AGENDA
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, OCTOBER 13, 2025
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 of Employee of the Month Award for the month of October

2. Presentation of Service Awards for the City of Watauga Employees celebrating a Milestone Anniversary during the month of October

3. Proclamation for the US Navy's 250th Birthday
   Arthur Miner, Mayor

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. Any council member wishing to pull an item may do so.

1. Consider action to adopt a resolution of the City Council of Watauga, Texas approving the City of Watauga 2026 Observed Holiday Calendar.
   Juliet Rodriguez, Human Resources and Civil Service Director

2. Consider the approval of a contract between the City of Watauga and Birdville Independant School District for School Resource Officers
   James Lewis, Chief of Police

3. Consider the approval of a resolution designating the Commercial Recorder as the official newspaper for the Fiscal Year 2025-2026.
   Linda Proskey, City Secretary

4. Consider the approval of the meeting minutes from the August 25, 2025, Council Workshop
   Linda Proskey, City Secretary

5. Consider the approval of the minutes for the August 25, 2025 Regular City Council meeting.
   Linda Proskey, City Secretary

6. Consider the approval of the minutes for the Aug. 4, 2025 Council Workshop meeting
   Linda Proskey, City Secretary

7. Consider action to declare the items shown on the October 2025 Surplus List as surplus personal property assets of the city approved for sale or disposition
Paul Hackleman, Director of Public Works

8. Consider action authorizing anticipated expenditures exceeding $50,000 for Fiscal Year 2025-2026 procured by cooperative purchasing, interlocal agreements or which are exempt by law from competitive procurement.
Frieda Buck, Purchasing Coordinator

9. Consider action authorizing purchases pursuant to certain cooperative purchasing programs and interlocal agreements for Fiscal Year 2025-2026
Frieda Buck, Purchasing Coordinator

10. Consider action on approval of the Monthly Financial Report for the period ending August 31, 2025.
Jennifer Calvert, Finance Director

11. Consider action on a Resolution to deny Oncor Electric Company's application to change rates within the City of Watauga

12. Consider action to approve the Capp Smith Food Truck Project expenditure funded by the WEDC and related Grant Agreement to provide funding for debt service payments
Sandra Gibson, City Manager

13. Consider possible action on amending the bylaws of the Watauga Economic Development Corporation (WEDC) to designate the duly elected Mayor, at the time of service, as the President of the WEDC.
Sandra Gibson, City Manager

PUBLIC HEARINGS

ACTION ITEMS

1. Discuss and consider action on a resolution accepting the SAFER (Staffing for Adequate Fire and Emergency Response) grant award for FY 2024 and authorizing the City Manager to act on behalf of the City to comply with all SAFER Grant requirements associated with the FY 2024 award.
Randy Barkley, Fire Chief
Sandra Gibson, City Manager

2. Discuss and consider the nomination of a candidate to serve as a member of the Tarrant County Appraisal District Board of Directors.
Arthur Miner, Mayor

3. Consider action on the purchase of an Auto-Load System, Cot, and Stair Chair for the Fire/EMS Department from Stryker Corporation.

Randy Barkley, Fire Chief

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:

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 October 7, 2025, before 5:15 p.m., in accordance with Chapter 551 of the Texas Government Code.

/S/ Linda Proskey

City Secretary

CITY OF WATAUGA, TEXAS

WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

AGENDA MEMORANDUM

DATE: September 23, 2025

TO: Honorable City Council Members

FROM:

THROUGH:

SUBJECT: Presentation of Employee of the Month Award for the month of October

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BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. EOM - Derek Plunkett

REVIEWED BY:

Juliet Rodriguez, Human Resources and Civil Service Director	Approved - 9/24/2025
Sandra Gibson, City Manager	Approved - 9/30/2025
Linda Proskey, City Secretary	Final Approval - 9/30/2025

Approved as to form for inclusion on Agenda

CITY OF WATAUGA

EMPLOYEE OF THE MONTH

AWARD

PRESENTED TO

Derek Plunkett

FIREFIGHTER/PARAMEDIC

OCTOBER
2025

WATAUGA

Thank you for all you do!

AGENDA MEMORANDUM

DATE: September 23, 2025

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 October

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BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Milestones - October 2025

REVIEWED BY:

Juliet Rodriguez, Human Resources and Civil Service Director	Approved - 9/24/2025
Sandra Gibson, City Manager	Approved - 9/30/2025
Linda Proskey, City Secretary	Final Approval - 9/30/2025

Approved as to form for inclusion on Agenda

City of Watauga

Employee Milestone Service Awards

OCTOBER 2025

Thank You

5 Years of Service

Taylor Karkkainen

Water Service Field Representative

TEXAS

Thank You

25 Years of Service

Robert Frith

Equipment Operator

W
TEXAS

WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

AGENDA MEMORANDUM

DATE: October 7, 2025

TO: Honorable City Council Members

FROM: Arthur Miner, Mayor

THROUGH: Arthur Miner, Mayor

SUBJECT: Proclamation for the US Navy's 250th Birthday

BACKGROUND/INFORMATION:

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, City Manager	Approved - 10/7/2025
Linda Proskey, City Secretary	New -

Approved as to form for inclusion on Agenda

WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

AGENDA MEMORANDUM

DATE:	September 4, 2025
TO:	Honorable City Council Members
FROM:	Juliet Rodriguez, Human Resources and Civil Service Director
THROUGH:	Sandra Gibson, City Manager
SUBJECT:	Consider action to adopt a resolution of the City Council of Watauga, Texas approving the City of Watauga 2026 Observed Holiday Calendar.

BACKGROUND/INFORMATION:

The City of Watauga has specific holidays which are observed throughout the calendar year. Prior to the end of each calendar year, City Council approves the City Observed Holiday Dates for the next calendar year. The attached resolution has the 2026 Observed Holiday schedule for your consideration and approval.

FINANCIAL IMPLICATIONS:

None

RECOMMENDATION/ACTION DESIRED:

Staff respectfully requests that the City Council adopt a resolution for the 2026 Observed Holiday calendar.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. 2026 City Observed Holidays
2. City Holiday Resolution 2026 City Observed Holiday Schedule

REVIEWED BY:

Juliet Rodriguez, Human Resources and Civil Service Director	Approved - 9/25/2025
David Berman, City Attorney	Approved - 10/1/2025
Joseph Gorfida, Attorney	Approved - 10/1/2025
Sandra Gibson, City Manager	Approved - 10/2/2025
Linda Proskey, City Secretary	Final Approval - 10/2/2025

Approved as to form for inclusion on Agenda

2026 City Observed Holidays

Holiday	Day and Date
New Year's Day	Thursday, January 1, 2026
President's Day	Monday, February 16, 2026
Good Friday	Friday, April 3, 2026
Memorial Day	Monday, May 25, 2026
Independence Day (Observed)	Friday, July 3, 2026
Labor Day	Monday, September 7, 2026
Thanksgiving Day	Thursday, November 26, 2026
Day After Thanksgiving	Friday, November 27, 2026
Christmas Eve	Thursday, December 24, 2026
Christmas Day	Friday, December 25, 2026
2 Personal Days	Must be used between January 1, 2026 - December 18, 2026
Birthday Holiday	Must be used between January 1, 2026 - December 18, 2026

CITY OF WATAUGA, TEXAS
RESOLUTION NO.

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS FOR THE PURPOSE OF SETTING THE 2026 CITY OBSERVED HOLIDAYS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS the City Council of the City of Watauga feels that it is in the best interest of the City of Watauga to establish a City Observed Holiday schedule, for the period of January 1, 2026, through December 31, 2026, as far in advance as possible.

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

I.

City Observed Holidays for the period of January 1, 2026, through December 31, 2026, shall be observed on the following dates:

Holiday	Day and Date
New Year’s Day	Thursday, January 1, 2026
President’s Day	Monday, February 16, 2026
Good Friday	Friday, April 3, 2026
Memorial Day	Monday, May 25, 2026
Independence Day (Observed)	Friday, July 3, 2026

Labor Day	Monday, September 7, 2026
Thanksgiving Day	Thursday, November 26, 2026
Day After Thanksgiving	Friday, November 27, 2026
Christmas Eve	Thursday, December 24, 2026
Christmas Day	Friday, December 25, 2026
2 Personal Days	Must be used between January 1, 2026 - December 18, 2026
Birthday Holiday	Must be used between January 1, 2026 - December 18, 2026

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 of 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 to become effective immediately.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas, on this the ____ day of ______________, 2025.

APPROVED:

____
ARTHUR L. MINER, Mayor

ATTEST:

____
LINDA PROSKEY, City Secretary

APPROVED AS TO FORM AND LEGALITY:

____
DAVID BERMAN, City Attorney
NICHOLS | JACKSON, LLP

AGENDA MEMORANDUM

DATE: September 5, 2025

TO: Honorable City Council Members

FROM: James Lewis, Chief of Police

THROUGH: Sandra Gibson, City Manager

SUBJECT: Consider the approval of a contract between the City of Watauga and Birdville Independant School District for School Resource Officers

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BACKGROUND/INFORMATION:

The City of Watagua, and specifically the Watauga Police Department, supports Birdville Independant School District (BISD) with the State of Texas requirement for providing security in schools by assigning Watauga Police Officers as School Resource Officers (SRO) to BISD schools located in the City of Watauga. In return, BISD reimburses the City of Watauga for 65% of the costs for personnel, training, equipment, salaries, and benefits incurred by Watauga for each police officer. This agenda item is a request for the approval of that contract for the 2025-2026 school year.

FINANCIAL IMPLICATIONS:

District agrees to reimburse the City 65% of the costs for personnel, training, equipment, salaries and benefits incurred by the City for each police officer from July 1, 2025, to June 30, 2026.

RECOMMENDATION/ACTION DESIRED:

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

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Watauga_BISD SRO 2025

REVIEWED BY:

James Lewis, Chief of Police	Approved - 9/5/2025
Frieda Buck, Purchasing Coordinator	Approved - 9/8/2025
David Berman, City Attorney	Approved - 9/8/2025
Sandra Gibson, City Manager	Approved - 9/30/2025
Linda Proskey, City Secretary	Final Approval - 9/30/2025

Approved as to form for inclusion on Agenda

SCHOOL RESOURCE OFFICER SHARED SERVICES AGREEMENT THE CITY OF WATAUGA AND BIRDVILLE INDEPENDENT SCHOOL DISTRICT

For and in consideration of the mutual covenants, promises, and agreements contained herein, The City of Watauga, hereinafter referred to as the "City," and the Birdville Independent School District, hereinafter referred to as the "District," agree as follows:

1.

The District and the City agree that TWO (2) Police School Resource Officers (SRO) will be assigned to the District. The District and the City agree that the officers will be assigned to the Watauga Middle School and the Watauga Elementary School. The City shall provide a police department supervisor for the School Resource Officers that will act as a liaison between the District and the City. SROs shall be provided commencing on the first day of instruction through the last day of instruction for each school year in which this Agreement is in effect. The SROs will be assigned to the District for each full day in which school is in session and at least one SRO will work one additional hour per day of each school day. SRO duties shall not include the provision of security services at school events that occur outside of typical school days, including but not limited to evening or weekend athletic or performance events. However, the District may request, and the City may agree, to assign a police officer to such special events, in which case the District shall be responsible for payment of 100% of costs.

2.

District agrees to reimburse the City 65% of the costs for personnel, training, equipment, salaries and benefits incurred by the City for each police officer from July 1, 2025, to June 30, 2026. The City will provide the District with standardized budget worksheets detailing the costs associated with the School Resource Officers during the BISD budget process (in January for the following school year). The District shall be responsible for paying for and securing any bond that may be required for any SRO, including a bond under Texas Education Code Section 37.081(h). The District will provide an office for each School Resource Officer with a computer work station. The City will invoice the District twice during the school year, in December and May, for such reimbursement and the District will remit such amount according to the provisions of Texas Government Code Chapter 2251. Payments for the above described governmental service must be made from current revenues available to the school district, and the District agrees that it shall use best efforts to appropriate sufficient funding in its annual budget to make payments under this Agreement. Should the District fail to appropriate funding, it shall give the City at least ten (10) days written notice of nonappropriation. In such event, this Agreement shall automatically terminate upon the City's receipt of notice and the District shall, notwithstanding, be responsible for payment to the City on a pro rata basis to the effective date of termination. The Parties agree that neither shall be responsible for any property belonging to the other party, its officers, members, agents, employees, subcontractors, program participants, licensees, or invitees, which may be lost, stolen, destroyed, or in any way damaged.

3.

The term of this agreement is for the 2025-2026 school year and will renew annually unless terminated by either party in accordance with the terms of this agreement. Each party agrees to give advance notice by August 1st if it does not wish to continue this agreement for the school year starting the following calendar year or wishes to renegotiate the terms of the agreement.

4.

It is understood and agreed that this agreement may be terminated by either party when such termination is determined by its governing body to be in its best interest. Notice of such termination will be sent to the other party promptly after such action of the governing body. In the event of termination, the District will be given a final invoice for reimbursement to the City for the pro-rated costs and the District agrees to remit such amount according to the provisions of Texas Government Code Chapter 2251.

In the event no funds or insufficient funds are appropriated by the City in any fiscal period to fund the SRO Program, the City shall give the District at least ten (10) days written notice of such occurrence and this Agreement shall terminate on the last day of the fiscal period for which appropriations were received without penalty or expense to the City of any kind whatsoever.

5.

City shall operate hereunder as an independent contractor and not as an officer, agent, servant or employee of the District. All school resource officers furnished by the City will be employees of the City and will at all times be subject to the supervision and control of the City's Chief of Police and shall be responsible to the Chief of Police. However, the officers shall work closely with the principal of the school to which they are assigned. The SRO's Police Department supervisor will periodically confer with campus administrators to discuss the performance of the SRO assigned to their respective schools. Such officers shall have the school to which they are assigned as their primary duty assignment and will not be assigned additional police duties during regularly scheduled school hours. The City reserves the right, however, to reassign those officers temporarily in the event of an emergency, urgent police need, or the temporary unavailability of assigned officers, as determined by the Chief of Police. The City shall provide all law enforcement training, certification, vehicles, police equipment, benefits, and insurance (including liability coverage) to all officers employed by the City. The District shall provide any radio equipment necessary to allow the assigned officer to communicate with school staff. The City will coordinate assignments and duty hours with the District. Should it become necessary for the Chief of Police to remove or reassign a SRO, the police department will confer with the affected school principal to determine unique or important qualifications desired in the replacement officer prior to the selection of the new SRO. The District may, at its sole discretion, object to a SRO assigned to a District campus by the City. Upon receiving written notice of the District's objection, the police department will confer with the affected school principal to determine unique or important qualifications desired in the replacement officer prior to the selection of the new SRO. If an assigned SRO is removed or reassigned, the police department will make all reasonable efforts to temporarily assign an officer to the affected campus and, if a temporary officer is not possible, to confer with the campus principal regarding a temporary alternative standard.

6.

Prior to beginning service as a school resource officer, the officer shall take all training required by Texas Education Code Secs. 37.0021 and 37.0812, and Texas Occupation Code Secs. 1701.262 and 1701.263.

7.

When performing the functions of a SRO for the District, the SRO's jurisdiction shall include, in addition to his jurisdiction as a Watauga Police Officer, all territory within the boundaries of the District that are within the city limits of Watauga and all property, real and personal, outside the boundaries of the District that are within the Watauga City limits and owned, leased, or rented by or otherwise under the control of the District and its Board of Trustees. When acting as a school resource officer, the officer shall perform the duties required under Texas Education Code Sec. 37.081. Such duties shall not include routine school discipline, school administrative tasks, or contact with students unrelated to the SRO's law enforcement duties. If requested by the District, the officer shall serve on the School's or District's threat assessment team.

8.

The District and the City, in the execution, performance, or attempted performance of this agreement, will not discriminate against any person or persons because of sex, race, religion, color, national origin, or age except on the basis of a bona fide occupational qualification, retirement plan, or statutory requirement.

9.

The City and the District agree that in the event either party fails to comply with any provision of this agreement, the non-defaulting party will give written notice to the other party promptly upon learning of such failure. If the defaulting party fails to cure the default within fifteen (15) days, the non-defaulting party may terminate this agreement.

10.

It is understood and agreed that by execution of this Agreement, neither the City nor the District waives or surrenders any of its governmental powers or immunities. To the extent permitted under Texas law, each party to this agreement agrees to be responsible for its own acts of negligence, which may arise in connection with and all claims for damages, costs and expenses to person or persons and property that may arise out of or be occasioned by this agreement or any of its activities or from any act or omission of any employee or invitee of the parties of this agreement. The provisions in this paragraph are solely for the benefit of the parties to this agreement and are not intended to create or grant any rights, contractually or otherwise to any third party. There are no third-party beneficiaries to this agreement.

11.

To the extent allowed by law, the District does hereby agree to waive all claims against, release, and hold harmless the City and all of its officials, officers, agents, employees, in both their public and private capacities, from any and all liability, claims, suits, demands, losses, damages, attorneys' fees, including all expenses of litigation or settlement, or causes of action which may arise by reason of injury to or death of any person or for loss of, damage to, or loss of use of any properly arising out of or in connection with this Agreement.

