
You*



## AGENDA MEMORANDUM

**DATE:** June 19, 2024

**TO:** Honorable City Council Members

**FROM:** Sandra Gibson, Interim City Manager and Director of Finance

**THROUGH:**

**SUBJECT:** Presentation by Frontier Waste, Inc. regarding waste collection services

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**BACKGROUND/INFORMATION:**

Frontier Waste will provide a presentation to the City Council regarding their waste collection services for the City of Watauga.

**FINANCIAL IMPLICATIONS:**

None

**RECOMMENDATION/ACTION DESIRED:**

This item does not require a recommendation as it is a presentation/report.

**ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

None

**REVIEWED BY:**

Sandra Gibson, Interim City Manager and Director of Finance Approved - 6/26/2024

Sandra Gibson, Interim City Manager and Director of Finance Approved - 7/3/2024

Linda Proskey, City Secretary

Final Approval - 7/3/2024

*Approved as to form for inclusion on Agenda*



## AGENDA MEMORANDUM

**DATE:** June 14, 2024

**TO:** Honorable City Council Members

**FROM:** Sandra Gibson, Interim City Manager and Director of Finance

**THROUGH:**

**SUBJECT:** Consider approval of a Resolution approving amendments to the Bylaws of the Watauga Economic Development Corporation and recommending ratification; repealing all resolutions and provisions in conflict herewith, providing that all resolutions in conflict herewith are hereby repealed to the extent that they are in conflict, providing for a savings clause, providing for an effective date.

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### **BACKGROUND/INFORMATION:**

On June 18, 2024, the WEDC Board took action to amend the WEDC Bylaws. These included various amendments that are outlined in the attachment "WEDC Proposed Amendments, June 2024". The majority of the amendments are administrative in nature and are proposed to clean up and simplify the language in the bylaws. The Fiscal provisions are amended to revise the budget timeline and to provide for compliance in the annual investment policy.

### **FINANCIAL IMPLICATIONS:**

None

### **RECOMMENDATION/ACTION DESIRED:**

Staff recommends approval of the resolution amending the WEDC Bylaws.

### **ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

1. WEDC Resolution Bylaws Amendment- June 2024
2. Attachment A WEDC Bylaws Amended June 2024
3. WEDC Bylaws proposed amendments June 2024

### **REVIEWED BY:**

Sandra Gibson, Interim City Manager and Director of Finance Approved - 6/19/2024

David Berman, City Attorney Approved - 6/20/2024

Sandra Gibson, Interim City Manager and Director of Finance Approved - 6/21/2024

Linda Proskey, City Secretary Final Approval - 6/21/2024

*Approved as to form for inclusion on Agenda*

**CITY OF WATAUGA, TEXAS  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS APPROVING AMENDMENTS TO THE BYLAWS OF WATAUGA ECONOMIC DEVELOPMENT CORPORATION AND RECOMMENDING RATIFICATION; REPEALING ALL RESOLUTIONS AND PROVISIONS IN CONFLICT HEREWITH; PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 501.064 of the Texas Local Government Code (formerly Article 5190.6, Section 13 V.A.T.S.), requires that amendments to bylaws of a corporation created pursuant to the Development Corporation Act of 1979 be approved by the governing body (City Council).

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

**I.**

The bylaws of the Watauga Economic Development Corporation as amended are hereby approved and adopted by the City Council of the City of Watauga, Texas as reflected in “EXHIBIT A” attached hereto, pending ratification by the Watauga Economic Development Corporation.

**II.**

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.

**III.**

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.

**IV.**

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.

RESOLUTION NO. \_\_\_\_\_

**PASSED AND ADOPTED** by the City Council of the City of Watauga, Texas on this  
\_\_\_\_ day of \_\_\_\_\_ 2024.

**APPROVED:**

\_\_\_\_\_  
Arthur L. Miner, Mayor

**ATTEST:**

\_\_\_\_\_  
Linda Proskey, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
David Berman, City Attorney

**WATAUGA ECONOMIC DEVELOPMENT CORPORATION**  
**BYLAWS AMENDED JUNE 2024**

**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 Chapter 501-505 of the Local Government Code, 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 registered agent of the Corporation at such address is the City Manager of the City of Watauga, Texas. 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, 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.

- 2.02 The Directors shall appoint and consent to the City Attorney for the City of Watauga to also serve as the General Counsel for the Corporation.

#### Number and Qualification of Directors

- 2.03 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. The authorized number of Directors of this Corporation shall be seven (7). The place numbers for the seven (7) Directors shall be known as Place 1, Place 2, Place 3, Place 4, Place 5, Place 6, and Place 7.

#### Appointment and Term

- 2.04 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. The terms of Director Position 1, Director Position 3, Director Position 5 and Director Position 7 directors shall expire in August of each odd-numbered year. The terms of Director Position 2, Director Position 4 and Director Position 6 shall expire in August of each even-numbered year.
- 2.05 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 four (4).
- 2.06 Board members, who also serve on the governing body of the City, shall not cease to serve on Board of Directors at the time they cease to serve on the City Council; likewise, any board member who is also an employee of the City of Watauga shall cease to serve on the Board of Directors at the conclusion of their employment.

#### Vacancies

- 2.07 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. A vacancy occurring on the Board of Directors may be filled by the City Council at any time. Any Director appointed by the City Council shall serve the remainder of the term of appointment of their predecessor. Nothing in this provision should be construed to prevent such a successor from being appointed and serving one or more subsequent terms.

### Removal of Directors

- 2.08 The entire Board of Directors or any individual Director may be removed from their Director position with or without cause by majority vote of the Watauga City Council, and a successor may then and there be elected to fill the vacancy thus created.

### Place of Meetings

- 2.09 All meetings of the Board of Directors shall be held at the principal offices of the Corporation or at such other location as the Board of Directors may designate, within the City limits of Watauga.

### Annual Meetings

- 2.10 The annual meeting of the Corporation shall be held in the month of March 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

- 2.11 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. Any action taken by the board which evidences the desired intent to approve, disapprove, or table an agenda item shall not be subject to challenge based on an alleged procedural violation regarding the way the meeting was conducted. All 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

- 2.12 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, electronically mailed or personally delivered to each Director not later than the day before the day selected for the meeting. All shall be conducted in accordance with the Texas Open Meetings Act, Government Code Chapter 551, as now or hereafter amended.

### Attendance

- 2.13 Attendance at the Board meetings is required of each Director and the attendance record of each Director shall be reviewed by the Council prior to any reappointment to the Board. Absences which are considered by Council to indicate the inability or unwillingness to fulfill the duties of the Director may result in the removal and the replacement of the Director as provided in section 2.08 of these bylaws.

### Quorum

- 2.14 (a) 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.
- (b) 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.
- (c) 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

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

### Adjournment - Notice

- 2.16 A quorum of the Directors may adjourn or recess any Directors' meeting to meet again at a stated hour on a stated day. 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

- 2.17 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

- 2.18 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

- 2.19 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

- 2.20 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 while acting within the scope of his/her duties 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, Treasurer 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 the telephone numbers of other WEDC board members and staff, the governing regulations, and any other pertinent information concerning the WEDC to board members within seven (7) days of their 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 preapproved by the City Council 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 the same independent auditor selected by the City Council of Watauga who is selected to conduct the City of Watauga's annual fiscal audit.
- 4.03 The corporate fiscal year shall begin October 1<sup>st</sup> and end September 30<sup>th</sup> of each year. The Executive Director shall annually prepare each year an itemized budget to cover the proposed expenditures of the Corporation for the upcoming fiscal year. The proposed itemized budget shall be submitted to the Board by the 45<sup>th</sup> day prior to the budget being considered by the Board. Once approved by the Board, the board shall submit its proposed Corporate itemized budget to the City Secretary, for record and placement on the Council agenda, for consideration and approval by the City of Watauga City Council. All expenditures shall be identified as either routine or contingent, and all routine expenditures shall be considered approved in accordance with Section 501.073 without further action by the City Counsel. All contingent expenditures must be preapproved by the City Council before any funds are disbursed. The itemized budget shall also 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 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 City Council. The City Council shall set the public hearing date after the 15<sup>th</sup> 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 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 may be combined with the City's policy and 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.

## **ARTICLE EIGHT: MISCELLANEOUS PROVISIONS**

### **Legal Authorities Governing Construction of Bylaws**

- 8.01 The Bylaws shall be construed in accordance with the laws of the State of Texas. All references in the Bylaws to statutes, regulations, or other sources of legal authority shall refer to the authorities cited, or their successors, as they may be amended from time to time. It is expressly provided that the provisions of Chapter 501-505 of the Local Government Code, as now or hereafter amended, are incorporated within these Bylaws by reference. In the event of any conflict between

the applicable provisions of such Act and these Bylaws, then the applicable provisions of such Act shall control.

#### Legal Construction

- 8.02 If any Bylaw provision is held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision and the Bylaws shall be construed as if the invalid, illegal, or unenforceable provision had not been included in the Bylaws.

#### Effective Date

These Bylaws, and any subsequent amendments hereto, shall be effective as of and from the date on which approval has been given by both the Board of Directors and the City Council of the City of Watauga, Texas.

#### CERTIFICATE OF SECRETARY

I, the undersigned, certify that I am the elected and acting secretary of the Watauga Economic Development Corporation, a Texas corporation; and the preceding bylaws, comprising 8 pages, constitute a true and complete copy of the bylaws of the corporation as amended at a meeting of the board of directors of the corporation held on the 18th day of June 2024.

I have subscribed my name and affixed the seal of the corporation on this the 18<sup>th</sup> day of June 2024.

WATAUGA ECONOMIC DEVELOPMENT CORPORATION

By: \_\_\_\_\_  
Secretary

[Seal]

Approved by City Council on the \_\_\_\_ day of \_\_\_\_\_, 2024.

**WATAUGA ECONOMIC DEVELOPMENT CORPORATION**  
**BYLAWS AMENDED ~~APRIL 2022~~JUNE 2024**

**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 Chapter 501-505 of the Local Government Code, 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 the City Manager of the City of Watauga, Texas. Joshua Jones, 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, 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.

- 2.02 The Directors shall appoint and consent to the City Attorney for the City of Watauga to also serve as the General Counsel for the Corporation.

#### Number and Qualification of Directors

- 2.03 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. The authorized number of Directors of this Corporation shall be seven (7). The place numbers for the seven (7) Directors shall be known as Place 1, Place 2, Place 3, Place 4, Place 5, Place 6, and Place 7.

#### Appointment and Term

- 2.04 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. The terms of Director Position 1, Director Position 3, Director Position 5 and Director Position 7 directors shall expire in August of each odd-numbered year. The terms of Director Position 2, Director Position 4 and Director Position 6 shall expire in August of each even-numbered year.
- 2.05 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 four (4).
- 2.06 Board members, who also serve on the governing body of the City, shall not cease to serve on Board of Directors at the time they cease to serve on the City Council; likewise, any board member who is also an employee of the City of Watauga shall cease to serve on the Board of Directors at the conclusion of their employment.

#### Vacancies

- 2.07 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. A vacancy occurring on the Board of Directors may be filled by the City Council at any time. Any Director appointed by the City Council shall serve the remainder of the term of appointment of their predecessor. Nothing in this provision should be construed to prevent such a successor from being appointed and serving one or more subsequent terms.

### Removal of Directors

- 2.08 The entire Board of Directors or any individual Director may be removed from their Director position with or without cause by majority vote of the Watauga City Council, and a successor may then and there be elected to fill the vacancy thus created.

### Place of Meetings

- 2.09 All meetings of the Board of Directors shall be held at the principal offices of the Corporation or at such other location as the Board of Directors may designate, within the City limits of Watauga.

### Annual Meetings

- 2.10 The annual meeting of the Corporation shall be held in the month of March 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

- 2.11 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. Any action taken by the board which evidences the desired intent to approve, disapprove, or table an agenda item shall not be subject to challenge based on an alleged procedural violation regarding the way the meeting was conducted. All 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

- 2.12 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, electronically mailed or personally delivered to each Director not later than the day before the day selected for the meeting. All shall be conducted in accordance with the Texas Open Meetings Act, Government Code Chapter 551, as now or hereafter amended.

## Attendance

- 2.13 ~~Attendance~~ at the Board meetings is required of each Director and the attendance record of each Director shall be ~~submitted to~~reviewed by the Council prior to any reappointment to the Board. Absences which are considered by Council to indicate the inability or unwillingness to fulfill the duties of the Director may result in the removal and the replacement of the Director as provided in section 2.08 of these bylaws.

## Quorum

- 2.14 (a) 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.
- (b) 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.
- (c) 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

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

## Adjournment - Notice

- 2.16 ~~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

- 2.17 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

- 2.18 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

- 2.19 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

- 2.20 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 [while acting within the scope of his/her duties](#) 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, Treasurer 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 the telephone numbers of other WEDC board members and staff, the

governing regulations, and any other pertinent information concerning the WEDC to board members within seven (7) days of their 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 preapproved by the City Council 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 the same independent auditor selected by the City Council of Watauga who is selected to conduct the City of Watauga's annual fiscal audit.
- 4.03 The corporate fiscal year shall begin October 1<sup>st</sup> and end September 30<sup>th</sup> of each year. The Executive Director shall annually prepare each year an itemized budget to cover the proposed expenditures of the Corporation for the upcoming fiscal year. The proposed itemized budget shall be submitted to the Board ~~the 60<sup>th</sup>~~ by the 45<sup>th</sup> day prior to the budget being considered by the Board. Once approved by the Board, the board shall submit its proposed Corporate itemized budget to the City Secretary, for record and placement on the Council agenda, for consideration and approval by the City of Watauga City Council. All expenditures shall be identified as either routine or contingent, and all routine expenditures shall be considered approved in accordance with Section 501.073 without further action by the City Council. All contingent expenditures must be preapproved by the City Council before any funds are disbursed. The itemized budget shall also 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 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 City Council. The City Council shall set the public hearing date after the 15<sup>th</sup> 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 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 may be combined with the City's policy and 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.

## **ARTICLE EIGHT: MISCELLANEOUS PROVISIONS**

### **Legal Authorities Governing Construction of Bylaws**

- 8.01 The Bylaws shall be construed in accordance with the laws of the State of Texas. All references in the Bylaws to statutes, regulations, or other sources of legal authority shall refer to the authorities cited, or their successors, as they may be amended from time to time. It is expressly provided that the provisions of Chapter

501-505 of the Local Government Code, as now or hereafter amended, are incorporated within these Bylaws by reference. In the event of any conflict between the applicable provisions of such Act and these Bylaws, then the applicable provisions of such Act shall control.

#### Legal Construction

- 8.02 If any Bylaw provision is held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision and the Bylaws shall be construed as if the invalid, illegal, or unenforceable provision had not been included in the Bylaws.

#### Effective Date

These Bylaws, and any subsequent amendments hereto, shall be effective as of and from the date on which approval has been given by both the Board of Directors and the City Council of the City of Watauga, Texas.

#### CERTIFICATE OF SECRETARY

I, the undersigned, certify that I am the elected and acting secretary of the Watauga Economic Development Corporation, a Texas corporation; and the preceding bylaws, comprising 8 pages, constitute a true and complete copy of the bylaws of the corporation as amended at a meeting of the board of directors of the corporation held on the ~~19~~<sup>18</sup>th day of ~~April 2022~~June 2024.

I have subscribed my name and affixed the seal of the corporation on this the ~~18~~<sup>19</sup>th day of ~~June 2024~~April 2020.

#### WATAUGA ECONOMIC DEVELOPMENT CORPORATION

By: \_\_\_\_\_  
Secretary

[Seal]

Approved by City Council on the \_\_\_\_ day of \_\_\_\_\_, 2024.



## AGENDA MEMORANDUM

**DATE:** June 19, 2024  
**TO:** Honorable City Council Members  
**FROM:** Sandra Gibson, Interim City Manager and Director of Finance  
**SUBJECT:** Consider action to accept the Watauga Crime Control and Prevention District Proposed Budget for the Fiscal Year 2024-2025

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### **BACKGROUND/INFORMATION:**

The required Public Hearing was held by the Watauga Crime Control and Prevention District Board on June 10, 2024 to allow for citizen input on the FY2024-2025 Proposed Budget in accordance with Local Government Code 363.204(a).

On July 8, 2024, per Sec. 363.204(d)(e), the Board took action on approval and adoption of the Watauga Crime Control and Prevention District Budget and provided approval to submit to City Council.

The Watauga Crime Control and Prevention District Budget as amended by the Board is attached for review and consideration.

### **FINANCIAL IMPLICATIONS:**

Estimated revenues and proposed expenditures as listed in the attached budget document.

### **RECOMMENDATION/ACTION DESIRED:**

Staff respectfully requests the City Council review and accept the Crime Control and Prevention District Proposed Budget for FY2024-2025.