To the extent allowed by law, the City does hereby agree to waive all claims against, release, and hold harmless the District and all of its officials, officers, agents, employees, in both their public and private capacities, from any and all liability, claims, suits, demands, losses, damages, attorneys' fees, including all expenses of litigation or settlement, or causes of action which may arise by reason of injury to or death of any person or for loss of, damage to, or loss of use of any property arising out of or in connection with this Agreement.

It is the intention of both Parties that this mutual hold harmless clause shall be interpreted to mean each Party shall be responsible for the actions of each Party's own employees, officials, officers, and agents. The Parties hereby agree that they have not waived their sovereign immunity by entering into and performing its obligations under this Agreement.

12.

Unauthorized Access. The City and the District shall store and maintain information from the other Party in a secure manner and shall not allow unauthorized users to access, modify, delete, or otherwise corrupt the information in any way. The City and the District shall notify the other party immediately if the security or integrity of any information has been compromised or is believed to have been compromised, in which event, the City or the District, as the case may be, shall, in good faith, use all commercially reasonable efforts to cooperate with the other Party in identifying what information has been accessed by unauthorized means and shall fully cooperate with the other Party to protect such information from further unauthorized disclosure. In carrying out its duties, the City, and its officers, agents, and employees, shall at all times recognize and respect the confidentiality of student information, including but not limited to confidential student records, and shall seek access to such records only in accordance with the requirements of the Family Education Rights and Privacy Act, 20 U.S.C. §I 232g ("FERPA") and Birdville ISO Board Policy FL (LEGAL) and (LOCAL).

13.

BODY WORN CAMERAS.

The City and the District agree that any use of body-worn cameras by City officers will be subject to and in compliance with state law and local regulations regarding the use and operation of body-worn cameras (BWC). The City will provide written information and training to the principal and assistant principals of the schools to which the officers are assigned, on the objectives and procedures for the use of BWCs. Every officer equipped with a BWC shall be trained in the operation of the equipment prior to its use. When utilizing BWCs, the SRO shall adhere to the objectives and procedures outlined in this Agreement and the Watauga Police Department General Orders so as to maximize the effectiveness of the BWC and the integrity of the video documentation. The City may, if not otherwise prohibited by law, provide to the District copies of any such filming of students, parents, employees, or others upon school property, upon request for such copies by the District, as an intergovernmental transfer. In the event the City believes the providing of a copy of such videos would be prohibited, the City agrees to utilize its best efforts to facilitate the availability of the officer who made the video to testify, upon request by the District, in any school disciplinary hearing concerning the Officer's knowledge of the facts and circumstances of the incident which was videoed. The Parties also agree that any such film or video taken by, and kept in the possession of, the City's officers may be considered "law enforcement records" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. sec. 1232g and 34 C.F.R. Sec. 99.8, and that any copy of such film or video, if permitted by law to be provided to the District, may then become an educational record of the District under FERPA. The City also agrees that its SROs shall at all times recognize and comply with the confidentiality of student and education records and will only seek such records in accordance with the requirements of FERPA and the District's Board Policies FL (LEGAL) and (LOCAL)."

14.

FORCE MAJEURE.

The City and the District shall exercise their best efforts to meet their respective duties and obligations as set forth in this Agreement, but shall not be held liable for any delay or omission in performance due to force majeure or other causes beyond their reasonable control, including, but not limited to, compliance with any government law, ordinance or regulation, acts of God, acts of the public enemy, fires, strikes, lockouts, natural disasters, health pandemics, wars, riots, material or labor restrictions by any governmental authority, transportation problems and/or any other similar causes.

15.

This Agreement shall be construed in accordance with the laws of the State of Texas. If any action, whether real or asserted, at law or in equity, is brought pursuant to this Agreement, exclusive venue for such action shall lie in state courts located in Tarrant County, Texas or the United States District Court for the Northern District of Texas, Fort Worth Division.

16.

The failure of the City or the District to insist upon the performance of any term or provision of this Agreement or to exercise any right granted herein shall not constitute a waiver of the City's or the District's respective right to insist upon appropriate performance or to assert any such right on any future occasion.

17.

The provisions of this agreement are severable and if for any reason a clause, sentence, paragraph, or other part of this agreement shall be determined to be invalid by a court, federal or state agency, board or commission having jurisdiction over the subject matter thereof, such invalidity shall not affect other provisions which can be given effect without the invalid provision.

18.

This written instrument constitutes the entire agreement by the parties hereto concerning the work and services to be performed hereunder, and any other oral or written agreement which purports to vary from the terms hereof shall be void.

19.

The governing bodies of the City and the District have approved the execution of this Agreement, and the persons signing the agreement have been duly authorized by the governing bodies of the City and the District to sign this Agreement.

[*Signatures on following page*]

Dated this 4 day of September, 2025

CITY OF WATAUGA

By:____________________
Sandra Gibson, City Manager
7105 Whitley Rd.
Watauga, Texas 76148

By:____________________
James Lewis, Police Chief
7101 Whitley Rd.
Watauga, Texas 76148

BIRDVILLE INDEPENDENT SCHOOL DISTRICT

By:____________________
Dr. Gayle Stinson, Superintendent
6125 E. Belknap
Haltom City, Texas 76117

By:____________________
Ralph Kunkel, BISD School Board President
6125 E. Belknap
Haltom City, Texas 76117

Approved to Form and Legality:

By: ____________________
David Berman, City Attorney

AGENDA MEMORANDUM

DATE: September 12, 2025

TO: Honorable City Council Members

FROM: Linda Proskey, City Secretary

THROUGH: Linda Proskey, City Secretary

SUBJECT: Consider the approval of a resolution designating the Commercial Recorder as the official newspaper for the Fiscal Year 2025-2026.

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:
None

RECOMMENDATION/ACTION DESIRED:
Respectfully recommend the Council review and take action on the item presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
1. RESOLUTION designating Commercial Recorder for 2025-2026 Draft

REVIEWED BY:

Joseph Gorfida, Attorney	Approved - 10/1/2025
Sandra Gibson, City Manager	Approved - 10/2/2025
Linda Proskey, City Secretary	Final Approval - 10/2/2025

Approved as to form for inclusion on Agenda

CITY OF WATAUGA, TEXAS
RESOLUTION NO. 2025-

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS DESIGNATING AN OFFICIAL NEWSPAPER FOR FISCAL YEAR 2025-2026; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Watauga, Texas finds it is in the best interest of the city and its citizens that a newspaper of general circulation within the city be designated as the official newspaper of the City of Watauga, Texas; and

WHEREAS, Section 2-1 of the City of Watauga Code of Ordinances provides the rules and regulations for the designation of such official newspaper; and

WHEREAS, the City Council of the City of Watauga, Texas finds that the Commercial Recorder

1. Devotes not less than 25% of its total column lineage to general interest items; and

2. Is published at least once each week; and

3. Is entered as 2nd class postal matter in the county where published; and

4. Has been published regularly and continuously for at least twelve (12) months before the governmental entity or representative publishes notices; and

WHEREAS the City Council finds that the Commercial Recorder is a publication that meets all the criteria legally required of an officially designated newspaper for the City of Watauga.

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

I.

The City Council of the City of Watauga hereby finds that the statements set forth in the recitals of this Resolution are true and correct and hereby incorporates such recitals as a part of this Resolution.

II.

The Commercial Recorder shall hereinafter be the official newspaper of the City of Watauga, Texas for Fiscal Year 2025-2026 commencing October 13, 2025.

III.

All official publications, notices, advertisements, and solicitations for bids shall henceforth be published in such manner as may be prescribed by law, in the Commercial Recorder.

IV.

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

V.

If any section, sub-section, 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 the Resolution.

VI.

This Resolution shall become effective and shall be in full force and effect from and after the date of passage and adoption by the City Council of the City of Watauga, Texas, and upon application of law and in accordance with Section 3.13 of the Charter of the City of Watauga, Texas.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas this the 13th day of October 2025.

APPROVED:

____
ARTHUR L. MINER, MAYOR

ATTEST:

____
LINDA PROSKEY, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

____

DAVID BERMAN, CITY ATTORNEY
NICHOLS | JACKSON

WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

AGENDA MEMORANDUM

DATE: September 12, 2025

TO: Honorable City Council Members

FROM: Linda Proskey, City Secretary

THROUGH: Linda Proskey, City Secretary

SUBJECT: Consider the approval of the meeting minutes from the August 25, 2025, Council Workshop

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BACKGROUND/INFORMATION:
Meeting minutes from the August 25, 2025, City Council Workshop on HR Policy Changes

FINANCIAL IMPLICATIONS:
None

RECOMMENDATION/ACTION DESIRED:
Respectfully recommend the Council review and take action on the item presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
1. August 25, 2025 Workshop Meeting - Draft Minutes

REVIEWED BY:

Sandra Gibson, City Manager	Approved - 10/1/2025
Linda Proskey, City Secretary	Final Approval - 10/1/2025

Approved as to form for inclusion on Agenda

MINUTES
WATAUGA CITY COUNCIL
WORKSHOP MEETING
CITY HALL COUNCIL CHAMBER,
7105 WHITLEY ROAD,
MONDAY, AUGUST 25, 2025
5:30 PM

CALL TO ORDER

Mayor Arthur Miner called the meeting to order at 5:30 p.m.

ROLL CALL

The meeting convened with the following members present:

Arthur L. Miner	Mayor
Cris Blackburn	Mayor Pro Tem/Council Member Place 2
Pat Shelbourne	Council Member Place1 (Absent w/notice
Lovie Downey	Council Member Place 3
Andrew Neal	Council Member Place 4
Malissa Minucci	Council Member Place 5 (Absent W/notice)
Mark Taylor	Council Member Place 6
Jan Hill	Council Member Place 7

and

Staff

Sandra Gibson	City Manager
Linda Proskey	City Secretary
David Berman	City Attorney
Julie Rodriquez	Director of Human Resources
Jennifer Calvert	Director of Finance
Jim Lewis	Police Chief
Randy Barkley	Fire Chief
Timothy Hamilton	Director of Parks and Community Services

ANNOUNCEMENTS

There were no announcements made. However, Mayor Miner asked the attending council members if they would like to proceed with the CivicPlus training that evening or move it to the next meeting, since Council Members Shelbourne and Minucci were not present. A unanimous consensus was reached to move it to the next workshop

Public Comments/Public Testimony

There were no requests to speak

PRESENTATIONS

1. **City of Watauga Proposed Personnel Policy Revisions Presentation**

   Julie Rodriguez, Director of Human Resources, presented proposed policy updates. She reviewed current policies and recommended changes. For Policy 2.02, Americans with Disabilities Act, revisions include aligning the policy statement with TXDOT ADA recommendations, requiring department heads to notify the ADA Coordinator or HR of requests for tracking purposes, and revising the grievance process for clarity, confidentiality, and medical-related responsibilities. Policy 2.09, Pregnant Workers Fairness Act, was updated to align with federal requirements regarding accommodations for employees and applicants. For Policy 4.05, Certification, the recommendation is to increase certification pay for Public Safety to remain competitive with surrounding cities and aid retention. When asked if this could be expanded to other departments, Ms. Rodriguez noted that it is under consideration but not feasible at this time.

   For Policy 6.02, Overtime and Compensatory Time, the proposal adds the option of straight comp time, which has been practiced but not formally stated in policy. Policy 6.04, Classification and Compensation, revisions include adding HR to the justification process for hiring above minimum salary, removing the COLA during initial probation, lowering probation completion increases from 5% to 3% to align with merit raises, eliminating promotional probation, and establishing a 5% temporary assignment pay for duties lasting 15 to 29 days.

   Policy 7.02, Workers' Compensation, revisions allow either a supervisor or alternate designee to accompany an injured employee to treatment, incorporate legislation providing continued full pay for first responders injured in the line of duty, and add modified/light duty guidelines. Policy 7.04, Retirement, increases the city's contribution for a reception from $200 to $300, provides retirement gifts based on years of service, and requires that Public Safety retirement gifts involving city property comply with departmental policy approved by the City Manager.

   Policy 8.05, Military Leave, clarifies the definition of one workday for fire personnel when calculating paid leave of absence. The policy also adds clarification regarding shift schedules for military duty or training leave. Councilmember Taylor inquired whether a pay differential is provided for employees called to military service who may earn less while on duty. Mayor Miner requested that this issue be reviewed, and Councilmember Downey asked that staff examine how similar cases were handled in the past. Policy 8.06, Other Leave, proposes five days of bereavement leave without a calendar restriction and adds guidelines for requests.

Finally, Policy 10.08, Harassment-Free Workplace, clarifies that all forms of harassment are prohibited, even if the conduct is not unlawful, removes the informal complaint process, and requires all complaints to be formal. Councilmember Hill suggested including language to define harassment to avoid unwarranted complaints. Ms. Rodriguez noted that staff already participate in mandatory harassment training annually.

2. CivicPlus Training

The consensus of the council was to move this item to the next workshop due to the absence of some members.

CLOSING COMMENT

Mayor Miner asked that residents review the state legislation being proposed and contact their representatives to share their concerns. He noted that much of the legislation will be detrimental to cities and could result in significant long-term costs.

ADJOURNMENT

Mayor Miner adjourned the meeting at 6:17 p.m.

Approved: this _________ day of ___________, 2025

Signed: this _________ day of ___________, 2025

APPROVED:

____
Arthur L. Miner, Mayor

ATTEST:

____
Linda Proskey, City Secretary

WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

AGENDA MEMORANDUM

DATE: September 12, 2025

TO: Honorable City Council Members

FROM: Linda Proskey, City Secretary

THROUGH: Linda Proskey, City Secretary

SUBJECT: Consider the approval of the minutes for the August 25, 2025 Regular City Council meeting.

BACKGROUND/INFORMATION:
Meeting minutes for the August 25, 2025 City Council Regular meeting - Budget

FINANCIAL IMPLICATIONS:
None

RECOMMENDATION/ACTION DESIRED:
Respectfully recommend the Council review and take action on the item presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
1. Templete Regular Meeting August 25. 2025 Regular Council Meeting

REVIEWED BY:
Sandra Gibson, City Manager — Approved - 10/1/2025
Linda Proskey, City Secretary — Final Approval - 10/1/2025
Approved as to form for inclusion on Agenda

MINUTES
WATAUGA CITY COUNCIL
REGULAR COUNCIL MEETING
CITY HALL COUNCIL CHAMBER,
7105 WHITLEY ROAD,
MONDAY, AUGUST 25, 2025
6:30 PM

CALL TO ORDER

Mayor Arthur Miner called the meeting to order at 6:30 p.m.

ROLL CALL

The meeting was convened with the following members present:

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

and

Sandra Gibson
Linda Proskey
David Berman
Timothy Hamilton
Deby Woodard
Randy Barkley
James Lewis
Julie Rodriguez
Paul Hackleman
Lana Ewell
Alan Thomas
Randy Richards

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

City Manager
City Secretary
City Attorney
Director of Parks and Community Services
Interim Finance Director
Fire Chief
Police Chief
Director of Human Resources
Director of Public Work
Library Director

Assistant Fire Chief
Assistant Director of Public Works

INVOCATION

Pastor Mathew Hurst of the First Baptist Church of Watauga gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Miner led the Pledge of Allegiance.

ANNOUNCEMENTS

Councilmember Blackburn announced Clear the Shelters.

Councilmember Neal Spoke about upcoming Library and Parks events. He also mentioned the Clear the Shelter event.

Mayor Miner asked that citizens follow legislature and what they are looking at passing that will hurt cities.

PUBLIC COMMENT

There was no request for public comment

PUBLIC TESTIMONY FOR ACTION ITEMS

There was no request for public testimony

CONSENT AGENDA

1. **Consider action to adopt an Ordinance by the City Council of the City of Watauga, Texas adopting the Capital Outlay Plan for fiscal years 2026-2030; providing for repeal; providing a savings clause; and providing an effective date.**

2. **Consider action to adopt an ordinance by the City Council of the City of Watauga, Texas approving the Fiscal Year 2025-2026 Annual Service Plan Update and 2025 Assessment Roll for the Park Vista Public Improvement District of the City of Watauga, Texas; providing for repeal; providing for severability and providing an effective date.**

3. **Consider action to approve the Watauga Economic Development Staffing Reimbursement Agreement for Fiscal year 2025-2026.**

4. **Consider action to adopt the 2024 editions of the international model codes and the 2023 edition of the National Electrical Code.**

5. **Consider action to approve a Resolution authorizing the City Manager to negotiate and execute on behalf of the City an Interlocal Agreement for**

street maintenance services with Tarrant County, Texas.

6. **Consider action on the reappointment of Richard LaPorte, Place 1, to the Board of Appeals.**

7. **Consider action on the reappointment of Jillian Giles, Place 1, Cris Blackburn, Place 3, and Arthur Miner, Place 5, to the Charter Review Commission.**

8. **Consider action on the reappointment of Renni Burt, Place 3, to the Civil Service Commission.**

9. **Consider action on the reappointment of Lindsey Neal, Place 1, and Sian Brannon, Place 3, to the Library Advisory Board.**

10. **Consider action on the reappointment of Kim Irving, Place 3, and Darlene Chavious, Place 5 on the Parks Advisory Board.**

11. **Consider action on the reappointment of Sebastian Posada, Place 1; Jillian Giles, Place 3; Darlene Chavious, Place 5; Sharon Gehle, Place 7 to the Planning and Zoning Commission.**

12. **Consider action on the reappointment of Calvin Lewis, Place 2; and Brian Downey, Place 6 to the Watauga Economic Development Corporation.**

13. **Consider action on approval of the April 14, 2025, Regular City Council meeting minutes.**

14. **Consider action on appointing Jessica Salyers to Place 7, on the Library Advisory Board.**

15. **Consider action on approval of the July 14, 2025, Joint Council and WEDC Workshop meeting minutes.**

Mayor Miner asked the council if they wish to pull any of the items, hearing none he asked for a Motion. Councilmember Neal made a motion to accept the consent agenda as presented. Councilmember Hill seconded the motion. Mayor Miner called for a vote.

Motion passed 5-0-0-0.

Ayes: Blackburn, Downey, Neal, Taylor, Hill
Nays: None

Abstain: None
Absent: Shelbourne, Minucci

PUBLIC HEARING

1. **Public Hearing on the proposed ad valorem tax rate of $0.57020 per $100 assessed value for the tax year 2025, comprised of $0.391659 on each $100 valuation for maintenance and support of the general government and in the amount of $0.178541 on each $100 valuation of property for the interest and sinking fund.**

   Mayor Miner opened the public hearing at 6:38 p.m.

   There were no requests to speak

   Mayor Miner closed the public hearing at 6:38 p.m.

2. **Public Hearing on the FY2025-2026 Proposed Watauga Economic Development Budget.**

   Mayor Miner opened the public hearing at 6:39 p.m.

   There were no requests to speak

   Mayor Miner closed the public hearing at 6:39 p.m.

ACTION ITEMS

1. **Discuss and consider action adopting an ordinance by the City Council of the City of Watauga, Texas approving and adopting a budget for the fiscal year beginning October 1, 2025 and ending September 30, 2026; providing for the appropriation of funds in the budget; providing for repeal; providing for severability; and providing an effective date.**

   Mayor Miner asked if the council had any questions, hearing none he asked for a Motion. Councilmember Hill made a motion to accept the item as presented. Councilmember Hill seconded the motion. Mayor Miner called for a vote.
   Motion passed 5-0-0-0.
   Ayes: Blackburn, Downey, Neal, Taylor, Hill
   Nays: None
   Abstain: None
   Absent: Shelbourne, Minucci

2. **Consider action on the adoption of an ordinance by the City Council of the City of Watauga, Texas, levying ad valorem taxes for the 2025 Tax**

Year for use and support of the municipal government of the City of Watauga, Texas for the 2025-2026 Fiscal Year; apportioning each levy for specific purposes; providing the date when taxes shall be due and timely paid; providing for repeal; providing for severability; providing an effective date; and levying ad valorem taxes for Fiscal Year October 1, 2025, through September 30, 2026, in the amount of $0.570200 per $100 of assessed value, comprised of $0.391659 on each $100 valuation of property for maintenance and support of the general government and in the amount of $0.178541 on each $100 valuation of property for the Interest and Sinking Fund.

Jennifer Culvert, Director of Finance, stated that this item requires 2 votes.

Mayor Miner asked the council if they had any questions, hearing none he asked for a Motion. Councilmember Taylor made the following motion: I move to approve a debt service tax rate of $0.178541 per $100 valuation for the 2025 tax year. Councilmember Hill seconded the motion. Mayor Miner called for a vote.

Motion passed 5-0-0-0.
Ayes: Blackburn, Downey, Neal, Taylor, Hill
Nays: None
Abstain: None
Absent: Shelbourne, Minucci

Councilmember Taylor said he wants to make it clear that this does not increase the taxes.

Mayor Miner asked for a Motion. Councilmember Taylor made the following motion: I move to approve a maintenance and operations tax rate of $0.391659 per $100 of valuation for the 2025 tax year. Councilmember Hill seconded the motion. Mayor Miner called for a vote.

Motion passed 5-0-0-0.
Ayes: Blackburn, Downey, Neal, Taylor, Hill
Nays: None
Abstain: None
Absent: Shelbourne, Minucci

3. **Consider action to approve the FY2025-2026 Proposed Watauga Economic Development Corporation Budget**

Mayor Miner asked the council if they had any questions, hearing none he asked for a Motion. Councilmember Hill made a motion to approve the

FY2025-2026 proposed Watauga Economic Development Budget as presented. Councilmember Neal seconded the motion. Mayor Miner called for a vote.

Motion passed 5-0-0-0.
Ayes: Blackburn, Downey, Neal, Taylor, Hill
Nays: None
Abstain: None
Absent: Shelbourne, Minucci

4. **Consider on approving a professional services agreement between the City of Watauga, Texas and Burgess & Niple, Inc for an ADA Transition Plan Phase Project.**

   Julie Rodriguez, Director of Human Resources, presented the item.

   Councilmember Taylor asked if this would include accessibility access to the buildings. Julie responded that it would not, explaining that another vendor is addressing the city facilities this year. She clarified that this project pertains to outside areas such as sidewalks, parking lots, and intersections within the rights-of-way.

   Mayor Miner asked the council if they had any questions, hearing none he asked for a Motion. Councilmember Hill made a motion to accept the item as presented. Mayor Pro Tem Blackburn seconded the motion. Mayor Miner called for a vote.

   Motion passed 5-0-0-0.
   Ayes: Blackburn, Downey, Neal, Taylor, Hill
   Nays: None
   Abstain: None
   Absent: Shelbourne, Minucci

EXECUTIVE SESSION

1. **Pursuant to Section 551.074 of the Texas Government Code (Personnel), to deliberate the employment and duties of a public officer or employee. City Manager**

RECESS

Recessed into executive session at 6:54 pm

RECONVENED

Reconvened at 7:10 pm

ITEMS OF EXECUTIVE SESSION DELIBERATION

1. **Consider and take action on matters discussed in executive session.**

   Mayor Miner asked the council for a Motion. Councilmember Downey made a motion to authorize Mayor Miner to negotiate or amend the employment contract with the City Manager. Mayor Pro Tem Blackburn seconded the motion. Mayor Miner called for a vote.

   Motion passed 5-0-0-0.
   Ayes: Blackburn, Downey, Neal, Taylor, Hill
   Nays: None
   Abstain: None

ITEMS FOR FUTURE AGENDAS

Mayor Miner asked council if any of them were contacted by residents about the budgets. The Council responded they were not contacted.

ADJOURNMENT

Mayor Miner adjourned the meeting at 7:13 p.m.

Approved: this _________ day of ___________, 2025

Signed: this _________ day of ___________, 2025

APPROVED:

____
Arthur L. Miner, Mayor

ATTEST:

____
Linda Proskey, City Secretary

AGENDA MEMORANDUM

DATE: September 15, 2025

TO: Honorable City Council Members

FROM: Linda Proskey, City Secretary

THROUGH: Linda Proskey, City Secretary

SUBJECT: Consider the approval of the minutes for the Aug. 4, 2025 Council Workshop meeting

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BACKGROUND/INFORMATION:
Meeting minutes for the August 4, 2025 City Council workshop - Proposed budget

FINANCIAL IMPLICATIONS:
None

RECOMMENDATION/ACTION DESIRED:
Respectfully recommend the Council review and take action on the item presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
1. August 4, 2025 Workshop Meeting - Draft Minutes

REVIEWED BY:

Sandra Gibson, City Manager	Approved - 10/1/2025
Linda Proskey, City Secretary	Final Approval - 10/1/2025

Approved as to form for inclusion on Agenda

MINUTES
WATAUGA CITY COUNCIL
WORKSHOP MEETING
CITY HALL COUNCIL CHAMBER,
7105 WHITLEY ROAD,
MONDAY, AUGUST 4, 2025
5:30 PM

CALL TO ORDER

Mayor Arthur Miner called the meeting to order at 5:30 p.m.

ROLL CALL

The meeting convened with the following members present:

Arthur L. Miner	Mayor
Cris Blackburn	Mayor Pro Tem/Council Member Place 2
Pat Shelbourne	Council Member Place1
Lovie Downey	Council Member Place 3
Andrew Neal	Council Member Place 4
Malissa Minucci	Council Member Place 5 (Arrived at 6:09 pm)
Mark Taylor	Council Member Place 6
Jan Hill	Council Member Place 7 (Arrived at 6:07 pm)

and

Staff

Sandra Gibson	City Manager
Linda Proskey	City Secretary
David Berman	City Attorney
Julie Rodriquez	Director of Human Resources
Jennifer Calvert	Director of Finance
Jim Lewis	Police Chief
Randy Barkley	Fire Chief
Timothy Hamilton	Director of Parks and Community Services

ANNOUNCEMENTS

There were no announcements made.

Public Comments/Public Testimony

There were no requests to speak

PRESENTATIONS

1. Presentation of the City Manager's Proposed Budget for FY2025-2026

Jennifer Calvert, Finance Director, presented the proposed tax rate of $0.5702 per $100 valuation, unchanged from last year and below the de minimis rate, resulting in a $4 decrease in the average annual tax bill. Residents over 65 will see no increase. The tax calendar includes submission to the county on August 7, a budget hearing on August 11, adoption on August 25, and the start of the fiscal year on October 1. Staff also discussed Tarrant County's appraisal freeze and shared a video on how property taxes support public safety, infrastructure, and community services.

Revenues across all funds are projected at $107 million, with an $80 million budget. Sales tax is relatively flat, with a 10% increase in recent collections. Property tax revenues are up 7.1% despite a slight decrease in average taxable home value. Expenditure drivers include a 3% COLA, step and merit increases, rising insurance costs, and continued use of ARPA funds through 2026. Capital and personnel account for the largest expenditures, with $37 million allocated for streets, sidewalks, water, and sewer projects.

The general fund is budgeted at $19.5 million, nearly half for public safety. The water and sewer fund totals $11 million, with stable rates and revenue supporting operations and infrastructure. Other funds include EDC, drainage, Crime Control and Prevention District, grants, and special revenue funds. Capital projects will fund parks, facilities, streets, drainage, water, sewer, and equipment, including a fire truck, ambulance, and police equipment. The City's overall fund balance is projected at $27 million, with 45% in the general fund and 21% in water/sewer, both above policy requirements.

Kimberly Rupkalvis reported that the budget reflects project rollovers and FY26 increases from personnel, contractual, and service costs. Key impacts include insurance premiums, postage, merchant fees, and software upgrades. Several departments added or reclassified positions, and major capital projects will be funded through certificates of obligation, continuing investment in infrastructure, drainage, and beautification.

ADJOURNMENT

Mayor Miner adjourned the meeting at 6:54 p.m.

Approved: this _________ day of ___________, 2025

Signed: this _________ day of ___________, 2025

APPROVED:

____

ATTEST: Arthur L. Miner, Mayor

____

Linda Proskey, City Secretary

AGENDA MEMORANDUM

DATE: September 23, 2025

TO: Honorable City Council Members

FROM: Paul Hackleman, Director of Public Works

THROUGH: Sandra Gibson, City Manager

SUBJECT: Consider action to declare the items shown on the October 2025 Surplus List as surplus personal property assets of the city approved for sale or disposition

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BACKGROUND/INFORMATION:

Per the current City of Watauga – Personnel, Administration and Financial Policies and Procedures Manual, Article 13 Finance, Section 13.05 Surplus Asset Disposal last revised on April 23, 2018, the Public Works Director will recommend real property for the City Council to review before it is declared surplus. Once the property is declared surplus by City Council, surplus equipment may be disposed of by one of the following methods:

(1) Sold competitively by public auction or by accepting sealed bids;

(2) Traded in for new equipment; or

(3) If the item has no value except for salvage, the City Manager or his designee, may authorize such items to be sold as scrap.

In addition, Article 14, Section 13.01 Purchasing Policy and Procedures last revised on April 8, 2024, added:

(1) For heavily damaged or items with an estimated net auction value less than $500, the City may declare a public purpose and donate the item, recycle, or dispose of the item.

(2) The Department Director will complete a “disposal form” as directed by the Public Works Building Division.

(3) The Finance Department will determine the disposal method for the item.

The attached surplus list shows all items by department that are being recommended to be declared surplus. The items will be placed on a public auction site. If any item fails

WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

AGENDA MEMORANDUM

to be sold, the item will be evaluated for another disposal method or posted a second time on a public auction site.

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

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

RECOMMENDATION/ACTION DESIRED:
Revenue from the sale of property shall be restored to the appropriate originating funds.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
1. October 2025 Surplus List

REVIEWED BY:

Paul Hackleman, Director of Public Works	Approved - 9/24/2025
Jennifer Calvert, Finance Director	Approved - 10/1/2025
Sandra Gibson, City Manager	Approved - 10/1/2025
Linda Proskey, City Secretary	Final Approval - 10/1/2025

Approved as to form for inclusion on Agenda

LOT#	BRAND	MODEL	DESCRIPTION	CONDITION
Public Works				
DEV-01-Print	Hp	8250	HP Photo Smart 8250	Good
SCR-01	Misc	N/A	Misc Scap Metal	Selling as scap
Parks				
PRK-01	N/A	N/A	Boat House	Used
Police				
SCR-PD-02	Various	N/A	Patrol Rear Partitions & Push Bumpers	Bad
SCR-PD-03	Various	N/A	Police Vehicle Lighting	Bad
Fire Dept				
FD-01	N/A	Recliners	9 Black Electric Recliners	Bad
Library				
LIB-1A	various	N/A	(1) Study carrel wood oak color	Fair
LIB-1B	various	N/A	(1) Study carrel wood laminate oak color	Poor
LIB-1C	various	N/A	(3) Round wood tables 48"	Fair
LIB-1D	various	N/A	(1) Rosewood with green laminate high café table with 4ea café stools	Fair
LIB-1E	various	N/A	(1) Rosewood with green laminate round tables 2 ea with 4 chairs per table (8 chairs)	Fair
LIB-1F	various	N/A	(1) Childrens table with colored chair	Fair
LIB-1G	various	N/A	(1) Typewriter table	Fair
LIB-1H	various	N/A	(1) Rosewood colored service desks, 2 ea., cabinet, 1 ea., counter, 1ea. with green laminate tops	Fair
LIB-1I	various	N/A	(1) L shaped desks, oak colored, 2 ea.	Good
LIB-1J	various	N/A	(2) Framed art, 2 ea	Good
LIB-1K	various	N/A	(1) Hon task chair	Fair
Finance				
FIN-01	various	various	Office Chair	Bad
FIN-01	various	various	Office Chairs-2	Fair
FIN-01	various	various	Office Chair	Poor
FIN-01	various	various	Lobby chairs	Fair
FIN-01	various	various	Lobby ottoman	Fair
FIN-01	various	various	Under Desk KeyBoard Mount	Fair

AGENDA MEMORANDUM

DATE: September 23, 2025

TO: Honorable City Council Members

FROM: Frieda Buck, Purchasing Coordinator

THROUGH: Sandra Gibson, City Manager

SUBJECT: Consider action authorizing anticipated expenditures exceeding $50,000 for Fiscal Year 2025-2026 procured by cooperative purchasing, interlocal agreements or which are exempt by law from competitive procurement.

BACKGROUND/INFORMATION:

Per City Charter Section 9.08, Purchasing: all contracts, purchases, and expenditures exceeding the maximum amount permitted by state law, which is currently $50,000, must be approved by the City Council.

These vendors are utilized mainly by cooperative purchasing programs or interlocal agreements as noted per the attached spreadsheet and therefore meet the requirements per Local Government Code Chapter 252, Local Government Code Chapter 271, and the Interlocal Cooperative Act of Texas Government Code Chapter 791.

The City utilizes various vendors for recurring purchases of goods and services throughout the Fiscal Year. These purchases are different from the one-time expenditures staff brings to Council as required for approval. These are anticipated various goods and services needed throughout the Fiscal Year expected to exceed in total the current maximum amount of $50,000 permitted by Texas state law.

Staff requests Council approval of the vendors with anticipating expenditures in excess of $50,000 for recurring purchases of goods and services as needed during Fiscal Year 2025-2026.

FINANCIAL IMPLICATIONS:

Funds are budgeted and available in various departmental budgets for Fiscal Year 2025-2026.

RECOMMENDATION/ACTION DESIRED:

Authorize the anticipated expenditures exceeding $50,000 for Fiscal Year 2025-2026 procured by cooperative purchasing, interlocal agreements, or which are exempt by law from competitive procurement.