### **ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

1. CCD PROPOSED BUDGET FY2024-25 (revised 6-4-24)

### **REVIEWED BY:**

|                                                             |                            |
|-------------------------------------------------------------|----------------------------|
| Sandra Gibson, Interim City Manager and Director of Finance | Approved - 6/19/2024       |
| David Berman, City Attorney                                 | Approved - 6/20/2024       |
| Sandra Gibson, Interim City Manager and Director of Finance | Approved - 6/21/2024       |
| Linda Proskey, City Secretary                               | Final Approval - 6/21/2024 |

*Approved as to form for inclusion on Agenda*



# WATAUGA CRIME CONTROL AND PREVENTION DISTRICT

PROPOSED BUDGET  
FY2024-2025

# SPECIAL REVENUE FUNDS

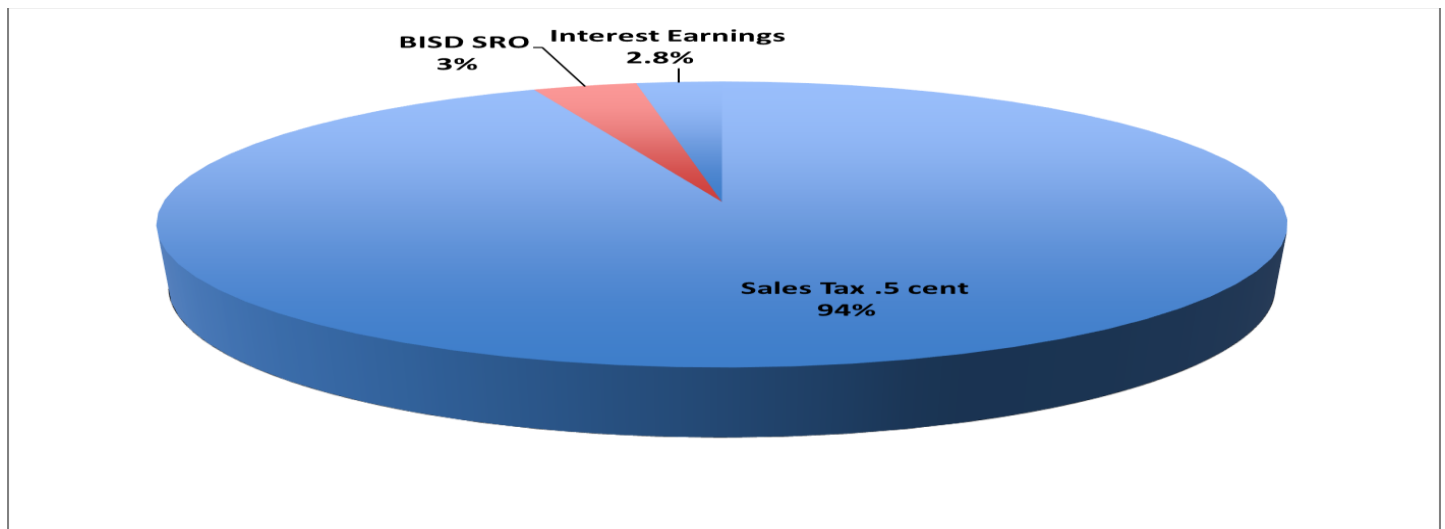
## CRIME CONTROL DISTRICT – FUND 18

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 and extended by voters each ten years. On the most recent election, May 1, 2021, 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.

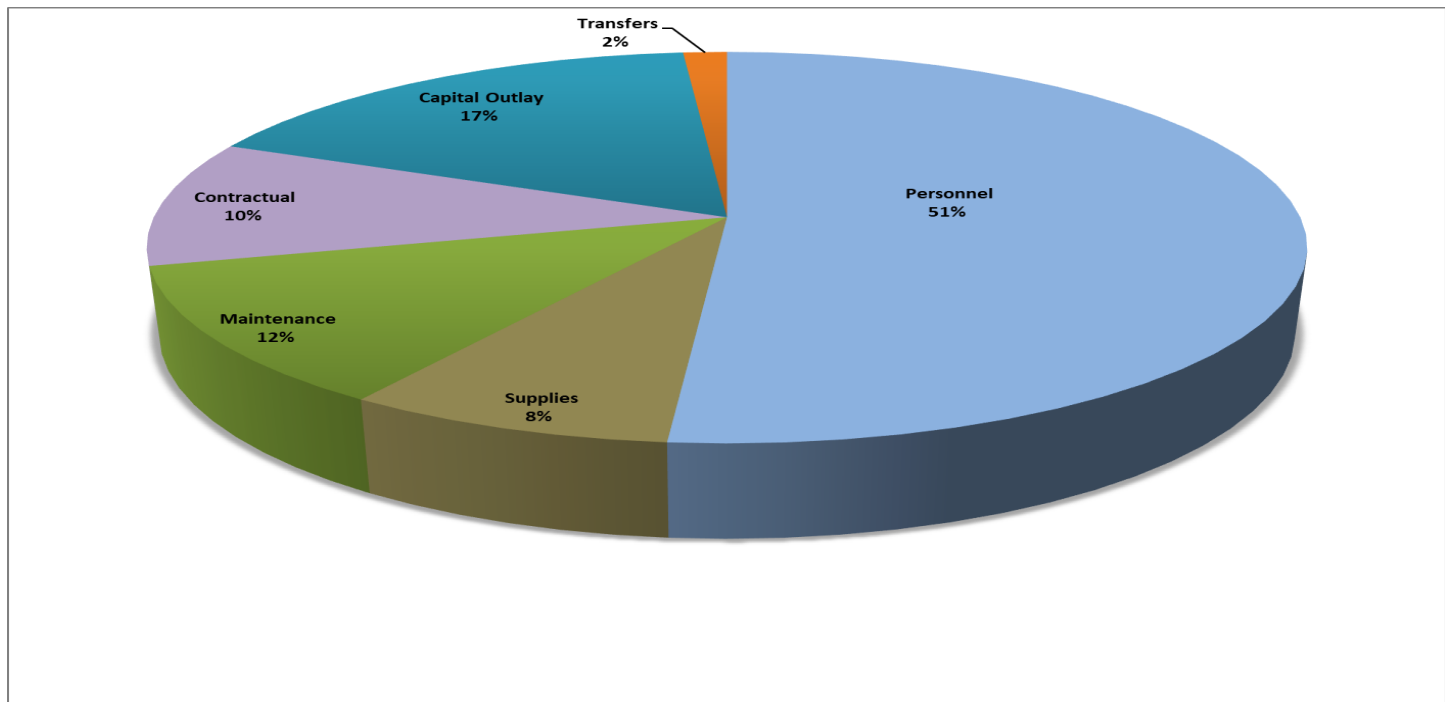
This is a Special Revenue Fund and is used to account for specific revenues that are legally restricted to expenditures for particular purposes. The fund is accounted for on the modified accrual basis of accounting. Revenues are recorded when available and measurable, and expenditures are recorded when the liability is incurred.

Sales tax revenue continues to trend flat and is forecasted to be the same as in FY2023-2024 at \$1,977,000.

### Where Does the Money Come From?



### Where Does the Money Go?



**CRIME CONTROL DISTRICT  
BUDGET SUMMARY - FUND 18**

|                                        | HISTORY             |                     | PROJECTED YEAR               |                        | BUDGET                | % CHANGE                    |
|----------------------------------------|---------------------|---------------------|------------------------------|------------------------|-----------------------|-----------------------------|
|                                        | 2021-2022<br>Actual | 2022-2023<br>Actual | 2023-2024<br>Original Budget | 2023-2024<br>Projected | 2024-2025<br>Proposed | FY2024-2025<br>VS 2023-2024 |
| <b>Fund Balance, October 1</b>         | <b>\$1,010,402</b>  | <b>\$1,329,162</b>  | <b>\$1,367,852</b>           | <b>\$1,464,248</b>     | <b>\$1,508,694</b>    |                             |
| <u>Revenues:</u>                       |                     |                     |                              |                        |                       |                             |
| Sales Taxes                            | 1,846,233           | 1,897,062           | 1,977,000                    | 1,977,000              | 1,977,000             | 0.0%                        |
| BISD SRO                               | 63,848              | 66,319              | 66,000                       | 70,346                 | 73,000                | 10.6%                       |
| Transfer In From ERF                   | 0                   | 0                   | 0                            | 0                      | 0                     | 0.0%                        |
| Interest Earnings/Other                | 9,781               | 56,498              | 60,000                       | 70,000                 | 60,000                | 0.0%                        |
| Proceeds From Sales of Assets          | 34,701              | 17,201              | 0                            | 0                      | 0                     | 0.0%                        |
| <b>Operating Revenues</b>              | <b>\$ 1,954,563</b> | <b>\$ 2,037,080</b> | <b>\$ 2,103,000</b>          | <b>\$ 2,117,346</b>    | <b>\$ 2,110,000</b>   | <b>0.33%</b>                |
| <b>Total Available Resources</b>       | <b>\$ 2,964,965</b> | <b>\$ 3,366,241</b> | <b>\$ 3,470,852</b>          | <b>\$ 3,581,594</b>    | <b>\$ 3,618,694</b>   | <b>4.3%</b>                 |
| <u>Expenditures:</u>                   |                     |                     |                              |                        |                       |                             |
| Operating Expenditures                 | 1,605,803           | 1,718,849           | 2,006,800                    | 1,822,800              | 2,189,750             | 9.1%                        |
| Capital Outlay                         | 0                   | 145,318             | 212,100                      | 212,100                | 460,750               | 117.2%                      |
| <b>Total Expenditures</b>              | <b>1,605,803</b>    | <b>1,864,167</b>    | <b>2,218,900</b>             | <b>2,034,900</b>       | <b>2,650,500</b>      | <b>19.5%</b>                |
| <u>Operating Transfers-Out</u>         |                     |                     |                              |                        |                       |                             |
| To General Fund                        | 30,000              | 37,827              | 38,000                       | 38,000                 | 38,000                | 0.0%                        |
| To Capital Projects                    | 0                   | 0                   | 0                            | 0                      | 0                     | 0.0%                        |
| To Internal Service Fund               | 0                   | 0                   | 0                            | 0                      | 0                     | 0.0%                        |
| <b>Total Operating Transfers-Out</b>   | <b>30,000</b>       | <b>37,827</b>       | <b>38,000</b>                | <b>38,000</b>          | <b>38,000</b>         | <b>0.0%</b>                 |
| <b>TOTAL OPERATING &amp; TRANSFERS</b> | <b>\$ 1,635,803</b> | <b>\$ 1,901,994</b> | <b>\$ 2,256,900</b>          | <b>\$ 2,072,900</b>    | <b>\$ 2,688,500</b>   | <b>19.1%</b>                |
| <b>Fund Balance, September 30</b>      | <b>\$1,329,162</b>  | <b>\$1,464,248</b>  | <b>\$1,213,952</b>           | <b>\$1,508,694</b>     | <b>\$930,194</b>      |                             |
| <b>CHANGE IN FUND BALANCE</b>          | <b>\$318,760</b>    | <b>\$135,086</b>    | <b>(\$153,900)</b>           | <b>\$44,446</b>        | <b>(\$578,500)</b>    |                             |
| <b>Fund Balance Policy Min @ 20%</b>   |                     |                     |                              |                        | <b>\$445,550</b>      |                             |

# ***Police – Crime Control District***

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## **Mission Statement**

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

## **Department Overview**

The Watauga Police Department provides services 24 hours a day 365 days a year to all the citizens of Watauga and those traveling in and out of the city.

The Watauga Police Department provides leadership and support to all members of the public, as well as Police personnel through fiscal responsibility and modeling of the City's values. The department is committed to strengthening and maintaining an atmosphere of community partnership, providing transparency, supporting continued training and leadership development of personnel, and providing opportunities for career growth and employee retention.

While the primary focus of the department is to ensure a safe environment for residents and businesses, several programs and services exist to address community needs and foster partnerships with the community.

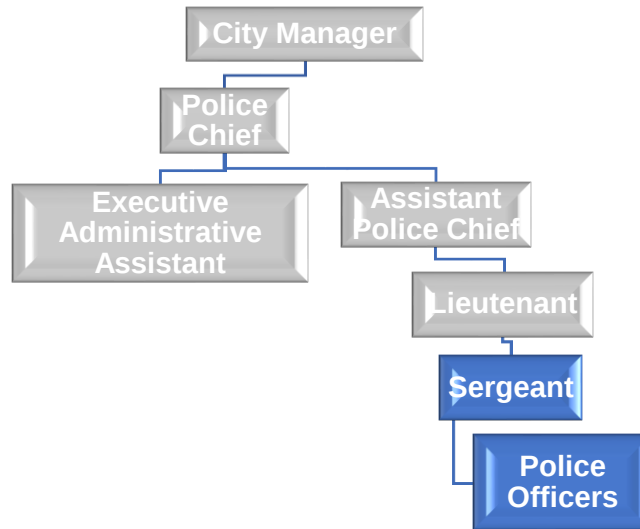
## **Highlights/Achievements for FY2024**

- Maintained a low response time to calls with minimum staffing.
- Fully staffed Code Enforcement.
- Promoted a Senior Code Officer.
- Created a more positive presence on social media.
- Increased the total number of Flock Safety Cameras by five.
- Transitioned to a new rifle.
- Launched the Drone Program.
- Obtained Texas Police Chiefs Association Re-recognition status.

## **Goals/Objectives for FY2025**

- Fully staff Animal Services Division.
- Create a Code Enforcement position for commercial issues concentration.
- Recruit and fully staff sworn positions.
- Backfill CID, Community Services Officer, and Traffic/Motors Divisions.
- Develop and participate in community policing and engagement events (such as Coffee with a Cop, National Night Out, neighborhood patrols, and block meetings).

## Organizational Chart



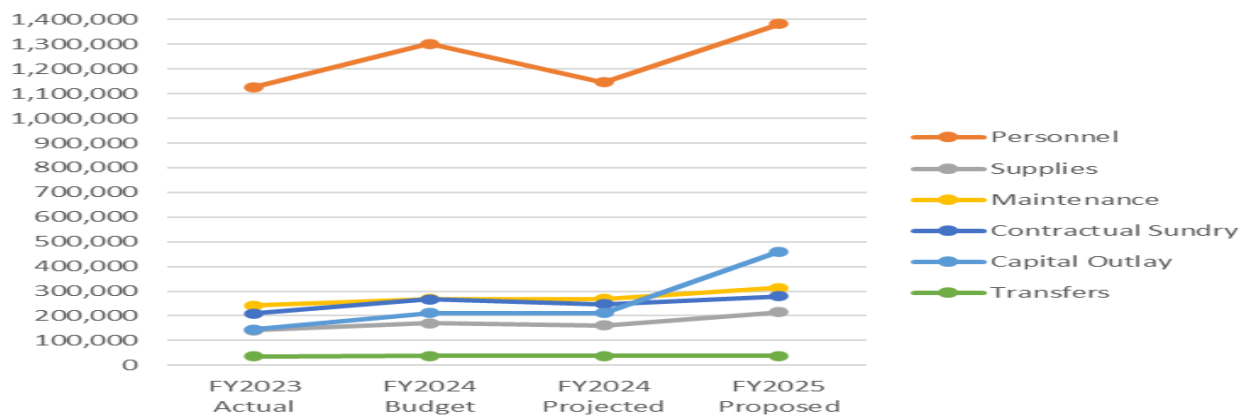
## Budgeted Positions

| Position Title                | FY2023 Actual | FY2024 Actual | FY2025 Budget |
|-------------------------------|---------------|---------------|---------------|
| Sergeant                      | 1.00          | 1.00          | 1.00          |
| Police Officer                | 11.00         | 11.00         | 11.00         |
| <b>Total Police – CCD FTE</b> | <b>12.00</b>  | <b>12.00</b>  | <b>12.00</b>  |

## Summary of Expenditures by Category

The Police Department – Crime Control District budget increased by \$280,850 primarily due to one-time and capital outlay purchases and personnel increases. Contingency was adjusted by \$5,000, crime victim liaison budget increased by \$4,000 based on the estimate from North Richland Hills, and the capital outlay adjustment came to an increase of \$187,900 in total.

|                           | FY2023 Actual      | FY2024 Adopted     | FY2024 Projected   | FY2025 Proposed    |
|---------------------------|--------------------|--------------------|--------------------|--------------------|
| Personnel                 | 1,126,436          | 1,301,400          | 1,145,300          | 1,382,100          |
| Supplies                  | 142,327            | 170,500            | 161,300            | 214,500            |
| Maintenance               | 241,049            | 268,700            | 268,200            | 313,700            |
| Contractual Sundry        | 209,038            | 266,200            | 248,000            | 279,450            |
| Capital Outlay            | 145,318            | 212,100            | 212,100            | 460,750            |
| Transfers                 | 37,827             | 38,000             | 38,000             | 38,000             |
| <b>Total Police – CCD</b> | <b>\$1,901,994</b> | <b>\$2,256,900</b> | <b>\$2,072,900</b> | <b>\$2,688,500</b> |



## Performance Measures

| Workload Indicators                               | FY2023<br>Actual | FY2024<br>Adopted | FY2024<br>Projected | FY2025<br>Target |
|---------------------------------------------------|------------------|-------------------|---------------------|------------------|
| Total calls for service                           | 8,876            | 11,000            | 9,200               | 9,500            |
| Total reports                                     | 1,896            | 2,500             | 1,800               | 2,000            |
| Total traffic stops                               | 5,777            | 1,800             | 7,500               | 7,500            |
| Total citations                                   | 4,209            | 4,500             | 3,300               | 3,500            |
| Total felony arrests                              | 327              | 400               | 300                 | 400              |
| Total misdemeanor arrests                         | 722              | 900               | 650                 | 800              |
| Total crime victims assisted                      | 227              | 300               | 200                 | 250              |
| Total SRO student contacts                        | 6,034            | 6,000             | 7,284               | 6,000            |
| Total SRO presentations                           | 6                | 10                | 8                   | 10               |
| Number of area school events/contacts             | 4                | 150               | 2                   | 12               |
| Number of public safety cadet meetings            | 8                | 40                | 12                  | 12               |
| Number of public safety cadet unit training hours | 87               | 2,000             | 180                 | 2,000            |
| Number of VIPS hours logged                       | 228              | 1,000             | 24                  | 1,000            |

| Measurement                             | Strategic Goal                                             | Measure Type | FY2023 |        | FY2024 |           | FY2025 |
|-----------------------------------------|------------------------------------------------------------|--------------|--------|--------|--------|-----------|--------|
|                                         |                                                            |              | Goal   | Actual | Goal   | Projected | Goal   |
| # of offenses known to law enforcement. | # 2. Expand public safety through non-enforcement efforts. | Quantitative | 500    | 500    | 400    | 400       | 375    |
| City population per census data.        | # 2. Expand public safety through non-enforcement efforts. | Quantitative |        | 23,050 | 22,500 | 22,500    | 22,500 |
| Crime rate per capital.                 | # 2. Expand public safety through non-enforcement efforts  | Quantitative |        | 2.17%  | 1.80%  | 1.80%     | 1.70%  |
| % change in crime rate per capital.     | # 2. Expand public safety through non-enforcement efforts. | Quantitative |        | +0.18% | -0.37% | -0.37%    | -0.10% |

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### *Police - CCD at a Glance*

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|                                                                                     |                                                             |                                                                                     |                                          |                                                                                       |                                          |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------|
|  | <b>Location:</b><br><br>Police Station<br>7101 Whitley Road |  | <b>FY2025 Budget:</b><br><br>\$2,688,500 |  | <b>Full-time Employees:</b><br><br>12.00 |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------|