AGENDA MEMORANDUM

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. FY25-26 ANNUAL VENDORS OVER $50K APPROVAL

REVIEWED BY:

Kimberly Rupkalvis, Assistant Finance Director	Approved - 10/1/2025
Jennifer Calvert, Finance Director	Approved - 10/3/2025
Sandra Gibson, City Manager	Approved - 10/3/2025
Linda Proskey, City Secretary	Final Approval - 10/3/2025

Approved as to form for inclusion on Agenda

VENDOR	ESTIMATED EXPENSES FISCAL YEAR 2025/26		UTILIZATION PROCESS
A&G PIPING	$150,000	BUILDING MAINTENANCE	TARRAANT COUNTY
AMAZON	$60,000	MISC SUPPLIES/EQUIPMENT	BUYBOARD COOPERATIVE
APEX CONCRETE CONSTRUCTION	$550,000	VARIOUS CONCRETE REPAIRS	CITY OF SOUTHLAKE INTERLOCAL
AXON	$170,000	POLICE SOFTWARE/SERVICES	BUYBOARD COOPERATIVE/ONGOING CONTRACT
CENTURY FIRE PROTECTION LLC	$60,000	INSPECTIONS AS NEEDED	CONTRACT
CITY OF FORT WORTH	$55,000	PORTABLE RADIOS	GENERAL EXEMPTION
CITY OF NORTH RICHLAND HILLS	$2,000,000	WATER PURCHASES	GENERAL EXEMPTION
CITY OF NORTH RICHLAND HILLS	$750,000	CONSOLIDATED SERVICES	ONGOING INTERLOCAL CONTRACT
DEMCO	$60,000	LIBRARY MATERIALS	BUYBOARD COOPERATIVE
DFW DOUBLE D CONTRACTING	$55,000	VARIOUS CONCRETE REPAIRS	CITY OF N. RICHLAND HILLS INTERLOCAL
DOLIVER ENTERPRISES	$95,000	WASTE COLLECTION	GENERAL EXEMPTION
DP2 BILLING SOLUTIONS	$80,000	UTLITY BILLING SERVICES	ONGOING CONTRACT
FT WORTH WHOLESALE WASTEWATER	$3,100,000	WASTEWATER TREATMENT	GENERAL EXEMPTION
GEXA ENERGY	$270,000	ELECTRIC SERVICES	GENERAL EXEMPTION
GT DISTRIBUTORS	$50,000	VARIOUS FLEET SUPPLIES	BUYBOARD COOPERATIVE
INCODE TYLER	$140,000	FINANCIAL SOFTWARE	ONGOING CONTRACT
INGRAM LIBRARY SERVICES	$60,000	LIBRARY MEDIA AS NEEDED	GENERAL EXEMPTION & TXSMARTBUY
ICON ENTERPRISES (CIVICPLUS)	$65,000	SOFTWARE	ONGOING CONTRACT
M-PAK	$50,000	PUBLIC SAFETY SUPPLIES/EQUIP.	CITY OF FORT WORTH INTERLOCAL
NICHOLS JACKSON DILLARD HAGER & SMITH	$75,000	LEGAL SERVICES	ONGOING RFQ CONTRACT
SHI GOVERNMENT	$140,000	VARIOUS TECHNOLOGY ITEMS	DIR/NATIONAL IPA
TARRANT APPRAISAL DISTRICT	$70,000	APPRAISAL SERVICES	GENERAL EXEMPTION
TML	$450,000	CITY INSURANCES	GENERAL EXEMPTION
TRI-COUNTY ELECTRIC	$65,000	ELECTRIC SERVICES	GENERAL EXEMPTION
OFFEN PETROLEUM (US VENTURE)	$180,000	FUEL & LUBRICANTS	CITY OF IRVING INTERLOCAL
XEROX CORPORATION	$55,000	COPIER LEASE	PACE COOPERATIVE

AGENDA MEMORANDUM

DATE: September 23, 2025

TO: Honorable City Council Members

FROM: Frieda Buck, Purchasing Coordinator

THROUGH: Sandra Gibson, City Manager

SUBJECT: Consider action authorizing purchases pursuant to certain cooperative purchasing programs and interlocal agreements for Fiscal Year 2025-2026

BACKGROUND/INFORMATION:

Per authority granted by Local Government Code Section 271.102 and Texas Government Code Chapter 791, government entities may utilize cooperative purchasing programs and interlocal agreements. It is requested that Council approve the attached listing of current cooperative purchasing programs and interlocal agreement organizations that the City may wish to utilize on an as-needed basis during Fiscal Year 2025-2026.

Local Government Code Chapter 271.102 allows a local government to participate in a cooperative purchasing program with another local government of this state or another state or with a local cooperative organization of this state or another state. Watauga has executed all agreements with the attached listing of cooperative programs and interlocal organizations as required within the subchapter. A local government that purchases goods or services under this subchapter satisfies any state law requiring the local government to seek competitive bids for the purchase of the goods or services.

Texas Government Code Chapter 791, the Interlocal Cooperative Act, generally allows a government entity to enter into an agreement with another local government entity, such as a county, or another city to perform specific government functions and services. The purpose of this chapter is to increase the efficiency and effectiveness of local governments by authorizing them to contract, to the greatest possible extent, with one another and with agencies of the state. The Act further provides that a government entity may agree with another local government, state agency, or council of governments to purchase goods and services. A local government that purchases goods or services under this section satisfies the requirement of the local government to seek competitive bids for the purchase of the goods and services.

FINANCIAL IMPLICATIONS:

AGENDA MEMORANDUM

There is no charge to any participating entity.

RECOMMENDATION/ACTION DESIRED:
Authorize purchases pursuant to certain cooperative purchasing programs and interlocal agreements for Fiscal Year 2025-2026.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
1. FY25-26 COOPERATIVE PROGRAMS & INTERLOCAL AGREEMENTS LISTING

REVIEWED BY:

Frieda Buck, Purchasing Coordinator	Approved - 9/24/2025
Kimberly Rupkalvis, Assistant Finance Director	Approved - 10/1/2025
Jennifer Calvert, Finance Director	Approved - 10/1/2025
Sandra Gibson, City Manager	Approved - 10/2/2025
Linda Proskey, City Secretary	Final Approval - 10/2/2025

Approved as to form for inclusion on Agenda

COOPERATIVE PURCHASING ORGANIZATIONS

AGENCY	EFFECTIVE
BUYBOARD COOPERATIVE	AUGUST, 2005
DEPARTMENT OF INFORMATION RESOURCES	2007
HCDE CHOICE PARTNERS	MAY, 2013
GOODBUY PURCHASING COOPERATIVE	JANUARY, 2016
HOUSTON-GALVESTON AREA COUNCIL (H-GAC)	OCTOBER , 1990
NATIONAL COOPERATIVE PURCHASING ALLIANCE (NCPA)	SEPTEMBER, 2022
NATIONAL IPA	DECEMBER, 2004
NORTH TEXAS SHARE (NCTCOG)	JUNE, 2017
PACE PURCHASING COOPERATIVE	APRIL, 2017
SOURCEWELL (FORMERLY NJPA)	FEBRUARY, 2014
TARRANT COUNTY COOPERATIVE PURCHASING PROGRAM	JANUARY, 1997
TEXAS COMPTROLLER OF PUBLIC ACCOUNTS (TEXAS SMARTBUY)	2007
TIPS PURCHASING COOPERATIVE	JULY, 2011
US COMMUNITIES (OMNI PARTNERS)	MARCH, 2004

INTERLOCAL AGREEMENTS

AGENCY	EFFECTIVE
CITY OF ARLINGTON	MAY, 2005
CITY OF COLLEYVILLE	APRIL, 2006
CITY OF DALLAS	AUGUST, 2008
CITY OF DENTON	JUNE, 2016
CITY OF EULESS	APRIL, 2006
CITY OF FORT WORTH	FEBRUARY, 2005
CITY OF FRISCO	AUGUST, 2018
CITY OF GRAND PRAIRIE	MARCH, 2022
CITY OF GRAPEVINE	APRIL, 2006
CITY OF HALTOM CITY	DECEMBER, 2005
CITY OF HURST	DECEMBER, 2005
CITY OF IRVING	JUNE, 2025
CITY OF KELLER	DECEMBER, 2005
CITY OF KENNEDALE	APRIL, 2006
CITY OF LEANDER	APRIL, 2009
CITY OF NORTH RICHLAND HILLS	APRIL, 2005
CITY OF SOUTHLAKE	OCTOBER, 2017
COUNTY OF BRAZORIA	AUGUST, 2016

WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

AGENDA MEMORANDUM

DATE: September 27, 2025

TO: Honorable City Council Members

FROM: Jennifer Calvert, Finance Director

THROUGH: Sandra Gibson, City Manager

SUBJECT: Consider action on approval of the Monthly Financial Report for the period ending August 31, 2025.

BACKGROUND/INFORMATION:
Monthly Financial Report for the period ending August 31, 2025

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:
Respectfully recommend the Council review and take action on the item presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
1. Council Report - August 2025 to Council October 13, 2025

REVIEWED BY:
Sandra Gibson, City Manager
Linda Proskey, City Secretary
Approved as to form for inclusion on Agenda

Monthly Financial Report Fiscal 2024-2025
For the period ending August 31, 2025

Sales Tax

Sales tax receipts from the State Comptroller received in the month of September 2025 (reflecting July 2025 sales receipts) increased in total by 3.7% compared to the same time last year. This amount includes prior period adjustments, future period adjustments and audit collections.

Sales Tax Receipts		Jul-25		Jul-24	% change
City 1%	$	316,129	$	306,078	3.3%
City 1/4% effective 10/1/2021*	$	79,032	$	76,519	3.3%
Street Maint 1/4%**	$	-	$	-	0.0%
CCD 1/2%	$	157,810	$	150,407	4.9%
EDC 1/4%	$	79,032	$	76,519	3.3%
Totals	$	632,004	$	609,524	3.7%

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

***abolished January, 2021*

A comparison of July 2025 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 JULY 2024 vs. JULY 2025
RECEIVED FROM COMPTROLLER - SEPTEMBER
FISCAL YEAR 2024-2025

Sales Tax Receipts for the Month:

City		July 2025 Sales		July 2024 Sales		$ Change	% Change
Saginaw	$	706,153.24	$	644,442.43	$	61,710.81	9.58%
Southlake	$	3,408,402.91	$	3,119,073.22	$	289,329.69	9.28%
N. Richland Hills	$	1,846,093.88	$	1,742,975.64	$	103,118.24	5.92%
Haltom City	$	1,671,772.41	$	1,597,666.29	$	74,106.12	4.64%
Watauga	$	474,193.91	$	459,116.57	$	15,077.34	3.28%
Euless	$	2,427,267.18	$	2,365,062.96	$	62,204.22	2.63%
Grapevine	$	5,753,650.51	$	5,610,579.00	$	143,071.51	2.55%
Colleyville	$	661,224.92	$	662,629.22	$	(1,404.30)	-0.21%
Fort Worth	$	19,459,344.58	$	20,163,477.26	$	(704,132.68)	-3.49%
Roanoke	$	1,405,397.57	$	1,485,774.42	$	(80,376.85)	-5.41%
Bedford	$	1,346,143.38	$	1,429,663.24	$	(83,519.86)	-5.84%
Hurst	$	1,474,553.70	$	1,567,530.67	$	(92,976.97)	-5.93%
Keller	$	1,356,635.50	$	1,565,674.86	$	(209,039.36)	-13.35%
Richland Hills	$	523,908.44	$	679,629.13	$	(155,720.69)	-22.91%

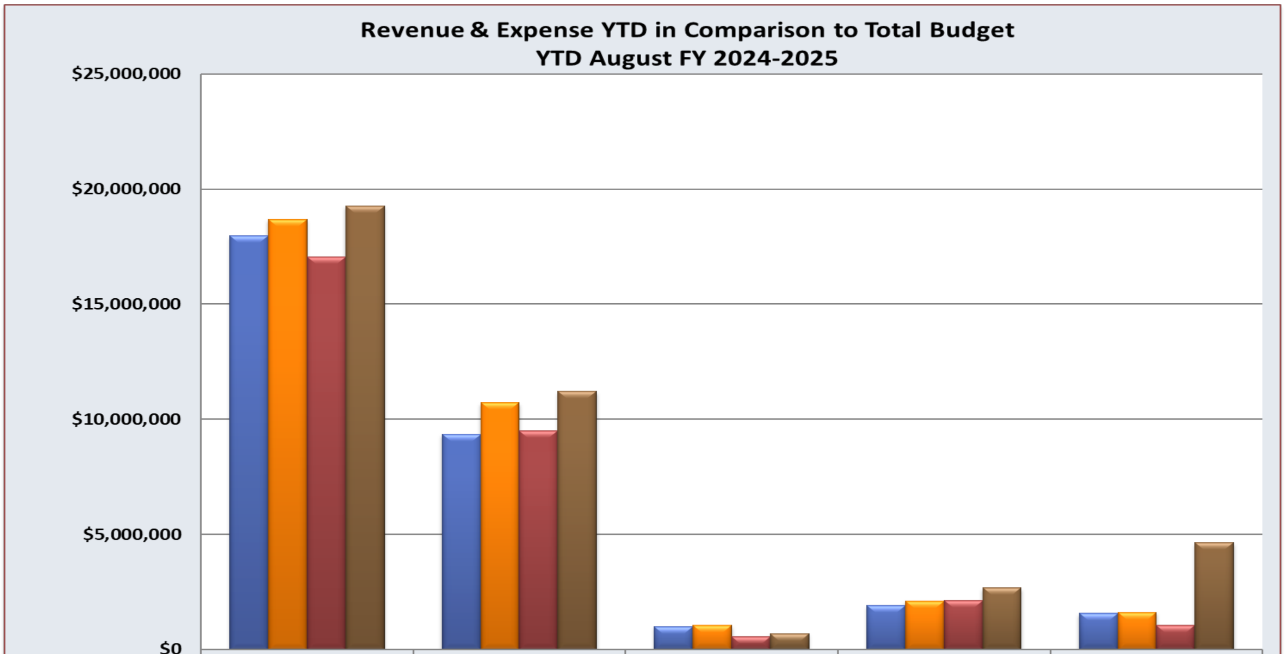
Source: State Comptroller

City Collections only - not Special Purpose Districts or Transit

The City will receive the distribution for August 2025 sales tax receipts on October 10, 2025. Sales tax revenues have been estimated for the August reporting period.

Financial Highlights

Through August 2025, the City is 91.67% through the fiscal year 2024-2025. 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 - 01	Water and Sewer Fund - 40	EDC-04	CCD-18	Storm Drainage Fund - 15
Revenues	$17,966,200	$9,354,380	$1,008,242	$1,910,461	$1,579,489
Revenue Budget	$18,691,820	$10,725,000	$1,049,500	$2,110,000	$1,615,000
Expenses	$17,063,690	$9,492,519	$573,841	$2,123,577	$1,055,770
Expense Budget	$19,273,846	$11,209,590	$701,240	$2,687,000	$4,649,840

General Fund

Revenues – Year-to-date revenues represent 96.1% of budget collected, or $17,966,200.

Property Tax – As of August 31, 2025, the City has received 98.1% of budgeted property taxes. Year-to-date receipts through August are $7,584,308 compared to $7,243,11 in FY 2023-2024. Most property tax revenues are received in December and January.

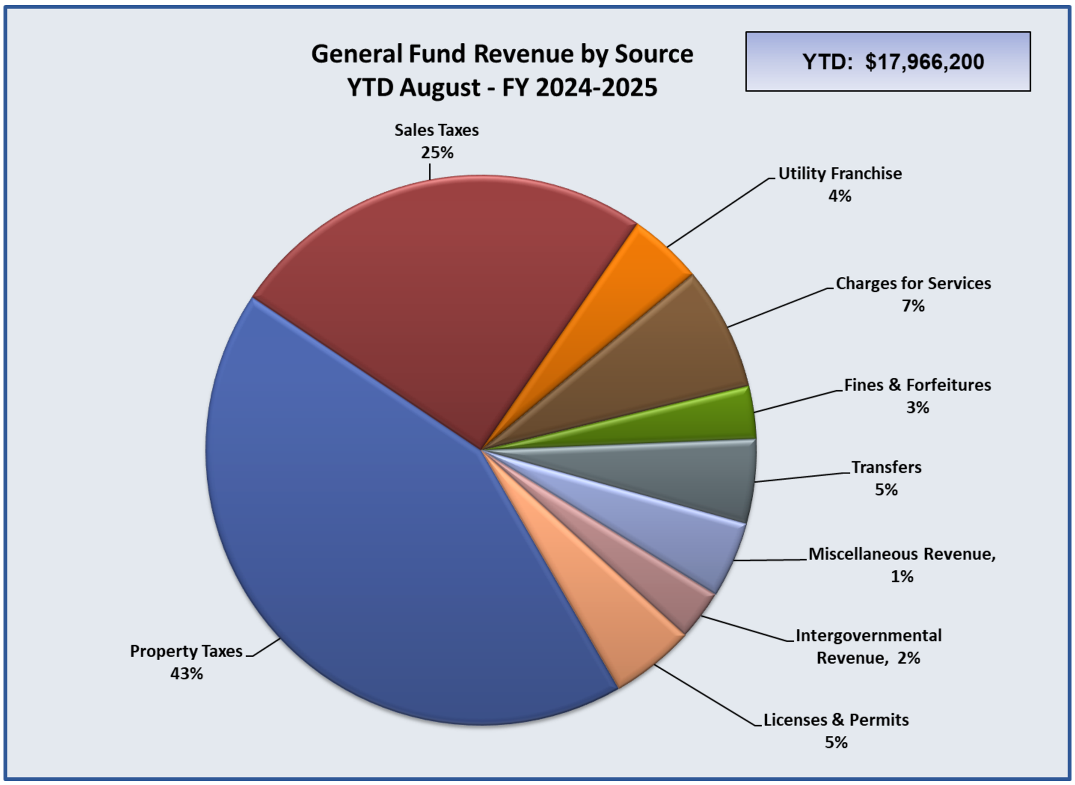
Utility Franchise Revenue – The majority of franchise receipts are received on a quarterly basis. The City has received $783,270 or 91.1% in budgeted franchise fee revenues through August 2025.

Sales Tax – Sales tax receipts for the General Fund remain marginally volatile. Budget expectations are at 83.2% of the budget through July 2025.

Licenses and Permits - License and permit fees are at 107.6% of budget collected with revenue received at $887,972; an increase of $3,550 from prior year.

Charges for Services - Charges for Services revenues are at 96.6% of budget collected. Charges for services include recreation fees, ambulance services, garbage collection fees and animal adoption fees.

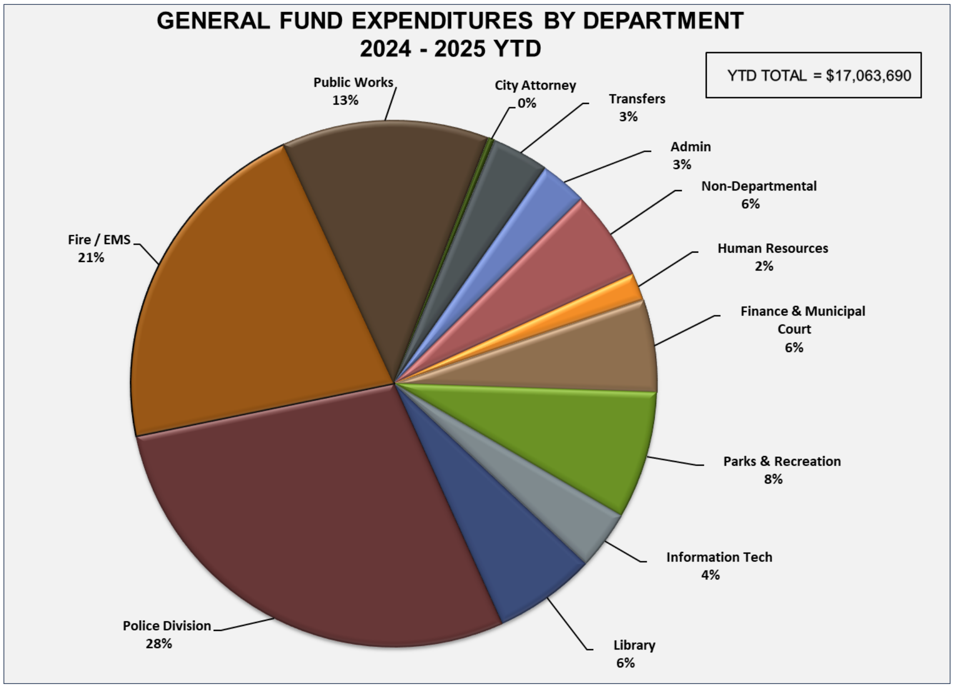
Fines and Forfeitures - Fines and Forfeitures are at 94.7% of budget which is $119,064, or 27% higher than last year's collections.



Miscellaneous Revenue - Miscellaneous revenues include interest earnings, rental of recreational facilities, bingo, and other revenue. These receipts total $80,4841, which is 97.3% of budgeted revenues; a slight decrease of 8.1% from prior year. The bingo hall located within the City is now open.

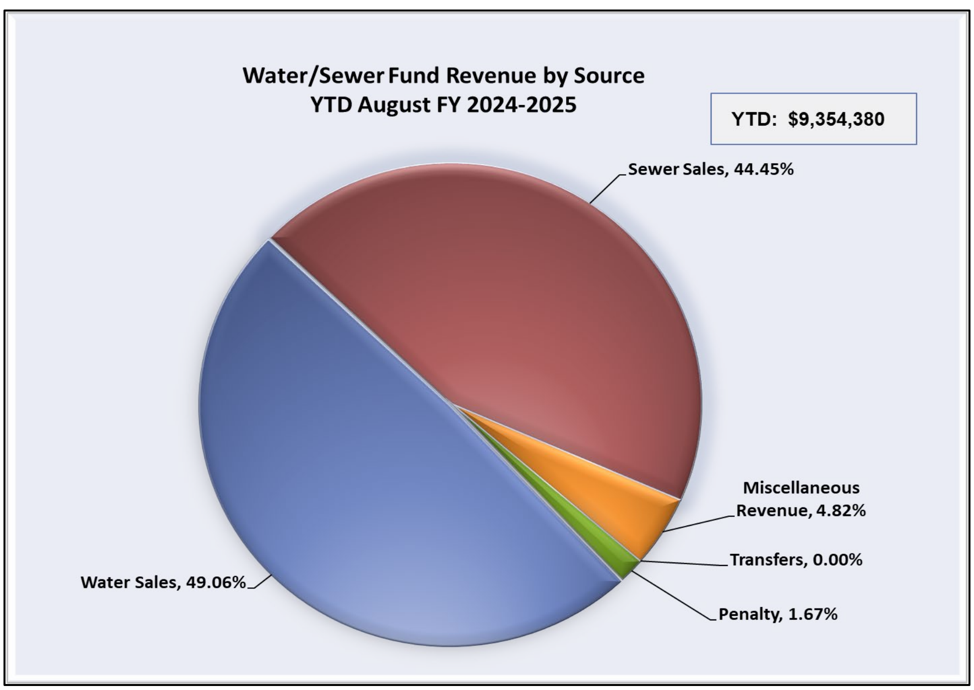
Intergovernmental Revenue and Transfers - Intergovernmental Revenue includes transfers from other funds for services the general fund provides and payments in lieu of taxes from the enterprise funds. Currently these revenues remain on target with Intergovernmental at 94% of budget and Transfers at 97.7% of budget.

Expenses – General fund expenses are at 88.5% of budget expended and total $17,063,690 for the year.



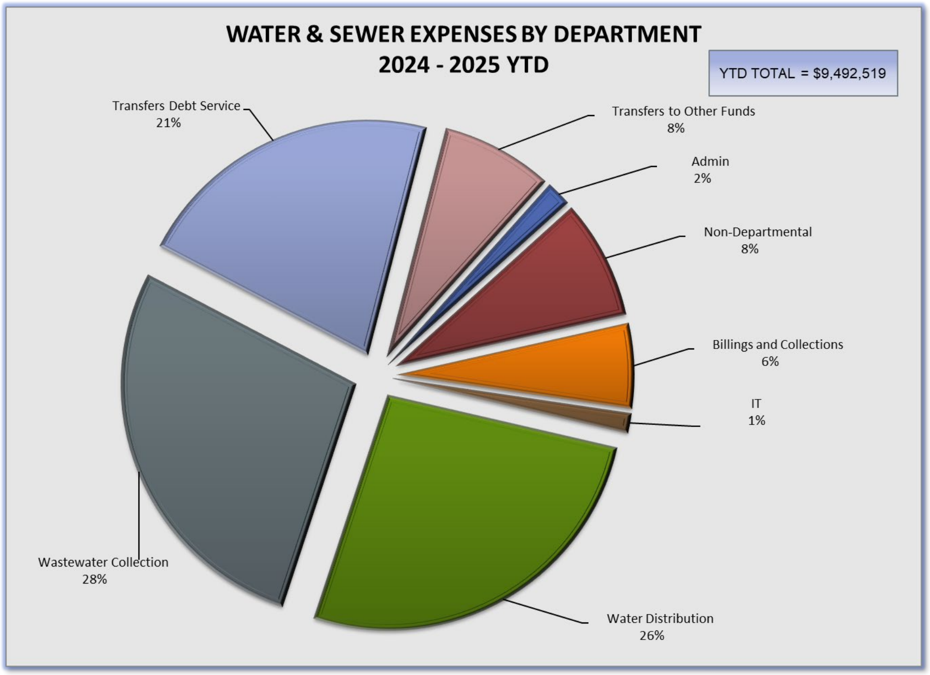
Water and Sewer Fund

Total water and sewer revenues are 4.45% below target and are currently at 84.7% of budgeted revenues through August 2025. Water sales are 84.2% of budgeted revenues and wastewater revenues are at 90.4% 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 97.5% of budget collected.

Expenses – Year-to-date expenses in the Water/Sewer fund are currently at 84.7% of budget. Transfers to the debt service fund for payments due in August make up 97% of transfers.



Storm Drain Fund – Revenues represent 97.8% of budget collected. Expenses are at 22.7% of budget in this fund through August 2025. Capital projects budgeted in FY2024-2025 include Whitley Road and other storm drain improvements.

Special Revenue Funds

- **Crime Control and Prevention District** revenues collected are at 90.5% of budget and expenditures are at 79% of budget.
- **Economic Development Corporation Fund** has collected 90.04% of sales tax revenues and expenditures are at 81.8% of budget expended through August 2025.

DEPARTMENTAL CONSOLIDATED REPORT

AUGUST 2025

Group Summary

Department	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
010 - CITY SECRETARY OFFICE	458200.00	458,200.00	45,720.91	370,702.80	0.00	87,497.20	19.10 %
011 - HUMAN RESOURCES	339850.00	339,850.00	38,985.57	286,555.41	12,868.09	40,426.50	11.90 %
013 - DEVELOPMENT SERVICES DIVISION	369040.00	369,040.00	36,544.25	297,313.01	1,537.05	70,189.94	19.02 %
015 - CITY MANAGER	320500.00	320,500.00	38,830.10	282,243.42	0.00	38,256.58	11.94 %
016 - BUSINESS RETENTION/EDC	56650.00	56,650.00	10,487.26	15,559.17	0.00	41,090.83	72.53 %
017 - BUSINESS ATTRACTION/EDC	34300.00	34,300.00	0.00	27,345.66	0.00	6,954.34	20.28 %
018 - GENERAL ADMINISTRATION/EDC	48650.00	48,650.00	3,046.97	16,099.15	0.00	32,550.85	66.91 %
020 - NON-DEPARTMENTAL	1839880.00	1,839,880.00	119,743.03	1,800,885.67	8,165.70	30,828.63	1.68 %
021 - CITY ATTORNEY	90000.00	90,000.00	10,556.70	68,185.51	0.00	21,814.49	24.24 %
030 - MUNICIPAL COURT DIVISION	461790.00	461,790.00	48,559.34	404,237.91	643.86	56,908.23	12.32 %
040 - FINANCE	766010.00	766,010.00	80,582.80	654,015.20	73,330.50	38,664.30	5.05 %
045 - BILLING & COLLECTIONS	610030.00	610,030.00	66,499.64	549,517.18	218.75	60,294.07	9.88 %
050 - INFORMATION TECHNOLOGY	846840.00	846,840.00	70,689.90	741,594.61	1,600.00	103,645.39	12.24 %
060 - LIBRARY	1254700.00	1,254,700.00	128,906.42	1,066,625.10	19,761.41	168,313.49	13.41 %
070 - RECREATION	760740.00	760,740.00	77,772.60	634,504.30	4,299.83	121,935.87	16.03 %
075 - PARKS DEPARTMENT	878360.00	878,360.00	88,597.02	704,367.48	81,997.98	91,994.54	10.47 %
080 - POLICE	7927200.00	7,928,700.00	697,705.02	6,958,607.29	98,233.14	871,859.57	11.00 %
085 - FIRE/MIS	4129640.00	4,129,640.00	462,779.90	3,637,199.58	34,714.09	457,726.33	11.08 %
090 - PUBLIC WORKS	1567090.00	1,567,090.00	156,846.48	1,295,443.33	50,861.03	220,785.64	14.09 %
093 - WATER DISTRIBUTION	2912840.00	2,912,840.00	312,637.82	2,514,209.78	18,041.02	380,589.20	13.07 %
094 - WASTEWATER COLLECTION	3676050.00	3,676,050.00	282,406.54	2,620,251.29	847.10	1,054,951.61	28.70 %
097 - FLEET MAINTENANCE	459750.00	516,750.00	64,244.80	355,368.36	26,467.87	134,913.77	26.11 %
098 - BUILDING MAINTENANCE	1041400.00	1,041,400.00	90,783.09	913,274.44	6,194.39	121,931.17	11.71 %
Report Total:	**30,849,510.00**	**30,908,010.00**	**2,932,926.16**	**26,214,105.65**	**439,781.81**	**4,254,122.54**	**13.76 %**

Fund Detail Report

AUGUST 2025

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2025
For the period ending: August 31, 2025 (4th FY Qtr.)

GENERAL FUND - 01

REVENUE:	ORIGINAL BUDGET	8/31/2025 YTD ACTUAL	% USED	% REMAINING	8/31/2024 YTD ACTUAL	$ CHG 25 vs 24	% CHG 25 vs 24
TAXES							
AD VALOREM	7,734,000	7,586,746	98.10%	1.90%	7,246,938	339,808	4.69%
Delinquent	30,000	48,109	160.36%	-60.36%	19,454	28,655	147.30%
Penalty & Interest	36,000	43,379	120.50%	-20.50%	33,436	9,943	29.74%
SALES TAX	4,964,980	4,528,555	91.21%	8.79%	4,396,959	131,596	2.99%
UTILITY FRANCHISE	859,500	783,270	91.13%	8.87%	800,577	(17,307)	-2.16%
LICENSES & PERMITS	825,500	887,972	107.57%	-7.57%	884,422	3,550	0.40%
INTERGOVERNMENTAL REVENUE	561,000	527,395	94.01%	5.99%	500,184	27,211	5.44%
CHARGES FOR SERVICES	1,351,500	1,305,439	96.59%	3.41%	1,202,424	103,015	8.57%
FINES & FORFEITURES	590,500	559,413	94.74%	5.26%	440,349	119,064	27.04%
MISCELLANEOUS INCOME	827,200	804,841	97.30%	2.70%	875,672	(70,831)	-8.09%
OPERATING TRANSFERS IN	911,640	891,081	97.74%	2.26%	788,942	102,139	12.95%
TOTAL REVENUE	**$18,691,820**	**$17,966,200**	**96.12%**	**3.88%**	**$17,189,356**	**$776,844**	**4.52%**
ADMINISTRATION	580,500	493,271	84.97%	15.03%	410,752	82,519	20.09%
HUMAN RESOURCES	339,850	286,555	84.32%	15.68%	209,643	76,913	36.69%
BUILDINGS - PW	1,041,486	913,189	87.68%	12.32%	889,035	24,154	2.72%
FINANCE	650,660	564,634	86.78%	13.22%	500,375	64,259	12.84%
MUNICIPAL COURT - FIN	461,790	404,238	87.54%	12.46%	377,095	27,143	7.20%
DEVELOPMENTAL SERVICES - PW	369,040	297,313	80.56%	19.44%	230,310	67,003	29.09%
LIBRARY	1,244,700	1,066,625	85.69%	14.31%	996,123	70,503	7.08%
PARKS AND RECREATION	1,639,100	1,338,872	81.68%	18.32%	1,356,927	(18,055)	-1.33%
POLICE	5,278,200	4,870,536	92.28%	7.72%	4,415,926	454,610	10.29%
FIRE/EMS	4,129,640	3,637,200	88.08%	11.92%	3,583,112	54,087	1.51%
PUBLIC WORKS - STREETS	718,430	607,838	84.61%	15.39%	513,707	94,131	18.32%
FLEET MANAGEMENT - PW	461,250	355,368	77.04%	22.96%	198,526	156,842	79.00%
NON-DEPARTMENTAL	917,350	948,387	103.38%	-3.38%	816,757	131,630	16.12%
INFORMATION TECHNOLOGY	703,850	617,479	87.73%	12.27%	580,815	36,665	6.31%
ECONOMIC DEVELOPMENT	-	-	-	-	-	-	-
CITY ATTORNEY	90,000	68,186	75.76%	24.24%	43,951	24,235	55.14%
TRANSFERS TO OTHER FUNDS	648,000	594,000	91.67%	8.33%	215,417	378,583	175.74%
TOTAL EXPENDITURES	**$19,273,846**	**$17,063,690**	**88.53%**	**11.47%**	**$15,338,470**	**$1,725,220**	**11.25%**
EXCESS REVENUE OVER (UNDER) EXPENDITURES	**($582,026)**	**$902,510**			**$1,850,886**	**($948,375)**	

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2025
For the period ending: August 31, 2025 (4th FY Qtr.)