## CRIME CONTROL DISTRICT

### BUDGET CHANGES

#### Fiscal Year 2024-2025 Compared to Fiscal Year 2023-2024 Budget

| DESCRIPTION           | CATEGORY           | ONE-TIME       | ON-GOING       | CHANGE EXPLANATION                                                   |
|-----------------------|--------------------|----------------|----------------|----------------------------------------------------------------------|
| <b>CHANGES:</b>       |                    |                |                |                                                                      |
| Personnel             | Personnel Services |                | 80,700         | step, benefits, retention, COLA & TMRS adjustments                   |
| Computer Supplies     | Supplies           |                | (1,000)        | Historical usage adjustment                                          |
| Weapons/Ammunition    | Supplies           | 20,000         |                | ALERRT Program (one time portion NR FY24-25)                         |
| Weapons/Ammunition    | Supplies           |                | 5,000          | ALERRT Program (on-going portion NR FY24-25)                         |
| Misc. Equip/Furniture | Supplies           | 20,000         |                | Furniture Replacement (one time NR FY24-25)                          |
| Radio Maintenance     | Maintenance        |                | (1,000)        | Radio communications (wave) adjustment                               |
| Software Maintenance  | Maintenance        |                | 1,000          | CAD/RMS Spillman server/maintenance estimate adjustment              |
| Software Maintenance  | Maintenance        |                | 45,000         | Flock Safety expansion (on-going NR FY24-25)                         |
| Special Services      | Contractual/Sundry |                | 1,000          | Evidence destruction estimate adjustment                             |
| Special Services      | Contractual/Sundry | 3,250          |                | Drone Program Year 2 adjustment                                      |
| Contingency           | Contractual/Sundry |                | 5,000          | Adjustment for items as needed                                       |
| Motor Vehicles        | Capital Outlay     | (45,000)       |                | Tahoe replacement (one time NR FY23-24)                              |
| Motor Vehicles        | Capital Outlay     | 400,000        |                | COP - patrol vehicles replacement FY24-25                            |
| Other Equipment       | Capital Outlay     | 60,750         |                | Flock Safety expansion (one time NR FY24-25)                         |
| Other Equipment       | Capital Outlay     | (9,000)        |                | Armory Storage (one time NR FY23-24)                                 |
| Other Equipment       | Capital Outlay     | (19,500)       |                | Drone Program (one time portion NR FY23-24)                          |
| Other Equipment       | Capital Outlay     | (15,000)       |                | Flock Safety (one time portion NR FY23-24)                           |
| Other Equipment       | Capital Outlay     | (22,600)       |                | Portable radar signs (one time NR FY23-24)                           |
| Other Equipment       | Capital Outlay     | (85,000)       |                | Rifle replacements (one time NR FY23-24)                             |
| Other Equipment       | Capital Outlay     | (16,000)       |                | Traffic safety data collectors (one time NR FY23-24)                 |
| <b>REALLOCATIONS:</b> |                    |                |                |                                                                      |
| Contractual Payments  | Contractual/Sundry |                | 14,000         | Crime Victim Liaison reallocated from Sundry with increased estimate |
| Sundry                | Contractual/Sundry |                | (10,000)       | Crime Victim Liaison reallocated to Contractual Payments             |
| <b>TOTALS:</b>        |                    | <b>291,900</b> | <b>139,700</b> |                                                                      |

431,600 NET INCREASE/DECREASE



# WATAUGA CRIME CONTROL AND PREVENTION DISTRICT

NEW REQUESTS

**CRIME CONTROL DISTRICT  
NEW REQUEST SUMMARY  
FY2024-2025**



| Item                                  | One-Time<br>FY2024-2025 | On-Going         | Total<br>Requested | Funded<br>Amount  |   | Account<br>Category        |
|---------------------------------------|-------------------------|------------------|--------------------|-------------------|---|----------------------------|
| Flock (ALPR) safety program expansion | \$ 60,750               | \$ 45,000        | \$ 105,750         | \$ 105,750        | F | Capital Outlay/Maintenance |
| ALERRT Program Simunitions            | \$ 20,000               | \$ 5,000         | \$ 25,000          | \$ 25,000         | F | Weapons/Ammunitions        |
| Furniture replacement                 | \$ 20,000               |                  | \$ 20,000          | \$ 20,000         | F | Supplies                   |
| <b>TOTAL</b>                          | <b>\$ 100,750</b>       | <b>\$ 50,000</b> | <b>\$ 150,750</b>  | <b>\$ 150,750</b> |   |                            |

**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: 2024-2025

**DEPARTMENT:** Police - Crime Control District  
**PROGRAM TITLE:** Flock (ALPR) Safety Camera program expansion  
**REQUEST TYPE:** One-Time & On-Going **RANKING:** 1  
**FUND/DEPT:** 18-080 **GOAL #:** 2  
**BUDGET CODE:**  
**FULL FY2024-2025 COST:** \$60,750  
**ANY ON-GOING FUTURE COSTS:** \$45,000  
**FULL FY2024-2025 SAVINGS OFFSET:**  
**LIST ANY EQUIPMENT TO BE REPLACED BY REQUEST:**  
**RECOMMENDATION FOR DISPOSITION:**

### PROGRAM DESCRIPTION

Additional Flock and intersection cameras to expand and enhance the existing Flock (ALPR) Program. Year one will be a cost of \$60,750 for the implementation costs for 5 LPR products and 10 video products. There will be an annual recurring cost of \$45,000 going forward.

### SAVINGS/BENEFITS/BUDGET IMPACT

Additional enhancements to the existing program will afford the citizens a safer community through investigative opportunities, allow for a rapid and more definitive identification of suspects leading to a more prosecutable case presented to the Tarrant County District Attorney. This program will also enhance our ability and partnership with the regional Real Time Crime Center that assists in the investigation of in progress crimes by tracking suspects as well as tracking of suspects after crimes have been perpetrated against our citizens.

The current budget in the capital account is \$0 and with the one-time request of \$60,750 that will increase the total budget to \$60,750 for fiscal year 2024-25 if approved.

The current budget in the software maintenance account is \$192,500 and with the on-going increase of \$45,000 to the existing flock ALPR program that will increase the flock ALPR program to \$70,500 on-going and the overall software maintenance budget to \$237,500 going forward if approved..

### CONSEQUENCES OF NOT FUNDING PROGRAM

Increased difficulty in identifying suspects after crimes have been perpetrated and an inability to track some criminals as the crime has just been committed.

### EXPENSE IMPACT

| BUDGET CODE  |                      | 2024-2025<br>NEW REQUEST | 2024-2025<br>TOTAL BUDGET WITH REQUEST |
|--------------|----------------------|--------------------------|----------------------------------------|
| 18-080-85170 | Other Equipment      | \$60,750                 | \$60,750                               |
| 18-080-63510 | Software Maintenance | \$45,000                 | \$237,500                              |
|              | <b>TOTALS:</b>       | <b>\$105,750</b>         | <b>\$298,250</b>                       |



## NEW REQUEST FORM

FISCAL YEAR: 2024-2025

**DEPARTMENT:** Police - Crime Control District  
**PROGRAM TITLE:** ALERRT Training Program SIMUNITIONS for HK VP9  
**REQUEST TYPE:** One-Time & On-Going **RANKING:** 1  
**FUND/DEPT:** 18-080 **GOAL #:** 6  
**BUDGET CODE:** 18-080-52330 Weapons/Ammunition  
**FULL FY2024-2025 COST:** \$20,000  
**ANY ON-GOING FUTURE COSTS:** \$5,000  
**FULL FY2024-2025 SAVINGS OFFSET:**  
**LIST ANY EQUIPMENT TO BE REPLACED BY REQUEST:**  
**RECOMMENDATION FOR DISPOSITION:**

### PROGRAM DESCRIPTION

TCOLE has mandated Advanced Law Enforcement Rapid Response Training (ALERRT) for all Texas agencies. ALERRT is the training for response to active shooter situations such as school shootings and other type of shootings where the shooter is actively firing and causing injury or death to other persons. This training will be ongoing throughout the foreseeable future. In order for us to comply with state mandates, we will need the conversion kits from standard ammunition to simulated ammunition for our handguns (HK VP9's) which are currently issued to officers so training can be done with the weapon they carry. The amount of this request includes the conversion kits for approximately 10 weapons and simunition sufficient for all staff to be trained in accordance with the Texas Commission on Law Enforcement Education. There will be on-going expenses for the simunition cartridges as needed for trainings.

### SAVINGS/BENEFITS/BUDGET IMPACT

This will allow officers to train with the exact pistol they carry on duty which is a benefit for the officer and less liability for the department. We would be able to utilize all the officers equipment they currently have issued which reduces any additional costs.

### CONSEQUENCES OF NOT FUNDING PROGRAM

We will not be able to comply with the TCOLE mandate.

### EXPENSE IMPACT

| BUDGET CODE  |                    | 2024-2025<br>NEW REQUEST | ON-GOING<br>EXPENSES |
|--------------|--------------------|--------------------------|----------------------|
| 18-080-52330 | Weapons/Ammunition | \$20,000                 | \$5,000              |
|              |                    |                          |                      |
|              | <b>TOTALS:</b>     | <b>\$20,000</b>          | <b>\$5,000</b>       |



## NEW REQUEST FORM

FISCAL YEAR: 2024-2025

DEPARTMENT: Police - Crime Control District

PROGRAM TITLE: Furniture replacement

REQUEST TYPE: One-Time

RANKING: 2

FUND/DEPT: 18-080

GOAL #: 6

BUDGET CODE: 18-080-52260

FULL FY2024-2025 COST: \$20,000

ANY ON-GOING FUTURE COSTS:

FULL FY2024-2025 SAVINGS OFFSET:

LIST ANY EQUIPMENT TO BE REPLACED BY REQUEST: Misc Furniture

RECOMMENDATION FOR DISPOSITION: Salvage/Auction

### PROGRAM DESCRIPTION

Furniture replacement program to replace badly worn furniture that is well over 10 years old and breaking down.

### SAVINGS/BENEFITS/BUDGET IMPACT

Funding this item will provide for a more comfortable work atmosphere and comfortability of employees as well as replace broken items that have worn out over the last 10 years.

The current budget in this line item is \$0 and with the approval of the one-time purchases will bring to total budget to \$20,000.

### CONSEQUENCES OF NOT FUNDING PROGRAM

Not funding this will reduce the employee comfort while working.

### EXPENSE IMPACT

| BUDGET CODE  | CURRENT BUDGET  | 2024-2025<br>NEW REQUEST | 2024-2025<br>TOTAL BUDGET WITH REQUEST |
|--------------|-----------------|--------------------------|----------------------------------------|
| 18-080-52260 | Misc. Furniture | \$20,000                 | \$20,000                               |
|              |                 |                          |                                        |
|              | <b>TOTALS:</b>  | <b>\$20,000</b>          | <b>\$20,000</b>                        |



# WATAUGA CRIME CONTROL AND PREVENTION DISTRICT

## CAPITAL OUTLAY

| <i>VEHICLE #</i> | <i>ODOMETER</i> | <i>MAKE</i> | <i>MODEL</i> | <i>YEAR</i> | <i>PLATE #</i> | <i>Purchase Date</i> | <i>PURCHASE PRICE</i> | <i>FUND</i> | <i>LIFE EXPECTANCY</i> | <i>REPLACEMENT YEAR</i> | <i>FUNDING SOURCE</i> | <i>ESTIMATED REPLACEMENT COST</i> | <i>ASSIGNED</i> |
|------------------|-----------------|-------------|--------------|-------------|----------------|----------------------|-----------------------|-------------|------------------------|-------------------------|-----------------------|-----------------------------------|-----------------|
|                  |                 |             |              |             |                |                      |                       |             |                        |                         |                       |                                   |                 |
| 165              | 67874           | CHEVY       | TAHOE        | 2018        | 1397492        | 4/6/2018             | 31,890                | CCD FUND    | 5YR/100K MILES         | 2024-25                 | CCD FUND              | 80,000                            | Patrol          |
| 166              | 57523           | CHEVY       | TAHOE        | 2018        | 1397496        | 4/6/2018             | 31,890                | CCD FUND    | 5YR/100K MILES         | 2024-25                 | CCD FUND              | 80,000                            | Patrol          |
| 167              | 56170           | CHEVY       | TAHOE        | 2018        | 1397494        | 4/6/2018             | 31,890                | CCD FUND    | 5YR/100K MILES         | 2024-25                 | CCD FUND              | 80,000                            | Patrol          |
| 168              | 48782           | CHEVY       | TAHOE        | 2018        | 1397495        | 4/6/2018             | 31,890                | CCD FUND    | 5YR/100K MILES         | 2024-25                 | CCD FUND              | 80,000                            | Patrol - Cpl    |
| 169              | 52302           | CHEVY       | TAHOE        | 2018        | 1397493        | 4/6/2018             | 31,890                | CCD FUND    | 5YR/100K MILES         | 2024-25                 | CCD FUND              | 80,000                            | Patrol - Cpl    |

**TOTAL:**

**400,000**



## AGENDA MEMORANDUM

**DATE:** June 21, 2024

**TO:** Honorable City Council Members

**FROM:** Sandra Gibson, Interim City Manager and Director of Finance

**THROUGH:**

**SUBJECT:** Consider action on approval of an Interlocal Agreement with Texas Municipal League Intergovernmental Risk Pool regarding Cyber Liability and Data Breach Response

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### **BACKGROUND/INFORMATION:**

The City has had coverage for Cyber Liability with the TML Risk Pool for several years. TML's Board of Trustees recently created a new Cyber Fund and approved changes to the Pool's Coverage structure, effective on October 1, 2024. Members must elect to continue coverage by completing and returning the attached Interlocal Agreement to participate in the new Cyber Fund. An informational flyer is attached that provides additional information on the fund and the policy changes for the Board's review.

### **FINANCIAL IMPLICATIONS:**

Funds are available for the continuation of Cybersecurity coverage in the FY2024-2025 budget

### **RECOMMENDATION/ACTION DESIRED:**

Recommend approval of the Cyber Liability and Data Breach Response Interlocal Agreement with TML Intergovernmental Risk Pool

### **ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

1. TML Cyber Liability and Data Breach Response Interlocal Agreement
2. NEW Cybersecurity Fund

### **REVIEWED BY:**

Sandra Gibson, Interim City Manager and Director of Finance Approved - 6/21/2024

David Berman, City Attorney Approved - 6/22/2024

Sandra Gibson, Interim City Manager and Director of Finance Approved - 6/24/2024

Linda Proskey, City Secretary Final Approval - 6/24/2024

*Approved as to form for inclusion on Agenda*

# **Texas Municipal League Intergovernmental Risk Pool**

1821 Rutherford Lane, First Floor • Austin, Texas 78754

## **CYBER LIABILITY AND DATA BREACH RESPONSE INTERLOCAL AGREEMENT**

This Contract and Interlocal Agreement is entered into by and between political subdivisions of this state (hereinafter referred to as "Pool Members") to form a joint self-insurance pool to be named the Texas Municipal League Joint Cyber Liability and Data Breach Response Self-Insurance Fund (hereinafter referred to as the "Fund") for the purpose of providing coverages against risks which are inherent in operating a political subdivision.

WITNESSETH:

The undersigned Pool Member, in accordance with Chapter 2259, Texas Government Code, the Interlocal Cooperation Act, Tex. Gov't Code § 791.001, et seq., and the interpretation thereof by the Attorney General of the State of Texas (Opinion #MW-347, May 29, 1981), and in consideration of other political subdivisions executing like agreements, does hereby agree to become one of the Pool Members of this self-insured pool. The conditions of membership agreed upon by and between the parties are as follows:

1. Definitions of terms used in this Interlocal Agreement.
  - a. Board. Refers to the Board of Trustees of the Fund.
  - b. Fund Year. 12:01 a.m. October 1 through 12:01 a.m. the following October 1.
  - c. Manual Rates. The basic rates applicable to each cyber liability and data breach response classification promulgated by the Insurance Service Office or the Board.
  - d. Texas Municipal League Cyber Liability and Data Breach Response Self-Insurance Plan. The Cyber Liability and Data Breach Response Coverage Document that sets forth in exact detail the coverages provided as part of the overall plan.
  - e. Adjustments. Refers to any offsets to manual premium that may result from the Pool Member's election of deductibles, loss experience, or Fund Modifier which reflects the savings to the Pool Member by entering into this Interlocal Agreement.
  - f. Premium and Contribution. Used interchangeably in some parts of this Interlocal Agreement. Any reference at any time in this Interlocal Agreement to an insurance term not ordinarily a part of self-insurance shall be deemed for convenience only and is not construed as being contrary to the self-insurance concept except where the context clearly indicates no other possible interpretation such as but not limited to the reference to "reinsurance."
  - g. Reimbursable Deductible. The amount that was chosen by this Pool Member to be applicable to the first monies paid by the Fund to effect judgment or settlement of any claim or suit. The Pool Member, upon notification of the action taken, shall promptly reimburse the Fund for all or such part of the deductible amount as has been paid by the Fund. Further, however, the Fund's obligation to pay damages shall be subject to the limits of liability stated in the Declarations of Coverage or Endorsements to this Interlocal Agreement less the stated deductible amount.
  - h. Fund Modifier. A percentage figure that is applied to the manual rates by the Fund to reflect the savings to the Pool Member by entering into this Interlocal Agreement.
  - i. Agreement Period. The continuous period since the Pool Member first became a member of this Fund excluding, however, any period or periods of time therein that the member did not participate as a member of the Pool.
  - j. Declarations of Coverage. The specific indication of the coverages, limits, deductibles, contributions, and special provisions elected by each individual Pool Member. The Declarations of Coverages may be modified by Endorsement.
2. The Board, acting through its agents and Fund staff, is responsible for the administration of all Fund business on behalf of the Pool Members.
3. In consideration of the execution of this Interlocal Agreement by and between the Pool Member and the Fund and of the contributions of the Pool Member, the coverage elected by the Pool Member is afforded according to the terms of the Texas Municipal League Cyber Liability and Data Breach Response Self-Insurance Plan. The affirmative declaration of contributions and limits of liability in the Declarations of Coverage and Endorsements determine the applicability of the Self-Insurance Plan.

Each Pool Member agrees to adopt and accept the coverages, provisions, terms, conditions, exclusions, and limitations as further provided for in the Texas Municipal League Cyber Liability and Data Breach Response Self-Insurance Plan or as specifically modified by the Pool Member's Declarations of Coverage. This Interlocal Agreement shall be construed to incorporate the Texas Municipal League Cyber Liability and Data Breach Response Self-Insurance Plan, Declarations of Coverage, and Endorsements and addenda whether or not physically attached hereto.

4. It is understood that by participating in this risk sharing mechanism to cover cyber liability and data breach response exposures, the Pool Member does not intend to waive any of the immunities that its officers or its employees now possess. The Pool Member recognizes the Texas Tort Claims Act and its limitations to certain governmental functions as well as its monetary limitations and that by executing this Interlocal Agreement does not agree to expand those limitations.
5. The term of this Interlocal Agreement and the self-insurance provided to the Pool Member shall be continuous commencing 12:01 a.m. on the date designated in this Interlocal Agreement until terminated as provided below. Although the self-insurance provided for in this Interlocal Agreement shall be continuous until terminated, the limit of liability of the Fund under the coverages that the Pool Member elects shall be limited during any Fund Year to the amount stated in the Declarations of Coverage for that Fund Year.

This Interlocal Agreement may be terminated by either party giving to the other sixty (60) days' prior written notice of intent to terminate except the Pool Member may terminate this Interlocal Agreement and its coverages thereunder without giving the sixty (60) days' notice if the reason is because of a change by the Fund in the Pool Member's contribution, coverage, or other change in the limits of liability, terms, conditions, exclusions, and limitations provided for in the Texas Municipal League Cyber Liability and Data Breach Response Self-Insurance Plan provided that no termination by the Member shall be effective prior to the date that written notice of termination is actually received in the offices of the Fund and provided that the Pool Member agrees to and shall pay the applicable premium and contribution for those coverages it is terminating until the date the notice of termination is actually received by the Fund.

The Fund shall provide the Pool Member with Declarations of Coverage and any Endorsements that determine the applicability of the Texas Municipal League Cyber Liability and Data Breach Response Self-Insurance Plan annually by December 1. Such Declarations of Coverage shall include, but not be limited to, the coverage period which shall be the applicable Fund Year, limits, deductibles, contributions, special provisions, and limitations. Changes made during the Fund Year, whether requested by the Pool Member or required by the Fund, will be handled by Endorsement.

It is the intention of the parties that the Pool Member's coverages under this Interlocal Agreement shall remain in full force and effect from Fund Year to Fund Year, subject to the limits of liability that the Fund can provide each Fund Year and the terms, conditions, and limitations that the Fund may require to protect its solvency and to comply with reinsurance requirements, until notice of termination is given as herein provided. Realizing that the Pool Member needs the earliest possible information concerning the Fund coverages, limits, and exclusions, and the Pool Member's contribution that will be required for any new Fund Year, the Fund will endeavor to provide this information as soon as possible before the beginning of each Fund Year. The parties recognize, however, that conditions in the reinsurance industry are such that the Fund may not be able to provide this information to the Pool Member before the beginning of a Fund Year for various reasons including the failure of the Pool Member to timely submit the appropriate exposure summary or delays on the part of reinsurers in getting information to the Fund, and so, to protect the Pool Member from gaps in its coverage and to protect the solvency of the Fund, the parties agree as follows:

*If, for any reason other than the Pool Member's failure to provide the information requested in the exposure summary, the Fund has not been able to provide the Pool Member with information concerning available coverages for a new Fund Year or advise the Pool Member of the amount of its contribution for the new Fund Year by the beginning of the Fund Year, the Fund shall nevertheless continue the Pool Member's coverages at the same limits of liability (if still available and if not, then at the highest limit of liability available for the new Fund Year) so that the Pool Member shall at all times remain covered as herein provided and the Pool Member's initial contributions for the new Fund Year shall be determined by a "tentative contribution" as determined by the Board with the Pool Member's actual annual contribution to be credited by the amount paid in accordance with the tentative contribution and adjusted during the Fund Year. In the event the Pool Member does not wish to have its coverages extended or renewed at the end of any Fund Year, the burden shall be upon the Pool Member to give written notice to the Fund as provided hereinabove and the Pool Member agrees to pay as hereinabove stated all contributions or pro rata contributions until the date such written notice is received in the offices of the Fund or the date of termination of this Interlocal Agreement, whichever is later.*

6. Commensurate with the execution of this Interlocal Agreement and annually thereafter, the Pool Member shall complete the appropriate exposure summary and deliver it or cause it to be delivered to the Fund, or, if so instructed, to a designated contractor, no later than September 1 of each year and new annual contributions shall be calculated using manual rates times exposure, less any adjustments. Intentional or reckless misstatements on the exposure summary shall be grounds for cancellation. In the event that the Pool Member fails or refuses to submit the appropriate exposure summary, the Fund reserves the right to terminate such Pool Member by giving thirty (30) days' written notice and to collect any and all contributions that are earned pro rata for the period preceding contract termination.

The Pool Member agrees to pay the annual contribution to the Fund in four (4) equal quarterly installments, in advance, commencing at the beginning of this Interlocal Agreement with subsequent installments due the first quarter thereafter. In the event this Interlocal Agreement is terminated as herein provided, the Fund shall promptly repay to the Pool Member any such unearned annual contribution prorated as of the date of termination and the Pool Member agrees during the term of this Interlocal Agreement to promptly pay all reimbursable deductibles upon receipt of statement.

At the end of each and every Fund Year, the Fund may require the Pool Member to submit the actual data requested on the exposure summary as reflected by the books and records of the Pool Member. The Fund reserves the right to audit the records of any Pool Member and adjust contributions accordingly.

In the event that the Pool Member fails or refuses to make the payments, including accrued interest, as herein provided, the Fund reserves the right to terminate such Pool Member by giving them ten (10) days' written notice and to collect any and all amounts that are earned pro rata for the period preceding contract termination. If the amounts owed, including reimbursable deductibles, must be collected by suit, the Pool Member agrees to pay attorneys' fees and costs incurred in such suit.

7. The Fund shall maintain adequate protection from catastrophic losses to protect its financial integrity. Aggregate protection shall also be maintained. The Member's contributions shall be limited to that amount as calculated under this Interlocal Agreement. Notwithstanding anything to the contrary, the total combined aggregate limit of liability of the Fund for all Pool Members in any Fund Year, regardless of the number of occurrences or claims, shall be limited to the amount of money contained in the Fund. As to the Pool annual aggregate limits or the amount of money in the Fund, the Board of Trustees, in its sole discretion, may determine an allocation methodology among affected Pool Members should the Pool annual aggregate limit be reached, or should the money in the Fund be exhausted.
8. Notwithstanding the provisions of the foregoing paragraph, it is agreed the Board shall have the right to adjust the financial protection outlined above and/or amend coverages as it finds available or deems necessary to maintain the fiscal soundness of the Fund at the beginning of or during any Fund Year.
9. The Fund will make available loss control services to the Pool Members to assist them in following a plan of loss control that may result in reduced losses. The Pool Member agrees that it will cooperate in instituting any and all reasonable loss control recommendations. In the event that the recommendations submitted seem unreasonable, the Pool Member has a right to appeal to the Board. The Board shall hear the objections of the Pool Member at its next regularly scheduled meeting and its decisions will be final and binding on all parties. Any Pool Member who does not agree to follow the decision of the Board shall be withdrawn from the Fund immediately.
10. The Pool Member agrees that it will appoint a contact of department head rank, and the Fund shall not be required to contact any other individual except this one person. Any notice to or any agreements with the contact shall be binding upon the Pool Member. The Pool Member reserves the right to change the contact from time to time by giving written notice to the Fund.
11. The Fund agrees to handle all cyber liability and data breach response claims, and provide a defense for any and all cyber liability and data breach response claims covered under this Interlocal Agreement after prompt notice has been given. The Pool Member hereby appoints the Fund staff and Contractors as its agents to act in all matters pertaining to processing and handling of claims covered under this Interlocal Agreement and shall cooperate fully in supplying any information needed or helpful in settlement or defense of such claims. As respects cyber liability and data breach response claims, the Fund staff and Contractors shall carry on all negotiations with the claimant and his/her attorney, when applicable, and negotiate within authority previously granted by the Fund. If a personal appearance by the Pool Member or an employee is necessary, the expense of this appearance will not be the responsibility of the Fund. With the advice and consent of the Fund, the Fund staff and the Contractors will retain and supervise legal counsel for the prosecution and defense of any litigation. All decisions on individual cases shall be made by the Fund through the Fund staff and the Contractors, which include, but are not limited to, the decision to appeal or not to appeal, settlement negotiations, the decision of whether to settle, and other litigation tactics. However, any Pool Member shall have the right in any case to consult with the Fund on any decision made by the Fund staff or Contractors. The Board shall hear the objections of the Pool Member at its next regularly scheduled meeting and its decision will be final and binding on all parties. Any suit brought or defended by the Fund shall be brought or defended only in the name of the Pool Member and/or its officers or employees. There shall be supplied periodically to each Pool Member a computer printout involving a statement of claims. As respects the Texas Municipal League Cyber Liability and Data Breach Response Self-Insurance Plan, the Fund shall have priority in enforcing its subrogation claims against the claims of Pool Member.
12. The Pool Member acknowledges that it has received a copy of the Bylaws of the Fund and agrees to abide by the Bylaws and any amendments thereto.
13. The Fund agrees that all Fund transactions will be annually audited by a nationally recognized certified public accounting firm.
14. If legally required, the Fund shall cause to be filed the necessary tax forms with the Internal Revenue Service.

15. As the administrators of the Fund, the Board shall primarily and consistently keep foremost in their deliberations and decisions in operating the Fund that each of the participating Pool Members is a "self-insured." At least annually, the Board shall carefully review, study, and consider the actual claims or loss experience (including reserves for future claims payments) of each of the Pool Members, the pro rata savings to the Fund resulting from overall loss experience attributed to each Pool Member, and the pro rata portion of the cost of all catastrophic loss protection and aggregate stop loss protection allocated to each Pool Member as well as the pro rata allocation, as determined by the Board of the other and necessary administrative expenses of the Pool, in order to reasonably determine the actual pro rata cost, expense, and loss experience of each Pool Member in order to maintain as nearly as possible an equitable and reasonable self-insurance administration of the Fund as applied to each Pool Member.

The Fund shall maintain case reserves and supplemental reserves computed in accordance with standard actuarial principles, taking into account historical and other data, designed to measure claims development and claims incurred but not yet reported, so that funds will be available to meet these claims as they become due, subject to paragraph 7 above. The Board has complete authority to determine all matters pertaining to the existence and dissolution of the Fund.

16. Venue of any suit or action arising out of or related to this Interlocal Agreement shall be exclusively in the state and federal courts of Travis County, Texas. The parties agree they shall assume their own expenses for attorney's fees in any suit or action arising out of or related to this Interlocal Agreement.
17. The parties agree this Interlocal Agreement may be executed by original written ink signature on paper documents, an exchange of copies showing the original written ink signature on paper documents, or electronic or digital signature technology in such a manner that the signature is unique and verifiable to the person signing. The use of any one or combination of these methods of execution shall constitute a legally binding and valid signing of this Interlocal Agreement, which may be executed in one or more counterparts, each of which, when duly executed, shall be deemed an original.

EMPLOYER MEMBERS' FUND CONTACT (See Section 10):

Member Name \_\_\_\_\_

Name of Contact \_\_\_\_\_ Title \_\_\_\_\_

Mailing Address \_\_\_\_\_ Email Address \_\_\_\_\_

Street Address (if different from above) \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

SIGNATURE OF AUTHORIZED MEMBER OFFICIAL

\_\_\_\_\_  
Title \_\_\_\_\_ Date \_\_\_\_\_

Member's Federal Tax I.D. Number \_\_\_\_\_ - \_\_\_\_\_  
**This Information is MANDATORY**

**TO BE COMPLETED BY FUND: (OFFICE USE ONLY)**

Effective Date of This Agreement \_\_\_\_\_

Member Name \_\_\_\_\_

Contract Number \_\_\_\_\_

SIGNATURE OF AUTHORIZED FUND OFFICIAL

\_\_\_\_\_  
Title \_\_\_\_\_ Date \_\_\_\_\_



## **AGENDA MEMORANDUM**

**DATE:** June 21, 2024

**TO:** Honorable City Council Members

**FROM:** Sandra Gibson, Interim City Manager and Director of Finance

**THROUGH:**

**SUBJECT:** Consider action on setting a Public Hearing Date for the Crime Control and Prevention District FY2024-2025 Proposed Budget to allow for citizen input at 6:30 p.m. on August 12, 2024 and setting the budget adoption date for August 26, 2024

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### **BACKGROUND/INFORMATION:**

The Watauga Crime Control and Prevention District (WCCPD) Board held the required Public Hearing on June 10, 2024 to allow for citizen input on the FY2024-2025 Proposed Budget in accordance with Local Government Code, Sec. 363.204(a).

As required by Local Government Code, Sec. 363.204(d) and 363.204(e) the WCCPD Board took action on approval and adoption of the Watauga Crime Control and Prevention District Budget and provided approval to submit to City Council.

After the budget is accepted by City Council, a public hearing must be held not later than the 45th day before the date the fiscal year begins per Sec. 363.205(a). In order to meet this requirement, the Board should set the public hearing date for August 12, 2024. In addition, the governing Body must publish notice of the hearing not later than the 10th day before the date of the hearing.

Additionally, per Section 363.205(d) of the Local Government Code; the budget shall be adopted not later than the 30th day before the fiscal year begins. In order to meet this requirement, the date for budget adoption should be set for August 26, 2024.

### **FINANCIAL IMPLICATIONS:**

N/A

### **RECOMMENDATION/ACTION DESIRED:**

Staff recommends that City Council set the public hearing date for August 12, 2024 and the budget adoption date be set for August 26, 2024 to meet the requirements outlined in Section 363.205 of the Local Government Code

### **ATTACHMENTS/ SUPPORTING DOCUMENTATION:**



## AGENDA MEMORANDUM

None

**REVIEWED BY:**

Sandra Gibson, Interim City Manager and Director of Finance

Approved - 6/21/2024

David Berman, City Attorney

Approved - 6/26/2024

Sandra Gibson, Interim City Manager and Director of Finance

Approved - 6/26/2024

Linda Proskey, City Secretary

Final Approval -  
6/27/2024

*Approved as to form for inclusion on Agenda*



## AGENDA MEMORANDUM

**DATE:** June 26, 2024

**TO:** Honorable City Council Members

**FROM:** Sandra Gibson, Interim City Manager and Director of Finance

**THROUGH:**

**SUBJECT:** Consider action on approval of the Monthly Financial Report for the period ending May 31, 2024

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**BACKGROUND/INFORMATION:**

The monthly report for the period ending May 31, 2024 is attached for Council review and approval.

**FINANCIAL IMPLICATIONS:**

N/A

**RECOMMENDATION/ACTION DESIRED:**

Staff recommends approval of the Monthly Financial Report for the period ending May 31, 2024.

**ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

1. Council Report - May 2024 to Council July 8, 2024

**REVIEWED BY:**

Sandra Gibson, Interim City Manager and Director of Finance Approved - 7/3/2024  
Linda Proskey, City Secretary Final Approval - 7/3/2024  
*Approved as to form for inclusion on Agenda*



# Monthly Financial Report Fiscal 2023-2024

## For the period ending May 31, 2024

### Sales Tax

Sales tax receipts from the State Comptroller received in the month of June 2024 (reflecting April 2024 sales receipts) increased in total

| Sales Tax Receipts             | Apr-24            | Apr-23            | % change    |
|--------------------------------|-------------------|-------------------|-------------|
| City 1%                        | \$ 292,638        | \$ 266,531        | 9.8%        |
| City 1/4% effective 10/1/2021* | \$ 73,160         | \$ 66,633         | 9.8%        |
| Street Maint 1/4%**            | \$ -              | \$ -              | 0.0%        |
| CCD 1/2%                       | \$ 145,837        | \$ 132,793        | 9.8%        |
| EDC 1/4%                       | \$ 73,160         | \$ 66,633         | 9.8%        |
| <b>Totals</b>                  | <b>\$ 584,794</b> | <b>\$ 532,590</b> | <b>9.8%</b> |

\*approved by voters May, 2021 for effective date of 10/1/2021

\*\*abolished January, 2021

to 9.8% compared to the same time last year. This amount includes prior period adjustments, future period adjustments and audit collections.

A comparison of April 2024 sales tax receipts for Watauga's and surrounding cities are shown below: These figures do not include Special District sales tax receipts.