DEBT SERVICE FUND - 03

REVENUE:	CURRENT BUDGET	8/31/2025 YTD ACTUAL	% USED	% REMAINING	8/31/2024 YTD ACTUAL	$ CHG 25 vs 24	% CHG 25 vs 24
TAXES							
AD VALOREM	4,403,000	4,393,434	99.78%	0.22%	4,238,325	$155,108	3.66%
Delinquent	11,000	28,152	255.92%	-155.92%	10,150	$18,001	177.35%
Penalty & Interest	11,000	22,422	203.84%	-103.84%	16,699	$5,723	34.27%
INTEREST EARNINGS	40,000	50,417	126.04%	-26.04%	61,985	($11,568)	-18.66%
OTHER FINANCING SOURCES	-	-	-	-	-	-	-
OPERATING TRANSFERS IN	150,000	137,500	91.67%	8.33%	136,583	$917	0.67%
TOTAL REVENUE	**$4,615,000**	**$4,631,925**	**100.37%**	**-0.37%**	**$4,463,744**	**$168,181**	**3.77%**
Contractual & Sundry	4,554,444	**4,551,407**	99.93%	0.07%	**4,151,331**	$400,075	0.00%
TOTAL EXPENDITURES	**$4,554,444**	**$4,551,407**	**99.93%**	**0.07%**	**4,151,331**	**$400,075**	**0.00%**
EXCESS REVENUE OVER (UNDER) EXPENDITURES	**$60,556**	**$80,518**			**$312,412**	**($231,894)**	

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2025
For the period ending: August 31, 2025 (4th FY Qtr.)

WATER & SEWER - 40

REVENUE:	CURRENT BUDGET	8/31/2025 YTD ACTUAL	% USED	% REMAINING	8/31/2024 YTD ACTUAL	$ CHG 25 vs 24	% CHG 25 vs 24
WATER SALES	5,450,000	4,589,025	84.20%	15.80%	4,458,152	130,874	2.94%
SEWER SALES	4,600,000	4,158,464	90.40%	9.60%	3,727,529	430,935	11.56%
MISCELLANEOUS	286,000	278,933	97.53%	2.47%	271,870	7,063	2.60%
PENALTY	196,000	156,402	79.80%	20.20%	181,803	(25,401)	-13.97%
INTEREST	125,000	148,191	118.55%	-18.55%	149,851	(1,660)	-1.11%
TRANSFERS	50,000	-	0.00%	0.00%	60,390	(60,390)	-100.00%
TAP FEES	-	23,364	-	-	29,316	(5,952)	-20.30%
SALE OF ASSETS	-	-	-	-	-	-	-
TOTAL REVENUE	**$10,707,000**	**$9,354,380**	**87.37%**	**12.63%**	**$8,878,910**	**$475,469**	**5.36%**
ADMINISTRATIVE	198,200	159,676	80.56%	19.44%	166,476	(6,800)	-4.08%
NON-DEPARTMENTAL	832,480	774,057	92.98%	7.02%	713,668	60,389	8.46%
BILLING & COLLECTIONS	610,030	549,517	90.08%	9.92%	534,463	15,054	2.82%
MGT. INFO SYSTEMS	142,990	124,115	86.80%	13.20%	109,737	14,378	13.10%
WATER DISTRIBUTION	2,912,840	2,514,210	86.31%	13.69%	2,380,404	133,806	5.62%
WASTEWATER COLLECTION	3,676,050	2,620,251	71.28%	28.72%	3,077,873	(457,621)	-14.87%
TRANSFERS	2,837,000	2,750,693	96.96%	3.04%	2,320,770	429,922	18.52%
TOTAL EXPENDITURES	**11,209,590**	**9,492,519**	**84.68%**	**15.32%**	**9,303,391**	**$189,128**	**2.03%**
EXCESS REVENUE OVER (UNDER) EXPENDITURES	**($502,590)**	**($138,139)**			**($424,481)**	**$286,341**	

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2025
For the period ending: August 31, 2025 (4th FY Qtr.)

STORM DRAIN FUND - 15

REVENUE:	CURRENT BUDGET	8/31/2025 YTD ACTUAL	% USED	% REMAINING	8/31/2024 YTD ACTUAL	$ CHG 25 vs 24	% CHG 25 vs 24
USERS FEE	1,485,000	1,375,588	92.63%	7.37%	1,367,179	8,409	0.62%
OTHER REVENUE	-	-	-	-	-	-	-
INTEREST INCOME	130,000	203,902	156.85%	-56.85%	233,550	(29,648)	-12.69%
TOTAL REVENUE	**$1,615,000**	**$1,579,489**	**97.80%**	**2.20%**	**$1,600,729**	**($21,240)**	**-1.33%**
PERSONNEL	509,600	439,110	86.17%	13.83%	$355,620	83,489	23.48%
SUPPLIES	37,400	20,930	55.96%	44.04%	$25,000	(4,070)	-16.28%
MAINTENANCE	52,000	51,459	98.96%	1.04%	$20,090	31,369	-
CONTRACTUAL & SUNDRY	361,640	269,841	74.62%	25.38%	$260,782	9,059	3.47%
CAPITAL	3,495,200	95,651	2.74%	97.26%	$261,892	(166,241)	-63.48%
TRANSFERS TO OTHER FUNDS	194,000	178,779	92.15%	7.85%	$178,359	420	0.24%
TOTAL EXPENDITURES	**$4,649,840**	**$1,055,770**	**22.71%**	**77.29%**	**$1,101,743**	**($45,974)**	**-4.17%**
EXCESS REVENUE OVER (UNDER) EXPENDITURES	**($3,034,840)**	**$523,720**			**$498,986**	**$24,734**	

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2025
For the period ending: August 31, 2025 (4th FY Qtr.)

CRIME CONTROL DISTRICT - 18

REVENUE:	ORIGINAL BUDGET	8/31/2025 YTD ACTUAL	% USED	% REMAINING	8/31/2024 YTD ACTUAL	$ CHG 25 vs 24	% CHG 25 vs 24
SALES TAX	1,977,000	1,777,244	89.90%	10.10%	1,733,739	43,504	2.51%
INTEREST EARNING/OTHER	133,000	133,217	100.16%	-0.16%	137,989	(4,772)	-3.46%
TRANSFERS	-	-	-	-	-	-	-
TOTAL REVENUE	**$2,110,000**	**$1,910,461**	**90.54%**	**9.46%**	**$1,871,728**	**$38,732**	**2.07%**
PERSONNEL SERVICES	1,382,100	1,050,688	76.02%	23.98%	$1,011,556	39,132	3.87%
SUPPLIES	214,500	188,091	87.69%	12.31%	$139,369	48,721	34.96%
MAINTENANCE	312,200	315,476	101.05%	-1.05%	$232,849	82,627	35.49%
CONTRACTUAL & SUNDRY	279,450	186,617	66.78%	33.22%	$203,403	(16,786)	-8.25%
TRANSFERS	38,000	35,542	93.53%	6.47%	$33,008	2,534	7.68%
CAPITAL OUTLAY	460,750	347,164	0.00%	0.00%	$154,428	192,735	100.00%
TOTAL EXPENDITURES	**2,687,000**	**2,123,577**	**79.03%**	**20.97%**	**$1,774,613**	**$348,964**	**19.66%**
EXCESS REVENUE OVER (UNDER) EXPENDITURES	**($577,000)**	**($213,117)**			**$97,115**	**($310,232)**	

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2025
For the period ending: August 31, 2025 (4th FY Qtr.)

WATAUGA ECONOMIC DEVELOPMENT CORP - 04

REVENUE:	CURRENT BUDGET	8/31/2025 YTD ACTUAL	% USED	% REMAINING	8/31/2024 YTD ACTUAL	$ CHG 25 vs 24	% CHG 25 vs 24
SALES TAX	996,000	896,763	90.04%	9.96%	871,263	25,500	2.93%
INTEREST EARNINGS	50,000	108,666	217.33%	-117.33%	111,187	(2,521)	-2.27%
INTEREST/ESCROW	-	-	-	-	-	-	0.00%
CONTRIBUTIONS/OTHER	3,500	2,813	80.36%	19.64%	3,413	(600)	-17.58%
TOTAL REVENUE	**$1,049,500**	**$1,008,242**	**96.07%**	**3.93%**	**$985,862**	**$22,379**	**2.27%**
PERSONNEL SERVICES	-	-	-	-	-	-	0.00%
NON-DEPARTMENTAL	-	-	-	-	-	-	0.00%
SUPPLIES	1,000	99	9.94%	90.06%	403	(303)	-75.31%
MAINTENANCE	300	-	0.00%	100.00%	-	-	0.00%
CONTRACTUAL & SUNDRY	138,300	58,905	42.59%	57.41%	84,922	(26,017)	-30.64%
TRANSFERS	561,640	514,837	91.67%	8.33%	392,333	122,503	31.22%
CAPITAL OUTLAY	-	-	-	-	-	-	0.00%
TOTAL EXPENDITURES	**$701,240**	**$573,841**	**81.83%**	**18.17%**	**$477,658**	**$96,183**	**20.14%**
EXCESS REVENUE OVER (UNDER) EXPENDITURES	**$348,260**	**$434,401**			**$508,204**	**($73,803)**	

WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

AGENDA MEMORANDUM

DATE: September 12, 2025

TO: Honorable City Council Members

FROM: Sandra Gibson, City Manager

THROUGH:

SUBJECT: Consider action on a Resolution to deny Oncor Electric Company's application to change rates within the City of Watauga

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BACKGROUND/INFORMATION:

On June 26, 2025, Oncor Electric Delivery Company LLC ("Oncor" or "Company") filed an application with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rates by about $834 million or approximately 13% over present revenues. The Company asks the City to approve a 12.3% increase in residential rates and a 51.0% increase in street lighting rates. If approved, the impact of this requested increase on an average residential customer would be about $7.90 per month.

In a prior City action, Oncor's rate request was suspended from taking effect for 90 days, the fullest extent permissible under the law. This time period has permitted the City, through its participation with the Steering Committee of Cities Served by Oncor ("Steering Committee"), to determine that the proposed rate increase is unreasonable. Consistent with the recommendations of the experts engaged by the Steering Committee, Oncor's request for a rate increase should be denied.

Accordingly, the purpose of the Resolution is to deny the rate change application proposed by Oncor. Once the Resolution is adopted, Oncor will have 30 days to appeal the decision to the Public Utility Commission of Texas ("PUC") where the appeal will be consolidated with Oncor's filing (PUC Docket No. 58306) currently pending at the PUC.

The City of Watauga is a member of a 169-city coalition known as the Steering Committee of Cities Served by Oncor ("Steering Committee"). The Steering Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s when cities served by the former TXU gave up their statutory right to rate case expense reimbursement in exchange for higher franchise fee payments. Empowered by city resolutions and funded by per capita assessments, the Steering Committee has been the primary public interest advocate before the Public Utility Commission, the Courts, and the Legislature on electric utility regulation matters for the last 30 years.

WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

AGENDA MEMORANDUM

Although Oncor has increased rates many times over the past few years, this is the first comprehensive base rate case for the Company since March 2022.

FINANCIAL IMPLICATIONS:
If the City fails to take action before the effective date, Oncor's rate request is deemed administratively approved.

RECOMMENDATION/ACTION DESIRED:
Staff recommends approval of the resolution denying Oncor's rate change application.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
1. 2025 Oncor Rate Case Denial Resolution

REVIEWED BY:
David Berman, City Attorney
Sandra Gibson, City Manager
Linda Proskey, City Secretary
Approved as to form for inclusion on Agenda

RESOLUTION NO. ______________

A RESOLUTION OF THE CITY OF WATAUGA, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Watauga, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the City is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"), a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

WHEREAS, on or about June 26, 2025, Oncor filed with the City an application to increase system-wide transmission and distribution rates by about $834 million or approximately 13% over present revenues. The Company asks the City to approve a 12.3% increase in residential rates and a 51.0% increase in street lighting rates; and

WHEREAS, the Steering Committee is coordinating its review of Oncor's application and working with the designated attorneys and consultants to resolve issues in the Company's filing; and

WHEREAS, through review of the application, the Steering Committee's consultants determined that Oncor's proposed rates are excessive; and

WHEREAS, the Steering Committee's members and attorneys recommend that members deny the Application; and

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

Section 1. That the rates proposed by Oncor to be recovered through its electric rates charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 2. That the Company shall continue to charge its existing rates to customers within the City.

Section 3. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor.

Section 4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 5. That a copy of this Resolution shall be sent to Oncor Electric Delivery Company LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Ave., Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this __________ day of ___________________, 2025.

____
Mayor

ATTEST:

____
City Secretary

APPROVED AS TO FORM:

____

____
City Attorney

AGENDA MEMORANDUM

DATE: September 30, 2025

TO: Watauga Economic Development Corporation Directors

FROM: Sandra Gibson, City Manager

SUBJECT: Consider action to approve the Capp Smith Food Truck Project expenditure funded by the WEDC and related Grant Agreement to provide funding for debt service payments

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BACKGROUND/INFORMATION:

The WEDC approved the FY2025-2026 budget on July 14, 2025 and the City Council provided final approval of the WEDC Budget on August 25, 2025. During the budget process, the Food Truck Conceptual Plan was presented to the WEDC, and the final conceptual plan was presented in a Joint Workshop with the WEDC and City Council on July 14th. At the July 14th workshop, the City Council and WEDC Board agreed to move forward with the project. The Food Truck Project will be funded by the proceeds from the 2025 Certificates of Obligation and the proceeds from the previously issued 2020 Certificates of Obligation. The presentation from the July 14, 2025 workshop is included for the City Council's reference.

To provide funding for the EDC portion of the 2025 Certificates of Obligation for the Food Truck, the WEDC approved the attached agreement with the City, which will provide the funding on an annual basis for the payment of the debt. The City Council is the final authority for approving the project and the funding agreement.

State law requires that corporations hold a public hearing on projects funded by 4B tax proceeds and that projects considered at a public hearing wait 60 days after the first public notice of the project. The public notice of the project was published on September 5, 2025 and was held on September 16, 2025. State law requirements are listed below:

Public Hearing Requirement for Expending Section 4B Tax Proceeds
Previously, a Section 4B corporation was required to hold at least one public hearing on any proposed project, including a proposal to expend funds on maintenance and operating expenses of a project. However, in 2007, the Act was amended to provide that a corporation created by an eligible city with a population of less than 20,000 is not required to hold a public hearing under this subsection if the proposed project is defined by Section 2 of this Act. If a public hearing is required, the hearing must be held before the corporation expends any Section 4B funds on the project. After the projects have been considered at a public hearing and 60 days have passed since the first public notice

AGENDA MEMORANDUM

of the nature of the projects, the development corporation is free to make expenditures related to the projects pursuant to the adopted budget.

Public Notice Requirement and the 60-Day Right to Petition
The public has a right to gather a petition objecting to a particular Section 4B project. The petition must be submitted within 60 days of the first published notice of a specific project or type of project and must be signed by more than 10 percent of the registered voters of the city.

If a petition is pursued by the public, the petition can ask that the city hold an election on the issue before that specific project or type of project is undertaken. If the petition is submitted in a timely manner and an election is required, the corporation may not undertake the project until the voters approve the project at an election on the issue. If the voters disapprove the project at the election, the Section 4B tax proceeds may not be used for that purpose.

FINANCIAL IMPLICATIONS:
Appropriations for this project are included in the 2025-2026 Budget (Capital Projects Fund). A budget amendment will be necessary for the WEDC to provide the funding for this year's debt service payment.

RECOMMENDATION/ACTION DESIRED:
Recommend the City Council review and approve the Food Truck Park expenditure and related grant agreement.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
1. Food Truck Site_Grant Agreement_2025
2. Debt Service - Food Truck Park
3. 1 - 07-08-25 Capp Smith Park - Food Truck Park Master Plan

REVIEWED BY:

Jennifer Calvert, Finance Director	Approved - 10/1/2025
Paul Hackleman, Director of Public Works	Approved - 10/1/2025
Joseph Gorfida, Attorney	Approved - 10/7/2025
David Berman, City Attorney	Approved - 10/7/2025
Sandra Gibson, City Manager	Approved - 10/7/2025
Linda Proskey, City Secretary	New -

Approved as to form for inclusion on Agenda

STATE OF TEXAS §
COUNTY OF TARRANT §

CITY OF WATAUGA ECONOMIC DEVELOPMENT GRANT AGREEMENT

Authority

This Agreement is made under the authority of the TEX. LOC. GOV. CODE chapters 501, 502 and 505, as amended (the "Code")

Parties

This Agreement is made and entered into by and between the City of Watauga Economic Development Corporation (the "WEDC") organized under the Code, and the City of Watauga (the "GRANTEE")

Effective Date

This Agreement shall be effective on the 61st day after the date the notice of the public hearing was first published, provided that no valid petition seeking an election on whether the project should be undertaken is filed with the municipality and provided that the WEDC and GRANTEE have duly executed the Agreement by signature of authorized representatives of both WEDC and Grantee ("Effective Date").

Preamble

WHEREAS, the WEDC held a public hearing on this proposed project on September 16, 2025 before spending money to undertake the project as required by Texas Local Government Code Section 505.159.

WHEREAS, the WEDC held a public meeting concerning the expenditure of the funds that are the subject of this agreement on September 16, 2025; and

WHEREAS, upon the recommendation of the WEDC, the City Council of Watauga, Texas on _______________, approved the expenditure of said funds; and

WHEREAS, Texas Local Government Code Section 505.152 defines as an authorized "project" to include "…equipment… and improvements found by the board of directors to be… suitable for use for… public park purposes and events, including… parks and park facilities, open space improvements… and other related improvements that enhance any of the items described in this section."

WHEREAS, the WEDC Board of Directors find that this is an authorized project as provided by Texas Local Government Code Section 505.152.