### SALES TAX RECEIPTS COMPARISONS April 2023 vs. April 2024 RECEIVED FROM COMPTROLLER - June FISCAL YEAR 2023-2024

#### Sales Tax Receipts for the Month:

| City              | April 2024 Sales     | April 2023 Sales     | \$ Change           | % Change     |
|-------------------|----------------------|----------------------|---------------------|--------------|
| Richland Hills    | \$ 864,648.66        | \$ 640,726.29        | \$ 223,922.37       | 34.95%       |
| Euless            | \$ 2,224,533.09      | \$ 1,897,643.34      | \$ 326,889.75       | 17.23%       |
| Grapevine         | \$ 4,988,715.85      | \$ 4,504,098.44      | \$ 484,617.41       | 10.76%       |
| <b>Watauga</b>    | <b>\$ 438,957.21</b> | <b>\$ 399,796.47</b> | <b>\$ 39,160.74</b> | <b>9.80%</b> |
| Fort Worth        | \$ 18,853,394.00     | \$ 17,828,544.60     | \$ 1,024,849.40     | 5.75%        |
| N. Richland Hills | \$ 1,621,484.19      | \$ 1,540,086.63      | \$ 81,397.56        | 5.29%        |
| Hurst             | \$ 1,395,551.77      | \$ 1,333,925.72      | \$ 61,626.05        | 4.62%        |
| Bedford           | \$ 1,234,041.94      | \$ 1,182,793.56      | \$ 51,248.38        | 4.33%        |
| Haltom City       | \$ 1,425,513.55      | \$ 1,370,238.59      | \$ 55,274.96        | 4.03%        |
| Colleyville       | \$ 613,839.55        | \$ 591,865.22        | \$ 21,974.33        | 3.71%        |
| Southlake         | \$ 3,300,717.70      | \$ 3,223,520.28      | \$ 77,197.42        | 2.39%        |
| Keller            | \$ 1,292,591.58      | \$ 1,293,737.60      | \$ (1,146.02)       | -0.09%       |
| Roanoke           | \$ 1,576,862.98      | \$ 1,592,304.43      | \$ (15,441.45)      | -0.97%       |
| Saginaw           | \$ 602,127.49        | \$ 637,763.21        | \$ (35,635.72)      | -5.59%       |

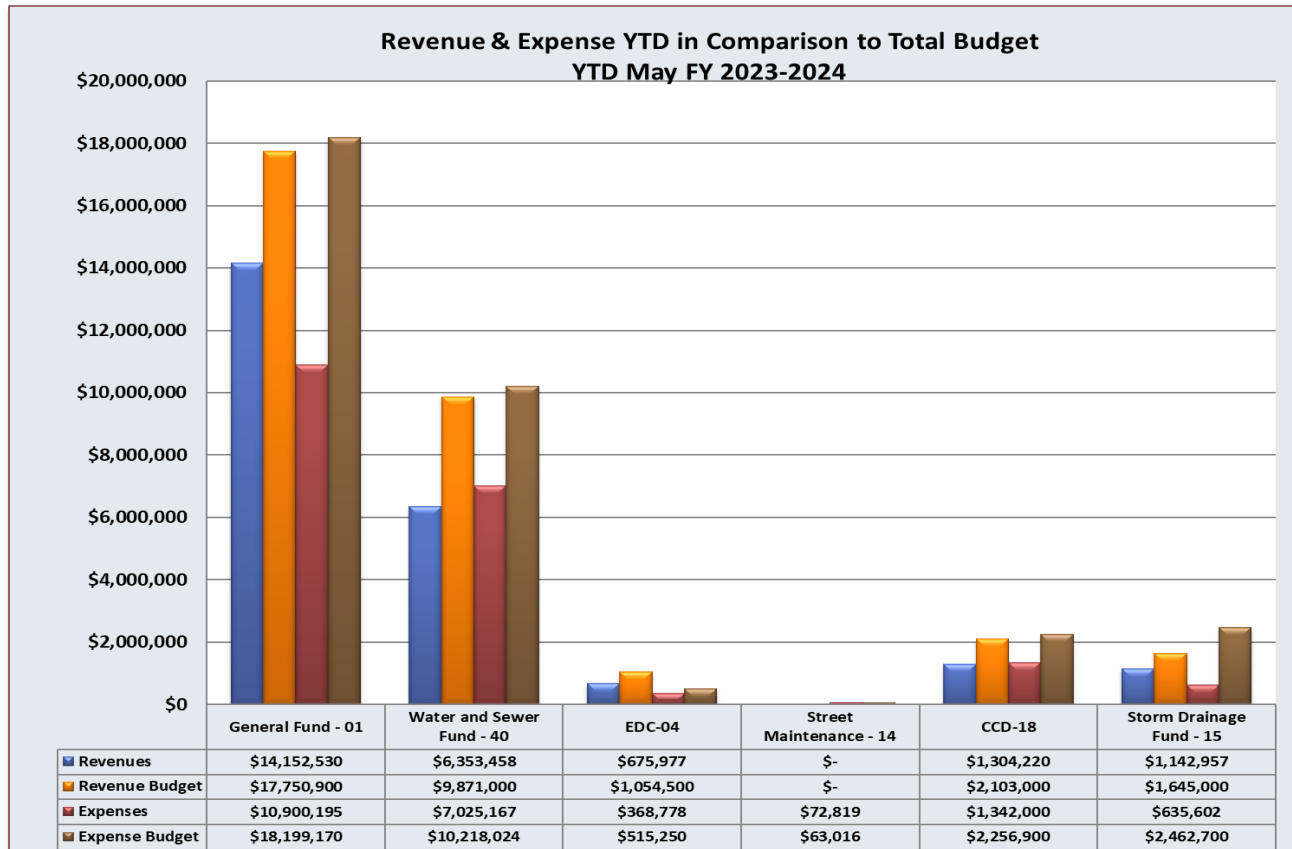
Source: State Comptroller

City Collections only - not Special Purpose Districts or Transit

The City will receive the distribution for May 2024 sales tax receipts on July 12, 2024. Sales tax revenues have been estimated for the May reporting period.

### **Financial Highlights**

The City is 66.67% through the fiscal year 2023-2024. Revenue and expenses are reflected in the chart below and details of each fund's revenues and expenditures are attached. For example, the Police Department budget and expenditures are combined for two funds in which expenditures are reported (General Fund and Crime Control). The Consolidated Departmental Budget Report does not include capital outlay or debt service expenditures.



### **General Fund**

**Revenues** – Year-to-date revenues represent 79.7% of budget collected, or \$14,152,530.

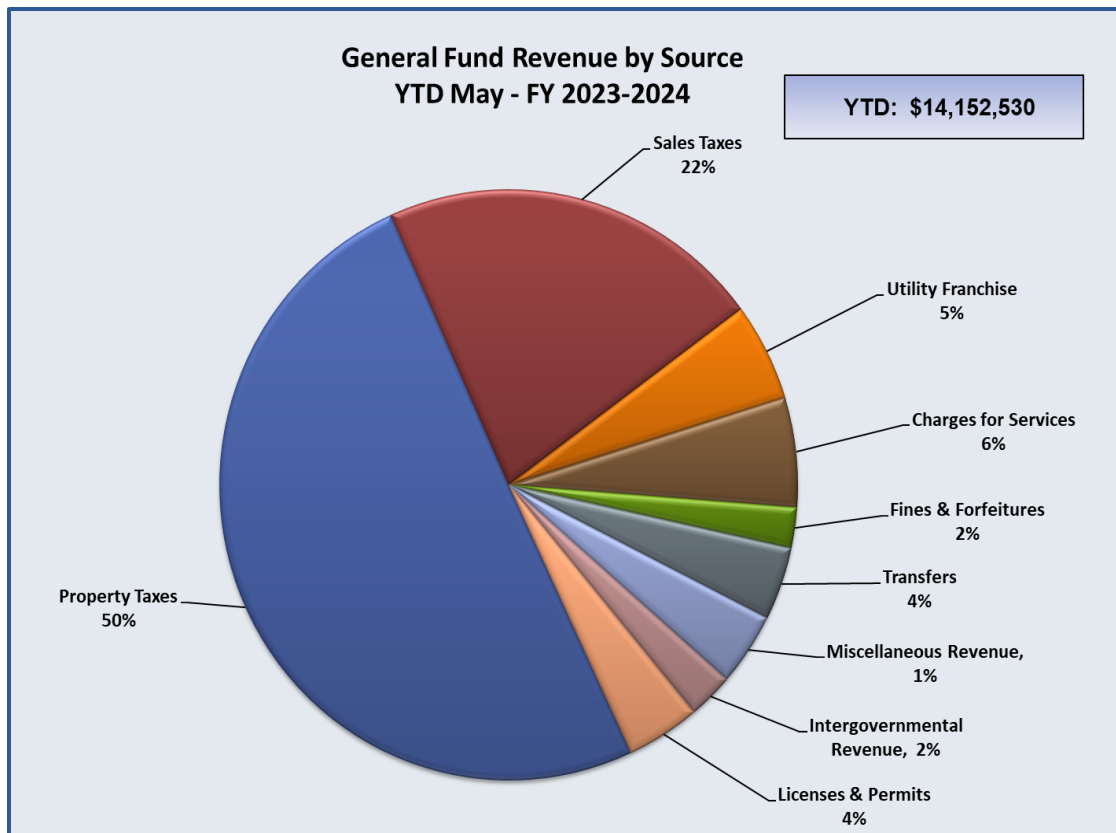
**Property Tax** – As of May 31, 2024, the City has received 99.1% of budgeted property taxes and receipts remain in line with expectations at this time. The majority of property tax revenues are received in December and January.

**Utility Franchise Revenue** - The majority of franchise receipts are received on a quarterly basis. The City has received \$761,374, or 85.6% in budgeted franchise fee revenues through May 2024. Electric and gas franchise receipts were received in March.

**Sales Tax** - Sales tax receipts for the General Fund are at 55.8% of budget which is 1.5% or \$40,449 higher than last year through April 2024.

**Licenses and Permits** - License and permit fees are at 76.2% of budget collected with revenue received at \$581,020; an increase of \$96,446 from prior year.

**Charges for Services** - Charges for Services revenues are at 70.3% of budget collected. Charges for services include recreation fees, ambulance services, garbage collection fees and animal adoption fees. This revenue category is up \$96,384 or 12.9% in YTD comparison to the same period of prior year.

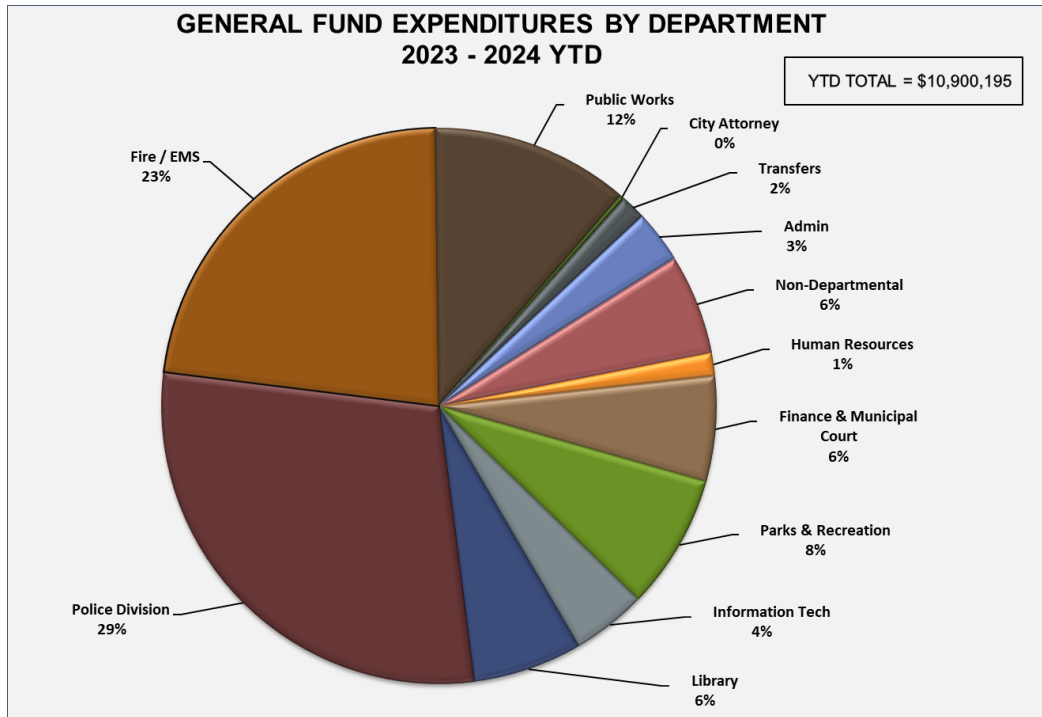


**Fines and Forfeitures** - Fines and Forfeitures are at 56.3% of budget which is \$7,333, or 2.3% lower than last year's collections. Citations issued are continuing to trend lower for the fiscal year due to staffing shortages.

**Miscellaneous Revenue** - Miscellaneous revenues include interest earnings, rental of recreational facilities, bingo, and other revenue. These receipts total \$564,622, or 76.3% of budgeted revenues.

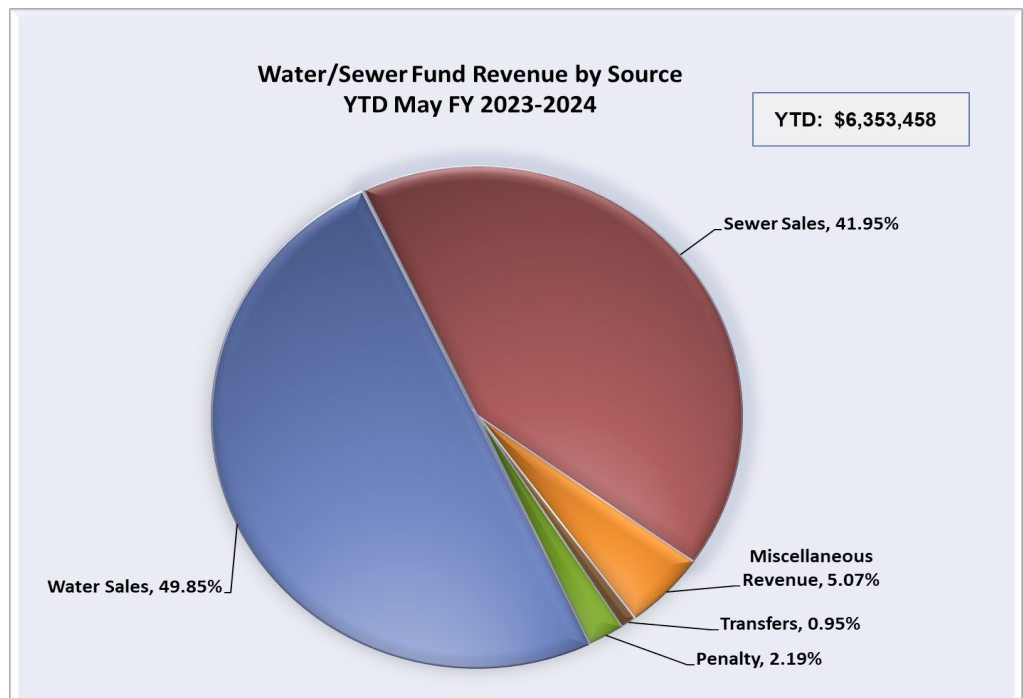
**Intergovernmental Revenue and Transfers** - Intergovernmental Revenue includes transfers from other funds for services the general fund provides and payments in lieu of taxes from the enterprise funds. Currently these revenues are on target with Intergovernmental at 71.2% of budget and Transfers at 65.9% of budget.

**Expenses** – General fund expenses are at 59.9% of budget expended and total \$10,900,195 for the year.



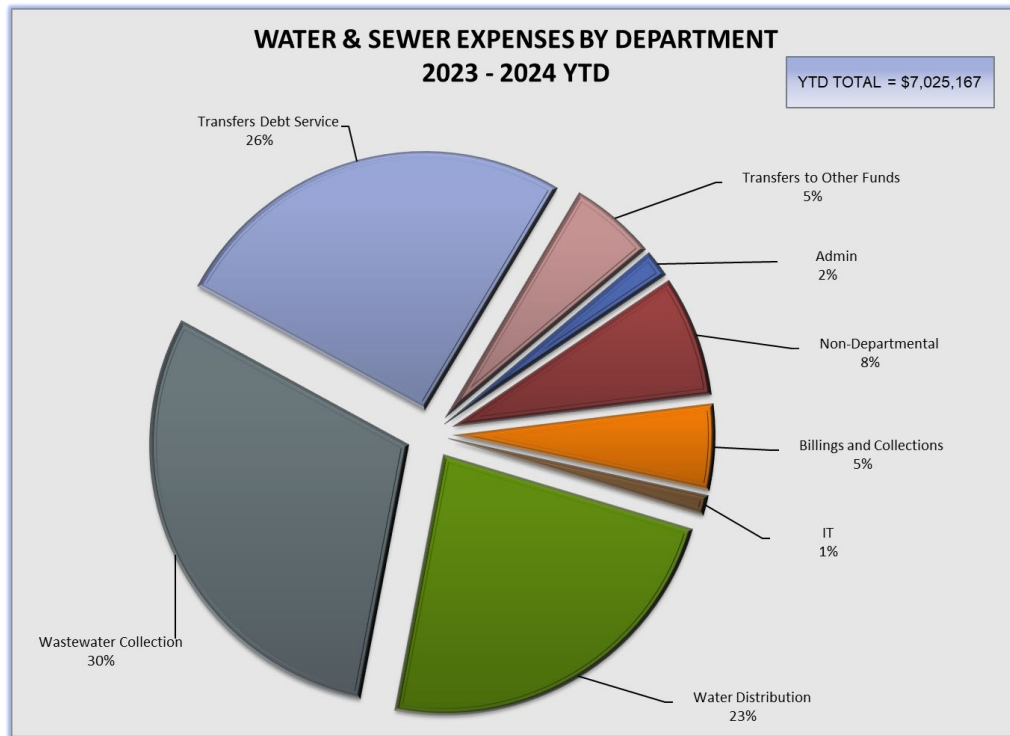
### Water and Sewer Fund

Total water and sewer revenues are slightly below target and are currently at 64.10% of budgeted revenues through May 2024. Water sales are 64% of budgeted revenues and wastewater revenues are at 61.3% of budget. Water consumption varies due to seasonal fluctuations.



**Miscellaneous Sales and Penalties-** Miscellaneous sales include penalty revenue, EPA revenue, service charges, returned check fees, and damaged/tampering fees. This category of revenue is at 72% of budget collected.

**Expenses** – Year-to-date expenses in the Water/Sewer fund are 68.8% of budget. Transfers to debt service are at 92.7% of budget due to payments processed February 1, 2024, which make up a significant portion of expenses. The remaining debt service payments are due on August 1, 2024. Wastewater expenditures are up \$205,661 or 10.83% from last year.



**Storm Drain Fund** – Revenues represent 69.5% of budget collected. Expenses are at 25.8% of budget in this fund through May 2024. Capital projects budgeted in FY2023-2024 include Whitley Road and other storm drain improvements.

### **Special Revenue Funds**

- **Street Maintenance Fund** expenses are at 115.6% of budget. Projects are being funded using reserves.
- **Crime Control and Prevention District** revenues collected are at 62% of budget and expenditures are at 59.5% of budget.
- **The Economic Development Corporation Fund** has collected 64.1% of sales tax revenues and expenditures are at 71.6% of budget expended through May 2024.

# *Fund Detail Report*

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**MAY 2024**

**CITY OF WATAUGA**  
**BUDGET TO ACTUAL COMPARISON**  
**FISCAL YEAR 2024**  
For the period ending: May 31, 2024 (3rd FY Qtr.)

**GENERAL FUND - 01**

| REVENUE:                                            | ORIGINAL<br>BUDGET  | 5/31/2024<br>YTD ACTUAL | %<br>USED     | %<br>REMAINING | 5/31/2023<br>YTD ACTUAL | \$ CHG<br>24 vs 23 | % CHG<br>24 vs 23 |
|-----------------------------------------------------|---------------------|-------------------------|---------------|----------------|-------------------------|--------------------|-------------------|
| <b>TAXES</b>                                        |                     |                         |               |                |                         |                    |                   |
| AD VALOREM                                          | 7,135,000           | 7,072,866               | 99.13%        | 0.87%          | 6,473,386               | 599,480            | 9.26%             |
| Delinquent                                          | 30,000              | 15,569                  | 51.90%        | 48.10%         | 10,437                  | 5,132              | -49.17%           |
| Penalty & Interest                                  | 29,500              | 26,019                  | 88.20%        | 11.80%         | 30,393                  | (4,374)            | -14.39%           |
| SALES TAX                                           | 5,038,000           | 3,044,962               | 60.44%        | 39.56%         | 3,152,342               | (107,380)          | -3.41%            |
| UTILITY FRANCHISE                                   | 889,500             | 761,374                 | 85.60%        | 14.40%         | 807,032                 | (45,658)           | -5.66%            |
| LICENSES & PERMITS                                  | 762,700             | 581,020                 | 76.18%        | 23.82%         | 484,573                 | 96,446             | 19.90%            |
| INTERGOVERNMENTAL REVENUE                           | 503,000             | 358,060                 | 71.18%        | 28.82%         | 352,051                 | 6,009              | 1.71%             |
| CHARGES FOR SERVICES                                | 1,203,000           | 845,504                 | 70.28%        | 29.72%         | 749,120                 | 96,384             | 12.87%            |
| FINES & FORFEITURES                                 | 559,500             | 314,780                 | 56.26%        | 43.74%         | 322,112                 | (7,333)            | -2.28%            |
| MISCELLANEOUS INCOME                                | 739,700             | 564,622                 | 76.33%        | 23.67%         | 520,393                 | 44,229             | 8.50%             |
| OPERATING TRANSFERS IN                              | 861,000             | 567,755                 | 65.94%        | 34.06%         | 554,096                 | 13,659             | 2.47%             |
| <b>TOTAL REVENUE</b>                                | <b>\$17,750,900</b> | <b>\$14,152,530</b>     | <b>79.73%</b> | <b>20.27%</b>  | <b>\$13,455,935</b>     | <b>\$696,595</b>   | <b>5.18%</b>      |
| <b>ADMINISTRATION</b>                               | 562,480             | 331,879                 | 59.00%        | 41.00%         | 293,679                 | 38,200             | 13.01%            |
| <b>HUMAN RESOURCES</b>                              | 248,030             | 144,759                 | 58.36%        | 41.64%         | 122,519                 | 22,240             | 18.15%            |
| <b>BUILDINGS - PW</b>                               | 1,069,900           | 604,267                 | 56.48%        | 43.52%         | 566,993                 | 37,273             | 6.57%             |
| <b>FINANCE</b>                                      | 603,210             | 400,345                 | 66.37%        | 33.63%         | 382,477                 | 17,867             | 4.67%             |
| <b>MUNICIPAL COURT - FIN</b>                        | 456,110             | 266,800                 | 58.49%        | 41.51%         | 256,845                 | 9,954              | 3.88%             |
| <b>DEVELOPMENTAL SERVICES - PW</b>                  | 291,860             | 153,027                 | 52.43%        | 47.57%         | 136,012                 | 17,015             | 12.51%            |
| <b>LIBRARY</b>                                      | 1,175,200           | 696,737                 | 59.29%        | 40.71%         | 616,964                 | 79,772             | 12.93%            |
| <b>PARKS AND RECREATION</b>                         | 1,648,305           | 856,097                 | 51.94%        | 48.06%         | 603,344                 | 252,753            | 41.89%            |
| <b>POLICE</b>                                       | 5,073,500           | 3,158,446               | 62.25%        | 37.75%         | 3,053,372               | 105,074            | 3.44%             |
| <b>FIRE/EMS</b>                                     | 4,096,490           | 2,488,599               | 60.75%        | 39.25%         | 2,357,981               | 130,618            | 5.54%             |
| <b>PUBLIC WORKS - STREETS</b>                       | 719,780             | 359,270                 | 49.91%        | 50.09%         | 379,011                 | (19,741)           | -5.21%            |
| <b>FLEET MANAGEMENT - PW</b>                        | 361,650             | 141,596                 | 39.15%        | 60.85%         | 138,819                 | 2,777              | 2.00%             |
| <b>NON-DEPARTMENTAL</b>                             | 879,415             | 636,683                 | 72.40%        | 27.60%         | 588,512                 | 48,170             | 8.19%             |
| <b>INFORMATION TECHNOLOGY</b>                       | 683,240             | 473,763                 | 69.34%        | 30.66%         | 422,277                 | 51,486             | 12.19%            |
| <b>ECONOMIC DEVELOPMENT</b>                         | -                   | -                       | -             | -              | -                       | -                  | -                 |
| <b>CITY ATTORNEY</b>                                | 95,000              | 31,263                  | 32.91%        | 67.09%         | 48,073                  | (16,810)           | -34.97%           |
| <b>TRANSFERS TO OTHER FUNDS</b>                     | 235,000             | 156,667                 | 66.67%        | 33.33%         | 323,334                 | (166,667)          | -51.55%           |
| <b>TOTAL EXPENDITURES</b>                           | <b>\$18,199,170</b> | <b>\$10,900,195</b>     | <b>59.89%</b> | <b>40.11%</b>  | <b>\$10,290,213</b>     | <b>\$609,981</b>   | <b>5.93%</b>      |
| <b>EXCESS REVENUE OVER (UNDER)<br/>EXPENDITURES</b> | <b>(\$448,270)</b>  | <b>\$3,252,335</b>      |               |                | <b>\$3,165,722</b>      | <b>\$86,614</b>    |                   |

CITY OF WATAUGA  
BUDGET TO ACTUAL COMPARISON  
FISCAL YEAR 2024  
For the period ending: May 31, 2024 (3rd FY Qtr.)

DEBT SERVICE FUND - 03

| REVENUE:                                        | CURRENT<br>BUDGET  | 5/31/2024<br>YTD ACTUAL | %<br>USED     | %<br>REMAINING | 5/31/2023<br>YTD ACTUAL | \$ CHG<br>24 vs 23 | % CHG<br>24 vs 23 |
|-------------------------------------------------|--------------------|-------------------------|---------------|----------------|-------------------------|--------------------|-------------------|
| TAXES                                           |                    |                         |               |                |                         |                    |                   |
| AD VALOREM                                      | 4,149,000          | 4,136,561               | 99.70%        | 0.30%          | 3,364,395               | \$772,165          | 22.95%            |
| Delinquent                                      | 11,000             | 8,092                   | 73.57%        | 26.43%         | 4,891                   | \$3,201            | 65.46%            |
| Penalty & Interest                              | 11,000             | 12,496                  | 113.60%       | -13.60%        | 13,369                  | (\$873)            | -6.53%            |
| INTEREST EARNINGS                               | 40,000             | 45,023                  | 112.56%       | -12.56%        | 25,244                  | \$19,779           | 78.35%            |
| OTHER FINANCING SOURCES                         | -                  | -                       | -             | -              | -                       | -                  | -                 |
| OPERATING TRANSFERS IN                          | 149,000            | 99,333                  | 66.67%        | 33.33%         | 102,133                 | (\$2,800)          | -2.74%            |
| <b>TOTAL REVENUE</b>                            | <b>\$4,360,000</b> | <b>\$4,301,505</b>      | <b>98.66%</b> | <b>1.34%</b>   | <b>\$3,510,033</b>      | <b>\$791,472</b>   | <b>22.55%</b>     |
| <br>Contractual & Sundry                        | <br>4,150,768      | <br>3,687,549           | <br>88.84%    | <br>11.16%     | <br>3,286,548           | <br>\$401,001      | <br>12.20%        |
| <b>TOTAL EXPENDITURES</b>                       | <b>\$4,150,768</b> | <b>\$3,687,549</b>      | <b>88.84%</b> | <b>11.16%</b>  | <b>3,286,548</b>        | <b>\$401,001</b>   | <b>0.00%</b>      |
| <br>EXCESS REVENUE OVER (UNDER)<br>EXPENDITURES | <br>\$209,232      | <br>\$613,956           |               |                | <br>\$223,485           | <br>\$390,472      |                   |

**CITY OF WATAUGA**  
**BUDGET TO ACTUAL COMPARISON**  
**FISCAL YEAR 2024**  
For the period ending: May 31, 2024 (3rd FY Qtr.)

**WATER & SEWER - 40**

|                                                     | <b>CURRENT<br/>BUDGET</b> | <b>5/31/2024<br/>YTD ACTUAL</b> | <b>%<br/>USED</b> | <b>%<br/>REMAINING</b> | <b>5/31/2023<br/>YTD ACTUAL</b> | <b>\$ CHG<br/>24 vs 23</b> | <b>% CHG<br/>24 vs 23</b> |
|-----------------------------------------------------|---------------------------|---------------------------------|-------------------|------------------------|---------------------------------|----------------------------|---------------------------|
| <b>REVENUE:</b>                                     |                           |                                 |                   |                        |                                 |                            |                           |
| WATER SALES                                         | 4,950,000                 | 3,166,976                       | 63.98%            | 36.02%                 | 3,064,753                       | 102,223                    | 3.34%                     |
| SEWER SALES                                         | 4,350,000                 | 2,665,046                       | 61.27%            | 38.73%                 | 2,680,822                       | (15,776)                   | -0.59%                    |
| MISCELLANEOUS                                       | 276,000                   | 198,614                         | 71.96%            | 28.04%                 | 189,148                         | 9,465                      | 5.00%                     |
| PENALTY                                             | 175,000                   | 138,990                         | 79.42%            | 20.58%                 | 119,533                         | 19,457                     | 16.28%                    |
| INTEREST                                            | 110,000                   | 101,577                         | 92.34%            | 7.66%                  | 75,803                          | 25,774                     | 34.00%                    |
| TRANSFERS                                           | 10,000                    | 60,390                          | 0.00%             | 0.00%                  | 8,986                           | 51,403                     | 572.02%                   |
| TAP FEES                                            | -                         | 21,866                          | -                 | -                      | 17,075                          | 4,791                      | 28.06%                    |
| SALE OF ASSETS                                      | -                         | -                               | -                 | -                      | -                               | -                          | -                         |
| <b>TOTAL REVENUE</b>                                | <b>\$9,871,000</b>        | <b>\$6,353,458</b>              | <b>64.36%</b>     | <b>35.64%</b>          | <b>\$6,156,121</b>              | <b>\$197,337</b>           | <b>3.21%</b>              |
| <b>ADMINISTRATIVE</b>                               | 185,200                   | 116,892                         | 63.12%            | 36.88%                 | 107,826                         | 9,066                      | 8.41%                     |
| <b>NON-DEPARTMENTAL</b>                             | 794,980                   | 527,597                         | 66.37%            | 33.63%                 | 537,740                         | (10,143)                   | -1.89%                    |
| <b>BILLING &amp; COLLECTIONS</b>                    | 615,410                   | 375,519                         | 61.02%            | 38.98%                 | 363,191                         | 12,328                     | 3.39%                     |
| <b>MGT. INFO SYSTEMS</b>                            | 126,990                   | 85,226                          | 67.11%            | 32.89%                 | 74,655                          | 10,571                     | 14.16%                    |
| <b>WATER DISTRIBUTION</b>                           | 2,865,830                 | 1,642,530                       | 57.31%            | 42.69%                 | 1,567,188                       | 75,342                     | 4.81%                     |
| <b>WASTEWATER COLLECTION</b>                        | 3,284,614                 | 2,104,694                       | 64.08%            | 35.92%                 | 1,899,034                       | 205,661                    | 10.83%                    |
| <b>TRANSFERS</b>                                    | 2,345,000                 | 2,172,708                       | 92.65%            | 7.35%                  | 2,183,308                       | (10,599)                   | -0.49%                    |
| <b>TOTAL EXPENDITURES</b>                           | <b>10,218,024</b>         | <b>7,025,167</b>                | <b>68.75%</b>     | <b>31.25%</b>          | <b>6,732,942</b>                | <b>\$292,226</b>           | <b>4.34%</b>              |
| <b>EXCESS REVENUE OVER (UNDER)<br/>EXPENDITURES</b> | <b>(\$347,024)</b>        | <b>(\$671,709)</b>              |                   |                        | <b>(\$576,821)</b>              | <b>(\$94,888)</b>          |                           |

**CITY OF WATAUGA**  
**BUDGET TO ACTUAL COMPARISON**  
**FISCAL YEAR 2024**  
For the period ending: May 31, 2024 (3rd FY Qtr.)

**STORM DRAIN FUND - 15**

|                                                     | <b>CURRENT<br/>BUDGET</b> | <b>5/31/2024<br/>YTD ACTUAL</b> | <b>%<br/>USED</b> | <b>%<br/>REMAINING</b> | <b>5/31/2023<br/>YTD ACTUAL</b> | <b>\$ CHG<br/>24 vs 23</b> | <b>% CHG<br/>24 vs 23</b> |
|-----------------------------------------------------|---------------------------|---------------------------------|-------------------|------------------------|---------------------------------|----------------------------|---------------------------|
| <b>REVENUE:</b>                                     |                           |                                 |                   |                        |                                 |                            |                           |
| USERS FEE                                           | 1,485,000                 | 993,565                         | 66.91%            | 33.09%                 | 988,598                         | 4,967                      | 0.50%                     |
| OTHER REVENUE                                       | -                         | -                               | -                 | -                      | -                               | -                          | -                         |
| INTEREST INCOME                                     | 160,000                   | 149,392                         | 93.37%            | 6.63%                  | 106,248                         | 43,144                     | 40.61%                    |
| <b>TOTAL REVENUE</b>                                | <b>\$1,645,000</b>        | <b>\$1,142,957</b>              | <b>69.48%</b>     | <b>30.52%</b>          | <b>\$1,094,846</b>              | <b>\$48,111</b>            | <b>4.39%</b>              |
| <b>PERSONNEL</b>                                    | 506,800                   | 241,644                         | 47.68%            | 52.32%                 | \$256,239                       | (14,595)                   | -5.70%                    |
| <b>SUPPLIES</b>                                     | 37,400                    | 10,676                          | 28.55%            | 71.45%                 | \$9,935                         | 741                        | 7.46%                     |
| <b>MAINTENANCE</b>                                  | 37,000                    | 2,432                           | 6.57%             | 93.43%                 | \$12,665                        | (10,232)                   | -80.79%                   |
| <b>CONTRACTUAL &amp; SUNDRY</b>                     | 356,200                   | 163,373                         | 45.87%            | 54.13%                 | \$131,070                       | 32,303                     | 24.65%                    |
| <b>CAPITAL</b>                                      | 1,331,300                 | 87,798                          | 6.59%             | 93.41%                 | \$11,098                        | 76,699                     | 691.09%                   |
| <b>TRANSFERS TO OTHER FUNDS</b>                     | 194,000                   | 129,678                         | 66.84%            | 33.16%                 | \$49,428                        | 80,250                     | 162.36%                   |
| <b>TOTAL EXPENDITURES</b>                           | <b>\$2,462,700</b>        | <b>\$635,602</b>                | <b>25.81%</b>     | <b>74.19%</b>          | <b>\$470,436</b>                | <b>\$165,166</b>           | <b>35.11%</b>             |
| <b>EXCESS REVENUE OVER (UNDER)<br/>EXPENDITURES</b> | <b>(\$817,700)</b>        | <b>\$507,355</b>                |                   |                        | <b>\$624,410</b>                | <b>(\$117,054)</b>         |                           |

**CITY OF WATAUGA  
BUDGET TO ACTUAL COMPARISON  
FISCAL YEAR 2024  
For the period ending: May 31, 2024 (3rd FY Qtr.)**

**CRIME CONTROL DISTRICT - 18**

|                                                     | <b>ORIGINAL<br/>BUDGET</b> | <b>5/31/2024<br/>YTD ACTUAL</b> | <b>%<br/>USED</b> | <b>%<br/>REMAINING</b> | <b>5/31/2023<br/>YTD ACTUAL</b> | <b>\$ CHG<br/>24 vs 23</b> | <b>% CHG<br/>24 vs 23</b> |
|-----------------------------------------------------|----------------------------|---------------------------------|-------------------|------------------------|---------------------------------|----------------------------|---------------------------|
| <b>REVENUE:</b>                                     |                            |                                 |                   |                        |                                 |                            |                           |
| SALES TAX                                           | 1,977,000                  | 1,184,789                       | 59.93%            | 40.07%                 | 1,244,309                       | (59,520)                   | -4.78%                    |
| INTEREST EARNING/OTHER                              | 126,000                    | 119,431                         | 94.79%            | 5.21%                  | 69,110                          | 50,322                     | 72.81%                    |
| TRANSFERS                                           | -                          | -                               | -                 | -                      | -                               | -                          | -                         |
| <b>TOTAL REVENUE</b>                                | <b>\$2,103,000</b>         | <b>\$1,304,220</b>              | <b>62.02%</b>     | <b>37.98%</b>          | <b>\$1,313,419</b>              | <b>(\$9,199)</b>           | <b>-0.70%</b>             |
| <b>PERSONNEL SERVICES</b>                           | 1,301,400                  | 717,254                         | 55.11%            | 44.89%                 | \$763,121                       | (45,867)                   | -6.01%                    |
| <b>SUPPLIES</b>                                     | 170,500                    | 103,518                         | 60.71%            | 39.29%                 | \$81,050                        | 22,468                     | 27.72%                    |
| <b>MAINTENANCE</b>                                  | 268,700                    | 213,609                         | 79.50%            | 20.50%                 | \$208,838                       | 4,771                      | 2.28%                     |
| <b>CONTRACTUAL &amp; SUNDRY</b>                     | 266,200                    | 146,090                         | 54.88%            | 45.12%                 | \$136,123                       | 9,967                      | 7.32%                     |
| <b>TRANSFERS</b>                                    | 38,000                     | 23,695                          | 62.36%            | 37.64%                 | \$24,628                        | (933)                      | -3.79%                    |
| <b>CAPITAL OUTLAY</b>                               | 212,100                    | 137,834                         | 0.00%             | 0.00%                  | \$141,409                       | (3,575)                    | -2.53%                    |
| <b>TOTAL EXPENDITURES</b>                           | <b>2,256,900</b>           | <b>1,342,000</b>                | <b>59.46%</b>     | <b>40.54%</b>          | <b>\$1,355,169</b>              | <b>(\$13,169)</b>          | <b>-0.97%</b>             |
| <b>EXCESS REVENUE OVER (UNDER)<br/>EXPENDITURES</b> | <b>(\$153,900)</b>         | <b>(\$37,779)</b>               |                   |                        | <b>(\$41,750)</b>               | <b>\$3,971</b>             |                           |