NOW THEREFORE, in view of the above and foregoing, and in consideration of the mutual agreements herein contained, WEDC and Grantee hereby agree as follows:

Terms

In consideration for the mutual promises and covenants given and the mutual benefits received, which is hereby acknowledged by the Parties, the Parties agree as follows:

1) Purpose; Allocation; Schedule of Payments

i) WEDC shall allocate an amount of funds ("Funds") sufficient to cover the costs of constructing a food truck site to be located within the corporate boundaries of the City of Watauga as pre-approved by the WEDC and City of Watauga City Council in order to facilitate economic development activity, business recruitment, retention and expansion efforts for the future benefit of the WEDC and City of Watauga.

ii) Said GRANTEE shall use Funds allocated for the purpose of paying the debt service requirements (each February and August) on the 2025 Certificates of Obligation issued by the City of Watauga, specific to the project food truck site. Said site is instrumental to the WEDC in the promotion and development of new and expanded business enterprises in the City of Watauga and shall benefit the WEDC in their goals of creating and expanding economic growth in the City of Watauga.

iii) The exact amount of Funds to be allocated shall be determined by the City's Financial Advisor with a separate debt schedule set forth solely for the purpose of the Food Truck Site. The schedule for payment shall be based on a 20-year timeline beginning in February, 2026 and ending in September 2045, with a minimum of two semi-annual payments due on or before February 15 and August 15, at the interest rate set at the bond issuance in August, 2025 by the City to pay for the Food Truck Site.

2) Default:

i) Any party to this Agreement is in default if the party has failed to perform any obligation in this agreement, after notice of failure to perform and the passage of 90 days and that party has failed to cure the alleged failure to perform.

ii) If a default occurs in the performance of any obligation of WEDC or Grantee, any payment or performance obligation may be enforced by: (1) mandamus; or (2) the appointment of a receiver in equity with the power to: (A) charge and collect any applicable rents, purchase price payments, and loan payments; and (B) apply any revenue from the project in accordance with any resolution, mortgage, or instrument supporting or related to this agreement.

iii) The WEDC may terminate this Agreement if it is determined that GRANTEE is in default by using the funds provided for in this Agreement for any purpose other than those identified in Section 1(i) of this Agreement. Termination of this Agreement may be affected if any such default is not cured within ninety (90) days after written notice by WEDC to GRANTEE.

iv) In the event of termination for default under this agreement, WEDC's sole remedy shall be termination of this agreement and reimbursement of the funds determined to be improperly used.

3) Miscellaneous

i) Assignment. GRANTEE may not assign this Agreement.

ii) No Right of Renewal. It is understood and agreed that the receipt of these funds by GRANTEE shall not imply any right of automatic renewal of this contract.

iii) Notice. Any notice required under the provisions of this Agreement shall be in writing and delivered in person, by email, by fax or deposited in the United States Mail, registered or certified, return receipt requested. Any such notice must be addressed to WEDC or GRANTEE at the following addresses. Any notice shall be deemed received three days after the date of deposit in the United States Mail, unless proof is offered to the contrary. Unless otherwise provided in this Agreement, all notices shall be delivered to the following addresses:

WEDC: City of Watauga Economic Development Corporation
Attn: Chairman of the Board of Directors
7105 Whitley Road
Watauga, Texas 76148

GRANTEE: City of Watauga, Texas
Attn: City Manager
7105 Whitley Road
Watauga, Texas 76148

Either party may designate a different address or fax number by giving the other party written notice.

iv) Binding Agreement. This Agreement has been duly executed and delivered by both parties and constitutes a legal, valid and binding obligation of the parties. Each person executing this Agreement on behalf of each party represents and warrants that they have full right and authority to enter into this Agreement.

v) Amendment. This Agreement may not be amended except in a written instrument specifically referring to this Agreement, approved by the WEDC Board of Directors and the City Council of Grantee and signed by the parties hereto.

vi) Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. The State of Texas shall have jurisdiction over this Agreement and the parties hereto, and venue of any legal action filed by either WEDC or GRANTEE shall be in Tarrant County, Texas.

vii) Severability. In the event that one or more of the provisions contained in the Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein, but shall not affect the remaining provisions of this Agreement, which shall remain in full force and effect.

viii) Execution. WEDC executes this Agreement by and through its President. GRANTEE executes this Agreement by and through its Mayor. The parties further agree that this Agreement may be executed in multiple counterparts, each of which shall be considered an original.

WATAUGA ECONOMIC DEVELOPMENT CORPORATION:	CITY OF WATAUGA:
____________________________, 2025	____________________________, 2025
DATE	DATE
____________________________	____________________________
CHAIRMAN	MAYOR
ATTEST:	ATTEST:
____________________________	____________________________
CORPORATION SECRETARY	LINDA PROSKEY CITY SECRETARY

DETAILED BOND DEBT SERVICE

City of Watauga, Texas

$10,225,000 Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2025
Callable 2/1/2034 at Par
EDC (20-Year Amortization)

Period Ending	*Principal*	*Coupon*	*Interest*	*Debt Service*	*Annual Debt Service*
02/01/2026	220,000	5.000%	45,361.81	265,361.81	
08/01/2026			43,687.50	43,687.50	
09/30/2026					309,049.31
02/01/2027	60,000	5.000%	43,687.50	103,687.50	
08/01/2027			42,187.50	42,187.50	
09/30/2027					145,875.00
02/01/2028	65,000	5.000%	42,187.50	107,187.50	
08/01/2028			40,562.50	40,562.50	
09/30/2028					147,750.00
02/01/2029	70,000	5.000%	40,562.50	110,562.50	
08/01/2029			38,812.50	38,812.50	
09/30/2029					149,375.00
02/01/2030	70,000	5.000%	38,812.50	108,812.50	
08/01/2030			37,062.50	37,062.50	
09/30/2030					145,875.00
02/01/2031	75,000	5.000%	37,062.50	112,062.50	
08/01/2031			35,187.50	35,187.50	
09/30/2031					147,250.00
02/01/2032	80,000	5.000%	35,187.50	115,187.50	
08/01/2032			33,187.50	33,187.50	
09/30/2032					148,375.00
02/01/2033	85,000	5.000%	33,187.50	118,187.50	
08/01/2033			31,062.50	31,062.50	
09/30/2033					149,250.00
02/01/2034	85,000	5.000%	31,062.50	116,062.50	
08/01/2034			28,937.50	28,937.50	
09/30/2034					145,000.00
02/01/2035	90,000	5.000%	28,937.50	118,937.50	
08/01/2035			26,687.50	26,687.50	
09/30/2035					145,625.00
02/01/2036	95,000	5.000%	26,687.50	121,687.50	
08/01/2036			24,312.50	24,312.50	
09/30/2036					146,000.00
02/01/2037	100,000	5.000%	24,312.50	124,312.50	
08/01/2037			21,812.50	21,812.50	
09/30/2037					146,125.00
02/01/2038	105,000	4.125%	21,812.50	126,812.50	
08/01/2038			19,646.88	19,646.88	
09/30/2038					146,459.38
02/01/2039	110,000	4.250%	19,646.88	129,646.88	
08/01/2039			17,309.38	17,309.38	
09/30/2039					146,956.26
02/01/2040	115,000	4.250%	17,309.38	132,309.38	
08/01/2040			14,865.63	14,865.63	
09/30/2040					147,175.01
02/01/2041	120,000	4.375%	14,865.63	134,865.63	
08/01/2041			12,240.63	12,240.63	
09/30/2041					147,106.26
02/01/2042	125,000	4.500%	12,240.63	137,240.63	
08/01/2042			9,428.13	9,428.13	
09/30/2042					146,668.76
02/01/2043	130,000	4.500%	9,428.13	139,428.13	
08/01/2043			6,503.13	6,503.13	
09/30/2043					145,931.26
02/01/2044	140,000	4.500%	6,503.13	146,503.13	
08/01/2044			3,353.13	3,353.13	
09/30/2044					149,856.26
02/01/2045	145,000	4.625%	3,353.13	148,353.13	
09/30/2045					148,353.13
	2,085,000		1,019,055.63	3,104,055.63	3,104,055.63

CAPP SMITH PARK FOOD TRUCK ADDITION

JULY 2025

FINAL MASTER PLAN

DUNAWAY

Scope & Schedule

Analysis & Programming ------------------------ *Complete*

- ✓ Base Map for Existing Conditions Exhibits
- ✓ Prepare Site Analysis and Programming
- ✓ Final Program List
- ✓ Meeting with City Staff Review

Conceptual Development ------------------------ *Complete*

- ✓ Prepare Concept Plan Alternatives
- ✓ Prepare Consensus Concept Plan

Final Master Plan -------------------------------- *July 2025*

- ✓ Preliminary Master Plan & Budget Projections
- ✓ Final Master Plan & Final Budget Projections
  - ✓ Include 3D Model views
- ❑ Stakeholder Presentation

Final Master Plan

Key Features:

- Comfort Station
- Food Truck Stalls
  - *5 Total*
- Artificial Turf Seating Areas
- Specialized Paving at Food Trucks
- Decomposed Granite Seating Areas
- Parking Lot Improvements
  - *+/- 39 Parking Spaces*
- Main Allee
- Pedestrian Lighting
- Site Furniture & Seating Options

Program Imagery


Main Allee


Shaded Seating


Art Opportunities


Food Trucks


Seat Walls

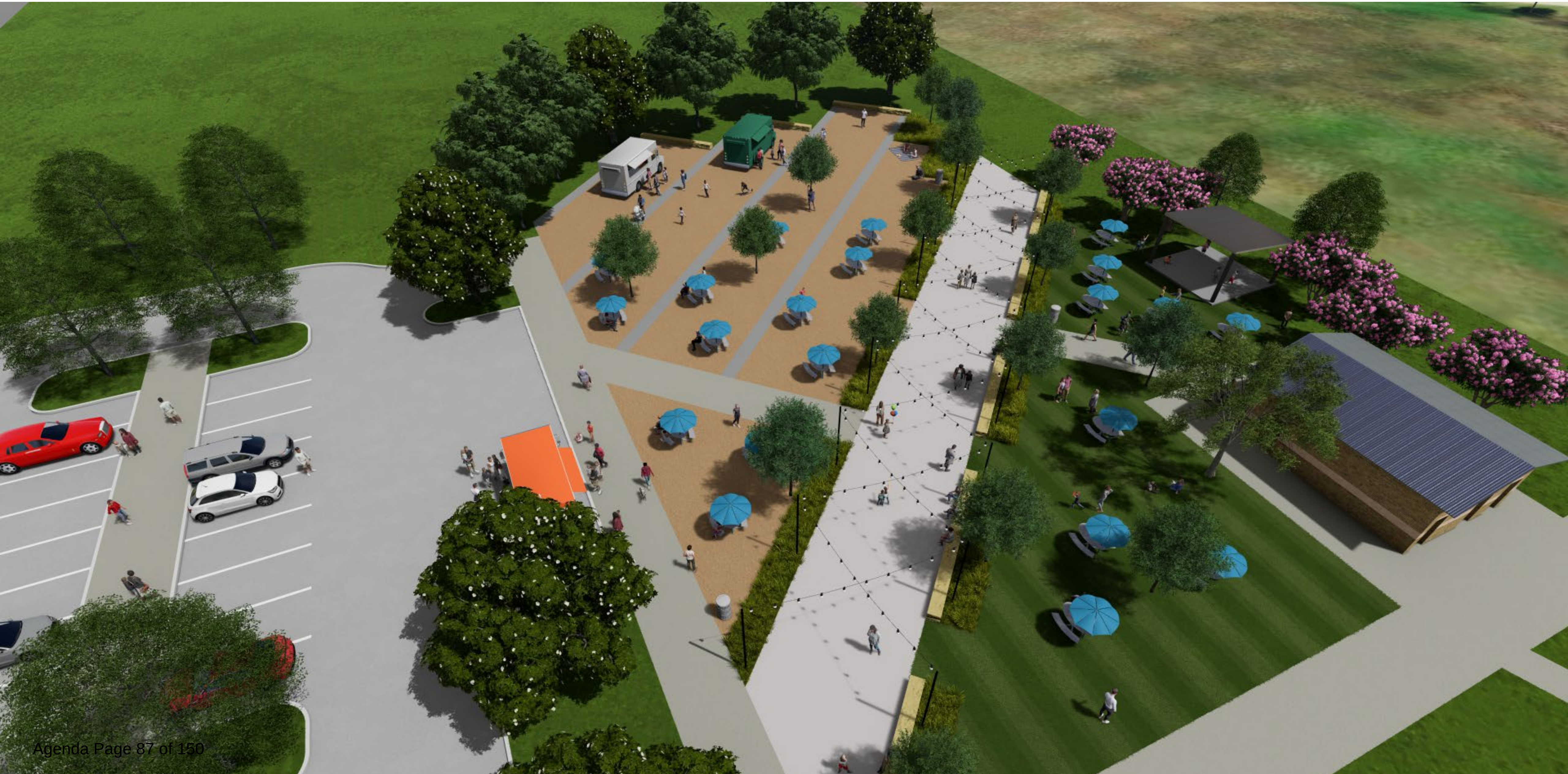

Stage


Stage

View Down Allee

Perspective from East

Bird’s Eye from Parking Lot



Opinion of Probable Cost

Phase 1

General Site Items	*$85,000*
Comfort Station	*$750,000*
Parking Improvements	*$428,000*
Landscape & Irrigation	*$40,000*
Total	***$1,303,000***

Phase 2

General Site Items	*$200,000*
Paving	*$248,270*
Food Truck Plaza	*$454,300*
Landscape and Irrigation	*$95,400*
Total	***$997,970***

Phase 1 & 2

Grand Total	*$2,300,970*
Contingency +/-20%	*$457,000*
Construction Total	***$2,757,970***

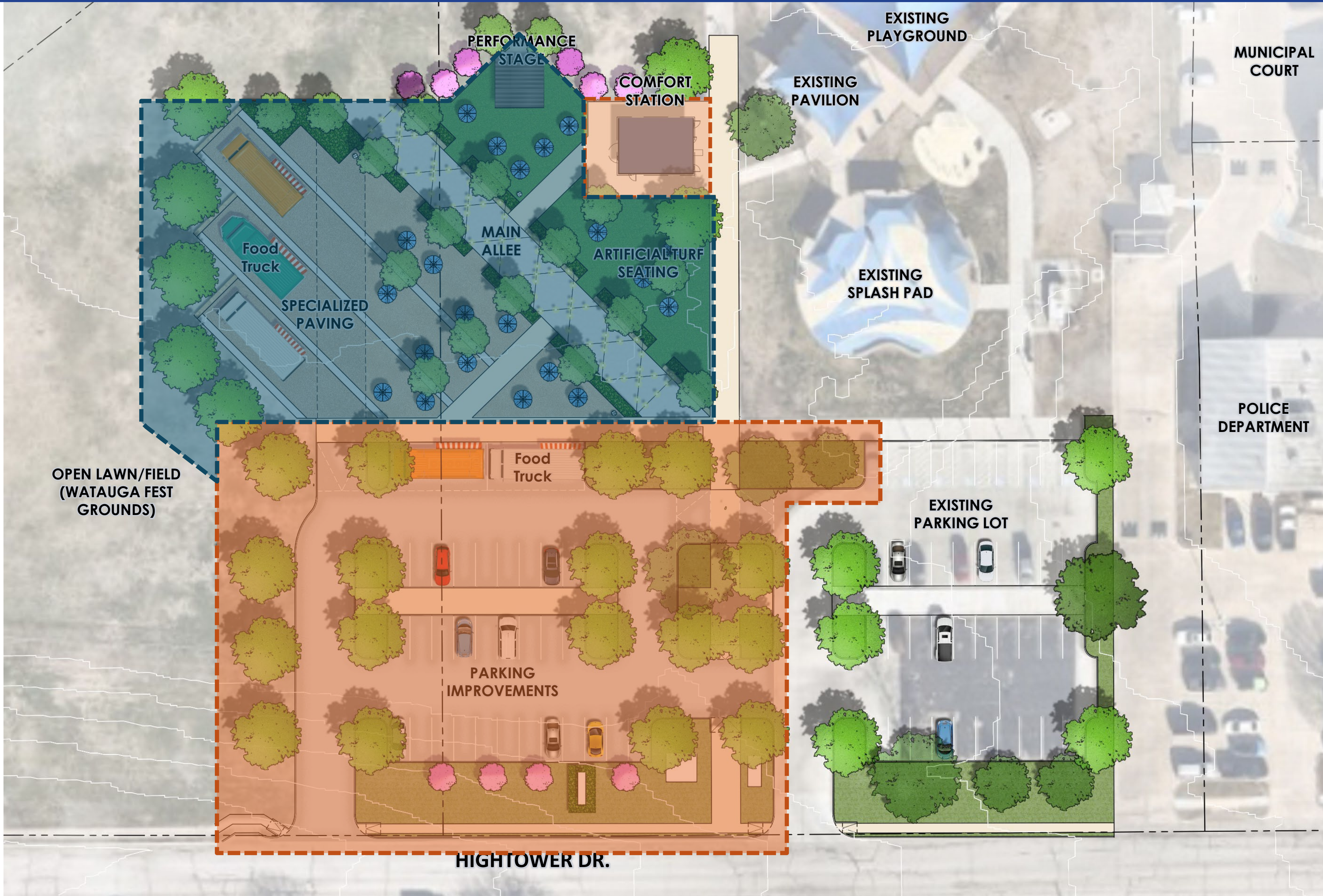
Phasing Diagram

Phase 1

Comfort Station & Parking
- *$1,303,000*

Phase 2

Remaining Site Improvements
- *$997,970*



Q & A

AGENDA MEMORANDUM

DATE: September 23, 2025

TO: Watauga Economic Development Corporation Directors

FROM: Sandra Gibson, City Manager

SUBJECT: Consider possible action on amending the bylaws of the Watauga Economic Development Corporation (WEDC) to designate the duly elected Mayor, at the time of service, as the President of the WEDC.