**CITY OF WATAUGA**  
**BUDGET TO ACTUAL COMPARISON**  
**FISCAL YEAR 2024**  
For the period ending    **May 31, 2024 (3rd FY Qtr.)**

**STREET MAINTENANCE FUND - 14**

|                                                 | <b>ORIGINAL<br/>BUDGET</b> | <b>5/31/2024<br/>YTD ACTUAL</b> | <b>%<br/>USED</b> | <b>%<br/>REMAINING</b> | <b>5/31/2023<br/>YTD ACTUAL</b> | <b>\$ CHG<br/>24 vs 23</b> | <b>% CHG<br/>24 vs 23</b> |
|-------------------------------------------------|----------------------------|---------------------------------|-------------------|------------------------|---------------------------------|----------------------------|---------------------------|
| <b>REVENUE:</b>                                 |                            |                                 |                   |                        |                                 |                            |                           |
| SALES TAX                                       | -                          | -                               | -                 | -                      | -                               | -                          | -                         |
| INTEREST EARNINGS                               | -                          | -                               | 0.00%             | 100.00%                | 16,845                          | (16,845)                   | -100.00%                  |
| INTEREST/ESCROW                                 | -                          | -                               | -                 | -                      | -                               | -                          | -                         |
| CONTRIBUTIONS/OTHER                             | -                          | -                               | -                 | -                      | -                               | -                          | -                         |
| <b>TOTAL REVENUE</b>                            | <b>\$0</b>                 | <b>\$0</b>                      | <b>0.00%</b>      | <b>100.00%</b>         | <b>16,845</b>                   | <b>(\$16,845)</b>          | <b>-100.00%</b>           |
| <br>MAINTENANCE                                 | 63,016                     | 72,819                          | 115.56%           | -15.56%                | 50,817                          | 22,002                     | 43.30%                    |
| CONTRACTUAL & SUNDRY                            | -                          | -                               | 0.00%             | 100.00%                | 3,665                           | (3,665)                    | -100.00%                  |
| CAPITAL OUTLAY                                  | -                          | -                               | 0.00%             | 100.00%                | 137,645                         | (137,645)                  | -100.00%                  |
| <b>TOTAL EXPENDITURES</b>                       | <b>\$63,016</b>            | <b>\$72,819</b>                 | <b>115.56%</b>    | <b>-15.56%</b>         | <b>\$192,127</b>                | <b>(\$119,308)</b>         | <b>-62.10%</b>            |
| <br>EXCESS REVENUE OVER (UNDER)<br>EXPENDITURES | <br><b>(\$63,016)</b>      | <br><b>(\$72,819)</b>           |                   |                        | <br><b>-\$175,283</b>           | <br><b>\$102,464</b>       |                           |

**CITY OF WATAUGA**  
**BUDGET TO ACTUAL COMPARISON**  
**FISCAL YEAR 2024**  
For the period ending: May 31, 2024 (3rd FY Qtr.)

**WATAUGA ECONOMIC DEVELOPMENT CORP - 04**

|                                                     | <b>CURRENT<br/>BUDGET</b> | <b>5/31/2024<br/>YTD ACTUAL</b> | <b>%<br/>USED</b> | <b>%<br/>REMAINING</b> | <b>5/31/2023<br/>YTD ACTUAL</b> | <b>\$ CHG<br/>24 vs 23</b> | <b>% CHG<br/>24 vs 23</b> |
|-----------------------------------------------------|---------------------------|---------------------------------|-------------------|------------------------|---------------------------------|----------------------------|---------------------------|
| <b>REVENUE:</b>                                     |                           |                                 |                   |                        |                                 |                            |                           |
| SALES TAX                                           | 996,000                   | 603,380                         | 60.58%            | 39.42%                 | 624,946                         | (21,566)                   | -3.45%                    |
| INTEREST EARNINGS                                   | 55,000                    | 70,759                          | 128.65%           | -28.65%                | 42,201                          | 28,558                     | 67.67%                    |
| INTEREST/ESCROW                                     | -                         | -                               | -                 | -                      | -                               | -                          | 0.00%                     |
| CONTRIBUTIONS/OTHER                                 | 3,500                     | 1,838                           | 52.50%            | 47.50%                 | 1,500                           | 338                        | 22.50%                    |
| <b>TOTAL REVENUE</b>                                | <b>\$1,054,500</b>        | <b>\$675,977</b>                | <b>64.10%</b>     | <b>35.90%</b>          | <b>\$668,647</b>                | <b>\$7,330</b>             | <b>1.10%</b>              |
| <b>PERSONNEL SERVICES</b>                           | -                         | -                               | -                 | -                      | -                               | -                          | 0.00%                     |
| <b>NON-DEPARTMENTAL</b>                             | -                         | -                               | -                 | -                      | -                               | -                          | 0.00%                     |
| <b>SUPPLIES</b>                                     | 1,000                     | 400                             | 39.96%            | 60.04%                 | -                               | 400                        | 0.00%                     |
| <b>MAINTENANCE</b>                                  | 1,000                     | -                               | 0.00%             | 100.00%                | -                               | -                          | 0.00%                     |
| <b>CONTRACTUAL &amp; SUNDRY</b>                     | 85,250                    | 83,045                          | 97.41%            | 2.59%                  | 42,932                          | 40,113                     | 93.43%                    |
| <b>TRANSFERS</b>                                    | 428,000                   | 285,333                         | 66.67%            | 33.33%                 | 279,800                         | 5,533                      | 1.98%                     |
| <b>CAPITAL OUTLAY</b>                               | -                         | -                               | -                 | -                      | -                               | -                          | 0.00%                     |
| <b>TOTAL EXPENDITURES</b>                           | <b>\$515,250</b>          | <b>\$368,778</b>                | <b>71.57%</b>     | <b>28.43%</b>          | <b>\$322,732</b>                | <b>\$46,046</b>            | <b>14.27%</b>             |
| <b>EXCESS REVENUE OVER (UNDER)<br/>EXPENDITURES</b> | <b>\$539,250</b>          | <b>\$307,199</b>                |                   |                        | <b>\$345,915</b>                | <b>(\$38,716)</b>          |                           |

# ***DEPARTMENTAL CONSOLIDATED REPORT***

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**MAY 2024**

**Budget Report**

**For Fiscal: FY2023-2024 Period Ending: 05/31/2024**

**Group Summary**

| Department                          | Original<br>Total Budget | Current<br>Total Budget | Period<br>Activity  | Fiscal<br>Activity   | Encumbrances      | Variance<br>Favorable<br>(Unfavorable) | Percent<br>Remaining |
|-------------------------------------|--------------------------|-------------------------|---------------------|----------------------|-------------------|----------------------------------------|----------------------|
| 010 - CITY SECRETARY OFFICE         | 433450.00                | 433,450.00              | 44,814.47           | 264,525.05           | 36.97             | 168,887.98                             | 38.96 %              |
| 011 - HUMAN RESOURCES               | 248030.00                | 248,030.00              | 19,402.21           | 144,759.06           | 22,499.97         | 80,770.97                              | 32.57 %              |
| 013 - DEVELOPMENT SERVICES DIVISION | 291860.00                | 291,860.00              | 16,262.24           | 153,026.61           | 865.13            | 137,968.26                             | 47.27 %              |
| 015 - CITY MANAGER                  | 314230.00                | 314,230.00              | 6,787.81            | 184,245.83           | 0.00              | 129,984.17                             | 41.37 %              |
| 016 - BUSINESS RETENTION/EDC        | 6650.00                  | 6,650.00                | 0.00                | 40,025.41            | 147.15            | -33,522.56                             | -504.10 %            |
| 017 - BUSINESS ATTRACTION/EDC       | 24300.00                 | 24,300.00               | 0.00                | 21,035.05            | 0.00              | 3,264.95                               | 13.44 %              |
| 018 - GENERAL ADMINISTRATION/EDC    | 56300.00                 | 56,300.00               | 5,250.00            | 22,384.38            | 0.00              | 33,915.62                              | 60.24 %              |
| 020 - NON-DEPARTMENTAL              | 1764500.00               | 1,764,500.00            | 80,063.90           | 1,220,595.14         | 86,597.52         | 457,307.34                             | 25.92 %              |
| 021 - CITY ATTORNEY                 | 95000.00                 | 95,000.00               | 4,562.57            | 31,263.01            | 0.00              | 63,736.99                              | 67.09 %              |
| 030 - MUNICIPAL COURT DIVISION      | 456110.00                | 456,110.00              | 32,564.19           | 266,799.68           | 60.98             | 189,249.34                             | 41.49 %              |
| 040 - FINANCE                       | 694060.00                | 694,060.00              | 44,121.76           | 456,141.53           | 27,644.99         | 210,273.48                             | 30.30 %              |
| 045 - BILLING & COLLECTIONS         | 615410.00                | 615,410.00              | 52,207.37           | 375,518.94           | 2,455.00          | 237,436.06                             | 38.58 %              |
| 050 - INFORMATION TECHNOLOGY        | 810230.00                | 810,230.00              | 59,061.48           | 558,989.07           | 3,950.00          | 247,290.93                             | 30.52 %              |
| 060 - LIBRARY                       | 1185200.00               | 1,185,200.00            | 89,624.76           | 699,574.03           | 51,573.92         | 434,052.05                             | 36.62 %              |
| 070 - RECREATION                    | 700520.00                | 700,520.00              | 82,935.27           | 403,462.20           | 17,754.85         | 279,302.95                             | 39.87 %              |
| 075 - PARKS DEPARTMENT              | 947785.00                | 947,785.00              | 71,704.28           | 452,634.43           | 99,516.87         | 395,633.70                             | 41.74 %              |
| 080 - POLICE                        | 7326400.00               | 7,326,400.00            | 456,266.18          | 4,476,750.67         | 104,312.93        | 2,745,336.40                           | 37.47 %              |
| 085 - FIRE/MIS                      | 4096490.00               | 4,096,490.00            | 267,987.21          | 2,488,599.29         | 36,783.01         | 1,571,107.70                           | 38.35 %              |
| 090 - PUBLIC WORKS                  | 1545200.00               | 1,545,200.00            | 123,755.00          | 708,678.04           | 159,338.83        | 677,183.13                             | 43.82 %              |
| 093 - WATER DISTRIBUTION            | 2865830.00               | 2,865,830.00            | 216,663.53          | 1,642,530.39         | 26,995.14         | 1,196,304.47                           | 41.74 %              |
| 094 - WASTEWATER COLLECTION         | 3284614.00               | 3,284,614.00            | 253,933.90          | 2,104,694.37         | 12,910.00         | 1,167,009.63                           | 35.53 %              |
| 097 - FLEET MAINTENANCE             | 361650.00                | 361,650.00              | 18,739.51           | 141,596.13           | 120,231.97        | 99,821.90                              | 27.60 %              |
| 098 - BUILDING MAINTENANCE          | 1069900.00               | 1,069,900.00            | 77,341.45           | 604,266.50           | 52,514.87         | 413,118.63                             | 38.61 %              |
| <b>Report Total:</b>                | <b>29,193,719.00</b>     | <b>29,193,719.00</b>    | <b>2,024,049.09</b> | <b>17,462,094.81</b> | <b>826,190.10</b> | <b>10,905,434.09</b>                   | <b>37.36 %</b>       |



## AGENDA MEMORANDUM

**DATE:** June 27, 2024

**TO:** Honorable City Council Members

**FROM:**

**THROUGH:** Arthur Miner, Mayor

**SUBJECT:** Consider the reappointment of Karen Isbell to place 6 on the Planning and Zoning Commission.

---

**BACKGROUND/INFORMATION:**

Karen Isbell's term will expire on Aug. 31, 2024, unless reappointed or removed from the Planning and Zoning Commission. The term expiration will be extended to August 31, 2026.

**FINANCIAL IMPLICATIONS:**

None

**RECOMMENDATION/ACTION DESIRED:**

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

**ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

1. Isabel, Karen\_P&Z Reappointment App\_6.27.2024

**REVIEWED BY:**

Sandra Gibson, Interim City Manager and Director of Finance Approved - 6/27/2024

Linda Proskey, City Secretary

Final Approval - 6/28/2024

*Approved as to form for inclusion on Agenda*



## AGENDA MEMORANDUM

**DATE:** July 1, 2024

**TO:** Honorable City Council Members

**FROM:**

**THROUGH:** Arthur Miner, Mayor

**SUBJECT:** Consider the reappointment of Quincy Adams to Place 1 on the Planning and Zoning Commission

---

**BACKGROUND/INFORMATION:**

Currently, Quincy Adams is on the P&Z Commission. His term expires on Aug. 30, 2024. This will renew his term until Aug 30, 2026.

**FINANCIAL IMPLICATIONS:**

None

**RECOMMENDATION/ACTION DESIRED:**

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

**ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

1. Adams, Quincy 6.29.2024

**REVIEWED BY:**

Sandra Gibson, Interim City Manager and Director of Finance Approved - 7/2/2024  
Linda Proskey, City Secretary Final Approval - 7/2/2024  
*Approved as to form for inclusion on Agenda*



## AGENDA MEMORANDUM

**DATE:** June 27, 2024  
**TO:** Honorable City Council Members  
**FROM:**  
**THROUGH:** Sandra Gibson, Interim City Manager and Director of Finance  
**SUBJECT:** Consider the appointment of Kimberly Martinez to place 2 on the Civil Service Commission.

---

**BACKGROUND/INFORMATION:**

The Chief Executive shall appoint, and the City Council shall confirm the appointment of the three members of the Commission.

Place 2 on the Civil Service Commission has been vacated with a year left in the term. This appointment will fill this place starting July 9, 2024, with the term expiration date of June.30, 2026.

**FINANCIAL IMPLICATIONS:**

None

**RECOMMENDATION/ACTION DESIRED:**

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

**ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

1. Martinez, Kimberly 06.03.2024\_Civil Service

**REVIEWED BY:**

Sandra Gibson, Interim City Manager and Director of Finance Approved - 6/27/2024

Linda Proskey, City Secretary

Final Approval - 6/28/2024

*Approved as to form for inclusion on Agenda*



## AGENDA MEMORANDUM

**DATE:** July 1, 2024  
**TO:** Honorable City Council Members  
**FROM:** Linda Proskey, City Secretary  
**THROUGH:** Linda Proskey, City Secretary  
**SUBJECT:** Consider approval of the June 24, 2024, Regular City Council Meeting.

---

**BACKGROUND/INFORMATION:**

Meeting Minutes for the Regular City Council Meeting held on June 24, 2024.

**FINANCIAL IMPLICATIONS:**

None

**RECOMMENDATION/ACTION DESIRED:**

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

**ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

1. June 24 2024 Regular City Council Meeting - Draft Minutes

**REVIEWED BY:**

Sandra Gibson, Interim City Manager and Director of Finance Approved - 7/2/2024  
Linda Proskey, City Secretary Final Approval - 7/2/2024  
*Approved as to form for inclusion on Agenda*



**MINUTES  
WATAUGA CITY COUNCIL  
REGULAR MEETING  
CITY HALL COUNCIL CHAMBER,  
7105 WHITLEY ROAD,  
JUNE 24, 2024  
6:30 PM**

**CALL TO ORDER**

Mayor Arthur Miner called the meeting to order at 6:00 p.m.

**ROLL CALL**

The meeting convened with the following members present:

Arthur L. Miner  
Malissa Minucci  
Pat Shelbourne  
Cris Blackburn  
Lovie Downey  
Andrew Neal  
Mark Taylor  
Jan Hill

and

Sandra Gibson  
Linda Proskey  
David Berman  
Timothy Hamilton

Mayor  
Mayor Pro Tem/Council Member Place 5  
Council Member Place 1 (Absent with  
notice)  
Council Member Place 2  
Council Member Place 3  
Council Member Place 4  
Council Member Place 6  
Council Member Place 7

Interim City Manager/Finance Director  
City Secretary  
City Attorney  
Director of Parks and Community  
Services

**INVOCATION**

Pastor Denis Hester of First Baptist Church of Watauga and Police Chaplin gave the invocation.

## **PLEDGE OF ALLEGIANCE**

Mayor Miner led the Pledge of Allegiance.

## **ANNOUNCEMENTS**

Councilmember Neal announced the Chamber's Family Fun Night on July 3, which will include fireworks. He also emphasized the importance of pet safety, advising pet owners to be careful of fireworks, as many pets are scared of them. He also recommended spaying and neutering pets.

Mayor Miner expanded on the Chamber's Family Fun Night and spoke about different things they will be having at the event.

## **PRESENTATIONS**

### **PUBLIC COMMENT**

Greg Anthony 2805 Emerson Lane spoke about Virgil Anthony Park and wanting money allocated for it in the upcoming budget.

### **PUBLIC TESTIMONY FOR ACTION ITEMS**

No requests for public testimony were received.

## **CONSENT AGENDA**

1. **Consider action to approve the repair of the Hector F. Garcia Recreation Center Foundation with Nortex Concrete Lift & Stabilization utilizing the Grand Prairie Contract #21259-R-2 Pavement Leveling Services and an additional \$15,000 in contingency funding.**
2. **Consider action on a Resolution of the City Council of the City of Watauga, Texas, authorizing the City Manager to negotiate and execute on behalf of the City an Amendment of Interlocal Agreement for Whitley Road Reconstruction for funding through the Tarrant County 2021 Transportation Bond Program (2021 TBP) by and between the City of Watauga, Texas, and the Tarrant County, Texas; providing for repeal; providing for severability; and providing for an effective date.**
3. **Consider action approving the purchase of demolition services from BELFOR Property Restoration, for the Watauga Parks & Community**

June 24, 2024, Regular City Council Minutes-page 2

**Services Department, utilizing Omnia contract #R200101 and FY24 funds in an amount not to exceed \$94,200.**

- 4. Consider approval of the June 10, 2024, City Council Workshop meeting**
- 5. Consider the approval of the June 10, 2024, Regular City Council meeting**

Councilmember Taylor pulled item #1 from the consent agenda; It will now be action Item #2

Mayor Miner called for a Motion. Councilmember Hill made a motion to approve the consent agenda as amended. Councilmember Neal seconded the motion. Mayor Miner called for a vote.

Motion carried 6-0-0-0.

Ayes, Minucci, Blackburn, Downey, Neal, Taylor, Hill

Nays: None

Abstain: None

Absent: None

## **ACTION ITEMS**

- 1. Consideration and approval of 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.**

Sandra Gibson, Interim City Manager/Finance Director, introduced Andrew Friedman with SAMCO, who reviewed the process and timetable.

Mayor Miner called for a Motion. Councilmember Downey made a motion to accept the item as presented. Mayor Pro Tem Minucci seconded the motion. Mayor Miner called for a vote.

Motion carried 6-0-0-0.

Ayes, Minucci, Blackburn, Downey, Neal, Taylor, Hill

Nays: None

Abstain: None

Absent: None

- 2. Consider action to approve the repair of the Hector F. Garcia Recreation Center Foundation with Nortex Concrete Lift & Stabilization utilizing the Grand Prairie Contract #21259-R-2 Pavement Leveling Services and an additional \$15,000 in contingency funding.**

Councilmember Taylor said he pulled this item to get an explanation.

Randy Richards explained the project, its needs, where the work will be done, and what will be done. He also said they would use the funds for the water tower elevator. That project has been put on hold to understand better what upgrades the elevator needs.

Mayor Miner called for a Motion. Councilmember Taylor made a motion to accept the item as presented. Councilmember Neal seconded the motion. Mayor Miner called for a vote.

Motion carried 6-0-0-0.

Ayes, Minucci, Blackburn, Downey, Neal, Taylor, Hill

Nays: None

Abstain: None

Absent: None

### **ITEMS FOR FUTURE AGENDAS**

Mayor Miner requests an executive session at the next meeting.

### **ADJOURNMENT**

Mayor Miner adjourned the meeting at 6:59 pm

Approved: this \_\_\_\_\_ day of \_\_\_\_\_, 2024

Signed: this \_\_\_\_\_ day of \_\_\_\_\_, 2024

APPROVED:

ATTEST:

\_\_\_\_\_  
Arthur L. Miner, Mayor

\_\_\_\_\_  
Linda Proskey, City Secretary



## AGENDA MEMORANDUM

**DATE:** June 25, 2024

**TO:** Honorable City Council Members

**FROM:** Sandra Gibson, Interim City Manager and Director of Finance

**SUBJECT:** Discuss and consider action on approval of Water Tower Lease Amendment with T-Mobile West LLC

---

### **BACKGROUND/INFORMATION:**

The City of Watauga currently has lease agreements with New Cingular Wireless PCS, LLC (AT&T), Verizon, and T-Mobile, LLC to operate wireless antenna facilities on the Watauga water tower at 7800 Virgil R. Anthony Sr. Blvd. T-Mobile's lease dated September 27, 1999 was amended once before and the current lease ends December 31, 2024. T-Mobile has an interest in continuing to operate wireless antenna facilities at the water tower.

During the last year, the Public Works Department and T-Mobile have negotiated a lease amendment that was reviewed by the City Attorney and T-Mobile's Attorneys. The lease amendment is similar to the other two wireless providers already located on the water tower. AT&T and Verizon's rental payments are approximately \$49,300 and \$34,800, respectively, per year.

The lease amendment provides:

1. Space for antenna enclosed by the tower ring (concealed antenna) - no change
2. Term - 5 year lease that renews after each 5th year to an additional 5 year term indefinitely
3. Agreement may be extended automatically or terminated after five (5) years
4. Rental payment of \$3,454.69/month (\$41,456.28/year) with 3% increases annually
5. Onetime payment for consideration of lease of \$2,500 - to recoup some staff salary time
6. Afterhours access to tower at \$150/hr that requires landlord escort since the water tower is a secure critical facility - old rate was \$75/hr

Our surrounding cities were surveyed in 2017 and this agreement is comparable to those accounting for increases per term. In most cases, the City of Watauga had more favorable lease agreements than our sister cities.

### **FINANCIAL IMPLICATIONS:**



## AGENDA MEMORANDUM

Revenue \$2,500 onetime signing rent - January 2025

Revenue \$41,456.28/year starting January 2025

### **RECOMMENDATION/ACTION DESIRED:**

Authorize the City to enter into a Water Tower Lease Amendment with T-Mobile West LLC

### **ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

1. Lease - T-Mobile - DA02220A\_AMD2\_NLRP\_67467\_ NLG Approved and Legal Stamped
2. Power Point - T-Mobile 2nd Amendment to Lease - Water Tower- July 2024

### **REVIEWED BY:**

|                                                             |                           |
|-------------------------------------------------------------|---------------------------|
| David Berman, City Attorney                                 | Approved - 6/26/2024      |
| Deby Woodard, Assistant Director of Finance                 | Approved - 7/2/2024       |
| Randy Richards, CFM, Assistant Director of Public Works     | Approved - 7/3/2024       |
| Paul Hackleman, Director of Public Works                    | Approved - 7/3/2024       |
| Sandra Gibson, Interim City Manager and Director of Finance | Approved - 7/3/2024       |
| Linda Proskey, City Secretary                               | Final Approval - 7/3/2024 |
| <i>Approved as to form for inclusion on Agenda</i>          |                           |

## **SECOND AMENDMENT TO WATER TOWER LEASE AGREEMENT**

This Second Amendment to Water Tower Lease Agreement (the "**Second Amendment**") is effective as of the last signature below (the "**Effective Date**"), by and between City of Watauga, Texas, a home rule municipality under the laws of the State of Texas ("**Landlord**"), and T-Mobile West LLC, a Delaware limited liability company ("**Tenant**"), previously referred to as "Cook Inlet/VoiceStream P.C.S., L.L.C. (each a "**Party**", or collectively, the "**Parties**").

Landlord and Tenant (or their predecessors-in-interest) entered into that certain Water Tower Lease Agreement dated September 27, 1999, including that certain Water Tower Lease Extension Agreement dated December 14, 2009 (including all amendments, collectively, the "**Lease**") regarding the leased premises ("**Premises**") located at 5801 N. Park Dr., Watauga, TX 76148 (the "**Property**").

For good and valuable consideration, Landlord and Tenant agree as follows:

1. Term:
  - (a) At the expiration of the Lease, the term of the Lease will automatically be extended for five (5) additional and successive five (5) year terms, each included as renewal term, provided that Tenant or Landlord may elect not to renew by providing the other party at least ninety (90) days' notice prior to the expiration of the then current renewal term.
  - (b) If at the end of the fifth (5th) five (5) year renewal term provided for in this Second Amendment, this Lease has not been terminated by either Party by giving to the other written notice of an intention to terminate prior to the end of such renewal term, this Lease shall continue in full force and effect upon the same covenants, terms and conditions for a further renewal term of five (5) years and for additional renewal term of five (5) year thereafter, until terminated by either Party by giving to the other written notice of its intention to so terminate at least ninety (90) days prior to the end of such renewal term.
2. Rent: At the commencement of the first renewal term provided for in this First Amendment, Tenant shall pay Landlord Three Thousand Four Hundred Fifty-Four and 00/100 Dollars (\$3,454.69 ) per month as rent, partial calendar months to be prorated in advance, by the fifth (5<sup>th</sup>) day of each calendar month. Thereafter, notwithstanding anything to the contrary in the Lease, the rent set forth in the Lease will terminate and rent will escalate by 3% of the rent in effect for the previous year on January 1, 2026, and on each anniversary thereafter. Where duplicate rent would occur, a credit shall be taken by Tenant for any prepayment of duplicate rent by Tenant. Upon agreement of the Parties, Tenant may pay rent by electronic funds transfer and in such event, Landlord agrees to provide to Tenant bank routing information and fill out any necessary form provided to it by Tenant for such purpose, upon request of Tenant.

3. Notices: All notices, requests, demands and other communications shall be in writing and shall be deemed to have been delivered upon receipt or refusal to accept delivery, and are effective only when deposited into the U.S. certified mail, return receipt requested, or when sent via a nationally recognized courier to the addresses set forth below. Landlord or Tenant may from time to time designate any other address for this purpose by providing written notice to the other Party.

If to Tenant:

T-Mobile USA, Inc.  
12920 SE 38th Street  
Bellevue, WA 98006  
Attn: Lease Compliance/ DA02220A

If to Landlord:

City of Watauga  
7105 Whitley Dr  
Watauga, TX 76148  
ATTN: City Secretary/Director of Public Works

4. Tenant and Landlord will reasonably cooperate with each other's requests to approve permit applications and other documents related to the Property provided, however, that Landlord shall not be obligated to approve or issue any permit if not in full compliance with Landlord's requirements.
5. Landlord will execute a Memorandum of Agreement at Tenant's request. If the Property is encumbered by a deed, mortgage or other security interest, Landlord will also execute a subordination, non-disturbance and attornment agreement.
6. Any charges payable under the Lease other than rent shall be billed by Landlord to Tenant within twelve (12) months from the date in which the charges were incurred or due.
7. Except as expressly set forth in this Second Amendment, the Lease otherwise is unmodified. To the extent any provision contained in this Second Amendment conflicts with the terms of the Lease, the terms and provisions of this Second Amendment shall control. Each reference in the Lease to itself shall be deemed also to refer to this Second Amendment.
8. This Second Amendment may be executed in duplicate counterparts, each of which will be deemed an original. Signed electronic, scanned, or facsimile copies of this this Second Amendment will legally bind the Parties to the same extent as originals.
9. Each of the Parties represents and warrants that it has the right, power, legal capacity and authority to enter into and perform its respective obligations under this Second Amendment. represents and warrants to Tenant that the consent or approval of a third party has either been obtained or is not required with respect to the execution of Second Amendment.
10. This Second Amendment will be binding on and inure to the benefit of the Parties herein, their heirs, executors, administrators, successors-in-interest and assigns.

11. As additional consideration for this Lease, Tenant shall pay Landlord a one-time, non-refundable, lump-sum of \$2,500.00, which shall be considered additional rent for the Premises for the period from the Effective Date until the Commencement Date, within thirty (30) days of the Effective Date.
12. Access to Tower (Site): Landlord agrees that Tenant shall have free access to the Premises during ordinary business hours (usually 7:00 a.m. – 4:00 p.m., Monday through Friday but subject to change) for the purpose of installing and scheduled maintenance of the Antenna Facilities, and twenty-four (24) hours a day, seven (7) days a week for unscheduled emergency repairs. In the event Tenant needs access after business hours, Tenant will follow the emergency access procedure, as designated by Landlord and provided to Tenant, in writing, subject to change at Landlord's discretion. Landlord has the right to charge Tenant \$150.00/hour for any afterhours access that requires a Landlord escort. Landlord shall furnish Tenant with necessary means of access for the purpose of ingress and egress to the Premises. It is agreed, however, that only authorized engineers, employees or properly authorized contractors of Tenant or persons under its direct supervision will be permitted to enter the Premises. Tenant shall identify a single point of contact regarding access to the Premises (the "Access Contact") and provide such contact information to Landlord, in writing. Any contractor or subcontractor of Tenant's shall be required to contact the Access Contact, and the Access Contact shall coordinate with Landlord prior to any such contractor or subcontractor accessing any portion of the Property. Tenant shall properly barricade off work zones for safety.
13. Insurance: During the Term, Tenant will carry, at its own cost and expense, the following insurance: (i) "All Risk" property insurance for its property's on a replacement cost basis; (ii) Workers' Compensation Insurance as required by law; and (iii) commercial general liability (CGL) insurance with respect to its activities on the Property, such insurance to afford a protection of Three Million Dollars (\$3,000,000) limit, per occurrence and \$3,000,000 general aggregate, including Landlord as an additional insured as their interests may appear under this agreement. Notwithstanding the forgoing, Tenant shall have the right to self-insure against the risk for which Tenant is required to insure against in this Section. In the event Tenant elects to self-insure its obligation to include the Landlord as an additional insured as permitted by the previous sentence, the following shall apply: (1) Landlord shall promptly and not later than seven (7) days after notice thereof provide Tenant with written notice of any claim, demand, lawsuit, or the like; (2) Landlord shall fully cooperate with the Tenant in the defense of a claim, demand, lawsuit, or the like; (3) Tenant's self-insurance obligation for Landlord shall not extend to claims for punitive damages, exemplary damages, or negligence or acts of omission of Landlord, its employees, agents, or independent contractors.
14. Permitted Use: Tenant acknowledges that the Property is used by Landlord for office spaces, fleet operations and access by the public in addition to the list of uses for

Landlord's uses set forth in Paragraph 3 of the Lease. The Antenna Facilities shall not interfere with Landlord's uses in accordance with the Lease.

15. Landlord's Maintenance:

(a) Landlord may notify Tenant thirty (30) days prior to performing any scheduled maintenance on the tower and inform Tenant, in writing, of the nature and duration of said maintenance.

16. Miscellaneous:

(a) Attorney's fees and costs shall not be awarded to the prevailing party in any litigation arising under this Lease.

IN WITNESS, the Parties execute this Second Amendment as of the Effective Date.

**Landlord:**

**City of Watauga, Texas, a home rule municipality under the laws of the State of Texas**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Tenant:**

**T-Mobile West LLC, a Delaware limited liability company**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



# City Council Meeting July 8, 2024



## T-Mobile 2<sup>nd</sup> Amendment to Lease Agreement Water Tower



## Lease Agreement – T-Mobile



**Discussion and action to authorize the City Manager to sign a Water Tower 2<sup>nd</sup> Amendment to Lease Agreement with T-Mobile West, LLC**

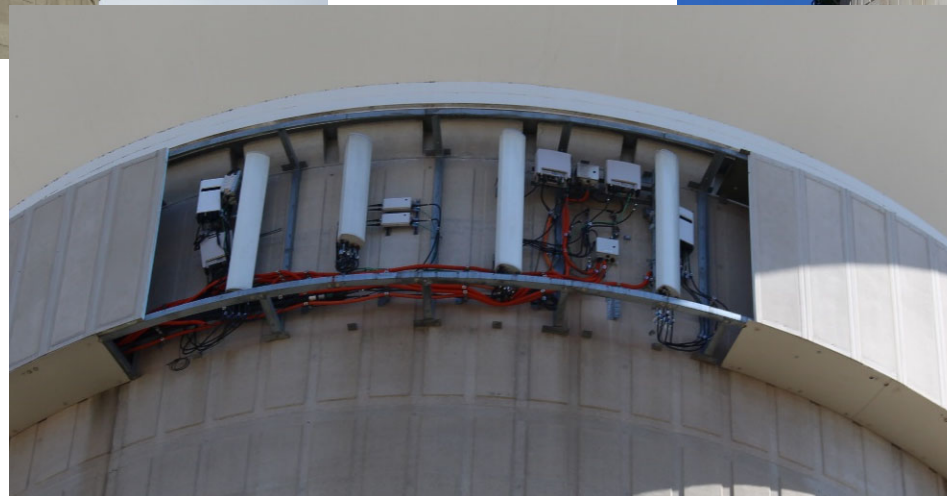
**T Mobile™**

# Key Lease Points

1. **Space for antenna enclosed by the tower ring (concealed antenna) - no change**
2. **Term - 5 year lease that renews indefinitely**
3. **Agreement may be extended automatically or terminated after five (5) years**
4. **Rental payment of \$3,454.69/month (\$41,456.28/year) with 3% increases annually**
5. **One time payment for consideration of lease of \$2,500**
6. **Afterhours access to tower at \$150/hr**



# Tower Concealment Ring



# Questions??

**Customer Service Representatives are standing by...**



## Recommendation/Action Desired

Authorize the City Manager to enter into a Water Tower 2<sup>nd</sup> Amendment of Lease Agreement with T-Mobile West, LLC

**T Mobile**<sup>TM</sup>





## AGENDA MEMORANDUM

**DATE:** July 3, 2024

**TO:** Honorable City Council Members

**FROM:**

**THROUGH:**

**SUBJECT:** Pursuant to Section 551.074 of the Texas Government Code, discuss matters relating to personnel as follows: City Manager duties

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**BACKGROUND/INFORMATION:**

**FINANCIAL IMPLICATIONS:**

**RECOMMENDATION/ACTION DESIRED:**

**ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

None

**REVIEWED BY:**

David Berman, City Attorney

Sandra Gibson, Interim City Manager and Director of Finance

Linda Proskey, City Secretary

*Approved as to form for inclusion on Agenda*

Approved - 7/4/2024

Approved - 7/4/2024

Final Approval - 7/4/2024



## AGENDA MEMORANDUM

**DATE:** July 4, 2024

**TO:** Honorable City Council Members

**FROM:**

**THROUGH:**

**SUBJECT:** Pursuant to Section 551.071 of the Texas Government Code (Legal Consultation), discuss and confer with the City Attorney regarding 1) council training and rules of procedure and 2) tax incentives and housing finance corporations and associations.

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**BACKGROUND/INFORMATION:**

**FINANCIAL IMPLICATIONS:**

None

**RECOMMENDATION/ACTION DESIRED:**

No action

**ATTACHMENTS/ SUPPORTING DOCUMENTATION:**

None

**REVIEWED BY:**

Sandra Gibson, Interim City Manager and Director of Finance Approved - 7/5/2024

Linda Proskey, City Secretary

Final Approval - 7/5/2024

*Approved as to form for inclusion on Agenda*