BACKGROUND/INFORMATION:

At the June 17, 2025 EDC Meeting, Vice President Stephen Welch asked to place this item on a future agenda for discussion and possible action. Director Malissa Minucci seconded the request.

The WEDC took action to approve the change to the WEDC bylaws on September 16, 2025. The City Council is the final authority on changes to the Corporation's bylaws. If approved, the proposed change would be as follows:

“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. The President of the Corporation shall be the presiding Mayor of the City of Watauga. All other officers shall be appointed by and hold office at the pleasure of the Board of Directors.”

FINANCIAL IMPLICATIONS:

None

RECOMMENDATION/ACTION DESIRED:

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

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. 2024 Bylaws
2. Watauga EDC Resolution Approving Amendment to Bylaws

REVIEWED BY:

Sandra Gibson, City Manager — Approved - 10/1/2025

AGENDA MEMORANDUM

Joseph Gorfida, Attorney	Approved - 10/7/2025
David Berman, City Attorney	Approved - 10/7/2025
Sandra Gibson, City Manager	Approved - 10/7/2025
Linda Proskey, City Secretary	New -

Approved as to form for inclusion on Agenda

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 filed 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 1st and end September 30th 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 45th 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 15th day after the date the Board files the proposed budget with the City Secretary. The Corporation shall provide notice of the date, time and location of the hearing and the approval date by the City of Watauga's City Council on the Corporation's website.

4.04 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 18th day of June 2024.

WATAUGA ECONOMIC DEVELOPMENT CORPORATION

By: Jan Hill
Secretary

[Seal]

Approved by City Council on the 8 day of July, 2024.

RESOLUTION NO. ______________

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION APPROVING AND RECOMMENDING AN AMENDMENT TO THE BYLAWS OF THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION TO DESIGNATE THE MAYOR AS PRESIDENT OF THE BOARD; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Directors of the Watauga Economic Development Corporation has considered amendments to its bylaws and finds and determines that the amendment provided for hereinafter will promote the effectiveness and efficiency of meetings of the Board of the Board of Directors, will promote the Corporation's goals and objectives, and will promote the public health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION, THAT

I.

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

II.

The Board of Directors of the Watauga Economic Development Corporation does hereby approve and adopt an amendment to Section 3.01 of Article Three of the Bylaws, as amended, such that Section 3.01 shall henceforth read in its entirety as follows:

"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. The President of the Corporation shall be the presiding Mayor of the City of Watauga. All other officers shall be appointed by and hold office at the pleasure of the Board of Directors."

III.

This resolution shall become effective and shall be in full force and effect from and after the date of passage and adoption by the Board of Directors if the Watauga Economic Development Corporation of the City of Watauga, Texas, and the approval of the City Council of the City of Watauga, as the law and bylaws in such cases provide.

PASSED AND ADOPTED by the Board of Directors of the Watauga Economic Development Corporation of the City of Watauga, Texas, this _____ day of __________, 2025.

APPROVED:

____
ARTHUR L. MINER, Chairman

ATTEST:

____
Board Secretary

[*Edited version showing changes*]

"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. The President of the Corporation shall be the presiding Mayor of the City of Watauga. All other officers shall be appointed by and hold office at the pleasure of the Board of Directors."

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Effective date: 09/20/2025

FEMA

Randy Barkley
CITY OF WATAUGA
7105 WHITLEY ROAD
WATAUGA, TX 76148

EMW-2024-FF-00203

Dear Randy Barkley,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2024 Staffing for Adequate Fire and Emergency Response (FF) Grant funding opportunity has been approved in the amount of $606,463.08 in Federal funding.

As a condition of this award, you are required to contribute non-Federal funds equal to or greater than the non-Federal share percentage in the following table:

Year	Non-Federal Share: Percentage of Actual Costs	Federal Share: Percentage of Actual Costs
First Year	25%	75%
Second Year	25%	75%
Third Year	65%	35%

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2024 FF Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

Stacey Street
Deputy Assistant Administrator
Grants Program Directorate

Summary Award Memo

Program: Fiscal Year 2024 Staffing for Adequate Fire and Emergency Response
Recipient: CITY OF WATAUGA
UEI-EFT: CVDVXUMMH1L6
Award number: EMW-2024-FF-00203

Summary description of award

The purpose of the SAFER Grant Program is to provide funding directly to fire departments and volunteer firefighter interest organizations to assist in increasing the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application — including budget information — was consistent with the SAFER Grant Program’s purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for Fiscal Year (FY) 2024 Staffing for Adequate Fire and Emergency Response (SAFER) Grant funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Position Cost Limit

The usual cost of a first-year firefighter in your department at the time your application was submitted was $327,817.89. The maximum amount of Federal funding provided to the recipient is limited to the following:

Year	Federal Funding Cap Percent	Federal Funding Cap Amount per Firefighter
First Year	75%	$245,863.41
Second Year	75%	$245,863.41
Third Year	35%	$114,736.26

Amount awarded

The amount of the award is detailed in the attached Obligating Document for Award. The cost share amounts described in this award letter are based on the approved total project cost; however, the Federal funding available is limited based on the applicable position cost limit and the applicable cost share as applied to actual costs.

The following are the total approved budgeted estimates for object classes for all funded firefighter positions for this award (including Federal share plus your cost share, if applicable, as applied to the estimated costs):

Object Class	First Year	Second Year	Third Year	Total
Personnel	$227,982.00	$227,982.00	$227,982.00	$683,946.00
Fringe benefits	$99,835.89	$99,835.89	$99,835.89	$299,507.67
Travel	$0.00	$0.00	$0.00	$0.00
Equipment	$0.00	$0.00	$0.00	$0.00
Supplies	$0.00	$0.00	$0.00	$0.00
Contractual	$0.00	$0.00	$0.00	$0.00
Construction	$0.00	$0.00	$0.00	$0.00
Other	$0.00	$0.00	$0.00	$0.00
Indirect charges	$0.00	$0.00	$0.00	$0.00
Federal	$245,863.41	$245,863.41	$114,736.26	$606,463.08
Non-federal	$81,954.48	$81,954.48	$213,081.63	$376,990.59
Total	$327,817.89	$327,817.89	$327,817.89	$983,453.67

Program Income	$0.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2024 FF NOFO.

Approved request details:

Hiring of Firefighters

New, Additional Firefighter(s)

BENEFITS FUNDED

All Benefit cost are based off Entry Level Pay for Firefighter/Paramedic Salary of $75,994 Annual Benefits Breakdown Holiday Pay $3,942.12 Based on shift firefighter schedule Vacation/Sick Leave Accrual $4,548.60 Estimated value of accrued paid leave time Health Insurance (HSA Plan) $7,825.20 $652.10/month x 12 (employee-only City-paid premium) City HSA Contribution $1,000.00 Annual City HSA contribution for employee-only plan Dental Insurance $420.00 Estimated $35/month Vision Insurance $144.00 Estimated $12/month FICA (Social Security + Medicare) $5,659.74 7.65% of $73,984.40 salary Life Insurance $120.00 Estimated average cost TMRS Retirement (City Contribution) $9,618.97 13% of salary (City’s match for Texas Municipal Retirement System) Total Annual Benefits Cost: $33,278.63

NUMBER OF FIREFIGHTERS	ANNUAL SALARY PRICE	ANNUAL BENEFITS	TOTAL PER FIREFIGHTER
3	$75,994.00	$33,278.63	$109,272.63

3 YEAR TOTAL
$983,453.67

Agreement Articles

Program: Fiscal Year 2024 Staffing for Adequate Fire and Emergency Response
Recipient: CITY OF WATAUGA
UEI-EFT: CVDVXUMMH1L6
Award number: EMW-2024-FF-00203

Table of contents

Article 1	Assurance, Administrative Requirements, Cost Principles, Representations, and Certifications
Article 2	General Acknowledgements and Assurances
Article 3	Acknowledgement of Federal Funding from DHS
Article 4	Activities Conducted Abroad
Article 5	Age Discrimination Act of 1975
Article 6	Americans with Disabilities Act of 1990
Article 7	Best Practices for Collection and Use of Personally Identifiable Information
Article 8	CHIPS and Science Act of 2022, Public Law 117-167 CHIPS
Article 9	Civil Rights Act of 1964 – Title VI
Article 10	Civil Rights Act of 1968
Article 11	Communication and Cooperation with the Department of Homeland Security and Immigration Officials
Article 12	Copyright
Article 13	Debarment and Suspension
Article 14	Drug-Free Workplace Regulations
Article 15	Duplicative Costs
Article 16	Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX
Article 17	Energy Policy and Conservation Act
Article 18	Equal Treatment of Faith-Based Organizations
Article 19	Anti-Discrimination
Article 20	False Claims Act and Program Fraud Civil Remedies
Article 21	Federal Debt Status
Article 22	Federal Leadership on Reducing Text Messaging while Driving
Article 23	Fly America Act of 1974
Article 24	Hotel and Motel Fire Safety Act of 1990
Article 25	John S. McCain National Defense Authorization Act of Fiscal Year 2019

Article 26	Limited English Proficiency (Civil Rights Act of 1964, Title VI)
Article 27	Lobbying Prohibitions
Article 28	National Environmental Policy Act
Article 29	National Security Presidential Memorandum-33 (NSPM-33) and provisions of the CHIPS and Science Act of 2022, Pub. L. 117-167, Section 10254
Article 30	Non-Supplanting Requirement
Article 31	Notice of Funding Opportunity Requirements
Article 32	Patents and Intellectual Property Rights
Article 33	Presidential Executive Orders
Article 34	Procurement of Recovered Materials
Article 35	Rehabilitation Act of 1973
Article 36	Reporting Recipient Integrity and Performance Matters
Article 37	Reporting Subawards and Executive Compensation
Article 38	Required Use of American Iron, Steel, Manufactured Products, and Construction Materials
Article 39	SAFECOM
Article 40	Subrecipient Monitoring and Management
Article 41	System for Award Management and Unique Entity Identifier Requirements
Article 42	Termination of a Federal Award
Article 43	Terrorist Financing
Article 44	Trafficking Victims Protection Act of 2000(TVPA)
Article 45	Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, Pub. L. 107-56
Article 46	Use of DHS Seal, Logo and Flags
Article 47	Whistleblower Protection Act
Article 48	Environmental Planning and Historic Preservation (EHP) Review
Article 49	Applicability of DHS Standard Terms and Conditions to Tribal Nations
Article 50	Acceptance of Post Award Changes

Article 51	**Disposition of Equipment Acquired Under the Federal Award**
Article 52	**Prior Approval for Modification of Approved Budget**
Article 53	**Indirect Cost Rate**
Article 54	**Build America, Buy America Act (BABAA) Required Contract Provision & Self-Certification**
Article 55	**Award Performance Goals**
Article 56	**Termination of the Federal Award (Updated)**
Article 57	**Payment Information (Updated)**
Article 58	**Non-Applicability of Specific Agreement Articles**
Article 59	**Non-Applicability of Specific Agreement Articles**

Article 1	**Assurance, Administrative Requirements, Cost Principles, Representations, and Certifications** I. Recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non- Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances, as instructed.
Article 2	**General Acknowledgements and Assurances** Recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in effect as of the federal award date and located in Title 2, Code of Federal Regulations, Part 200 and adopted by DHS at 2 C.F.R. § 3002.10. All recipients and subrecipients must acknowledge and agree to provide DHS access to records, accounts, documents, information, facilities, and staff pursuant to 2 C.F.R. § 200.337. I. Recipients must cooperate with any DHS compliance reviews or compliance investigations. II. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal award and permit access to facilities and personnel. III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements required by law, federal regulation, Notice of Funding Opportunity, federal award specific terms and conditions, and/or DHS Component program guidance. Organization costs related to data and evaluation are allowable. The definition of data and evaluation costs is in 2 C.F.R. § 200.455(c), the full text of which is incorporated by reference. V. Recipients must complete DHS Form 3095 within 60 days of receipt of the Notice of Award for the first award under which this term applies. For further instructions and to access the form, please visit: https://www.dhs.gov/civil-rightsresources-recipients-dhs-financial-assistance.
Article 3	**Acknowledgement of Federal Funding from DHS** Recipients must acknowledge their use of federal award funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal award funds.
Article 4	**Activities Conducted Abroad** Recipients must coordinate with appropriate government authorities when performing project activities outside the United States obtain all appropriate licenses, permits, or approvals.

Article 5	**Age Discrimination Act of 1975** Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (codified as amended at Title 42, U.S. Code § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
Article 6	**Americans with Disabilities Act of 1990** Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.
Article 7	**Best Practices for Collection and Use of Personally Identifiable Information** (1) Recipients who collect personally identifiable information (PII) as part of carrying out the scope of work under a federal award are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. (2) Definition. DHS defines “PII” as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

Article 8 **CHIPS and Science Act of 2022, Public Law 117-167 CHIPS**

(1) Recipients of DHS research and development (R&D) awards must report to the DHS Component research program office any finding or determination of sex based and sexual harassment and/or an administrative or disciplinary action taken against principal investigators or co-investigators to be completed by an authorized organizational representative (AOR) at the recipient institution. (2) Notification. An AOR must disclose the following information to agencies within 10 days of the date/the finding is made, or 10 days from when a recipient imposes an administrative action on the reported individual, whichever is sooner. Reports should include: (a) Award number, (b) Name of PI or Co-PI being reported, (c) Awardee name, (d) Awardee address, (e) AOR name, title, phone, and email address, (f) Indication of the report type: (i) Finding or determination has been made that the reported individual violated awardee policies or codes of conduct, statutes, or regulations related to sexual harassment, sexual assault, or other forms of harassment, including the date that the finding was made. (ii) Imposition of an administrative or disciplinary action by the recipient on the reporting individual related to a finding/determination or an investigation of an alleged violation of recipient policy or codes of conduct, statutes, or regulations, or other forms of harassment. (iii) The date and nature of the administrative/disciplinary action, including a basic explanation or description of the event, which should not disclose personally identifiable information regarding any complaints or individuals involved. Any description provided must be consistent with the Family Educational Rights in Privacy Act. (3) Definitions. (a) An “authorized organizational representative (AOR)” is an administrative official who, on behalf of the proposing institution, is empowered to make certifications and representations and can commit the institution to the conduct of a project that an agency is being asked to support as well as adhere to various agency policies and award requirements. (b) “Principal investigators and co-principal investigators” are award personnel supported by a grant, cooperative agreement, or contract under Federal law. (c) A “reported individual” refers to recipient personnel who have been reported to a federal agency for potential sexual harassment violations. (d) “Sex based harassment” means a form of sex discrimination and includes harassment based on sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. (e) “Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when this conduct explicitly or implicitly affects an individual’s employment, unreasonably interferes with an individual’s work performance, or creates an intimidating, hostile, or offensive work environment, whether such activity is carried out by a supervisor or by a co-worker, volunteer, or contractor.

Article 9	**Civil Rights Act of 1964 – Title VI** Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21. Recipients of a federal award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 7.
Article 10	**Civil Rights Act of 1968** Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90284 (codified as amended at 42 U.S.C. § 3601 et seq.) which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection. therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex, as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article 11	**Communication and Cooperation with the Department of Homeland Security and Immigration Officials** (1) All recipients and other recipients of funds under this award must agree that they will comply with the following requirements related to coordination and cooperation with the Department of Homeland Security and immigration officials: (a) They must comply with the requirements of 8 U.S.C. §§ 1373 and 1644. These statutes prohibit restrictions on information sharing by state and local government entities with DHS regarding the citizenship or immigration status, lawful or unlawful, of any individual. Additionally, 8 U.S.C. § 1373 prohibits any person or agency from prohibiting, or in any way restricting, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status of any individual: 1) sending such information to, or requesting or receiving such information from, Federal immigration officials; 2) maintaining such information; or 3) exchanging such information with any other Federal, State, or local government entity; (b) They must comply with other relevant laws related to immigration, including prohibitions on encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), prohibitions on transporting or moving illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(ii), prohibitions on harboring, concealing, or shielding from detection illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(iii), and any applicable conspiracy, aiding or abetting, or attempt liability regarding these statutes; (c) That they will honor requests for cooperation, such as participation in joint operations, sharing of information, or requests for short term detention of an alien pursuant to a valid detainer. A jurisdiction does not fail to comply with this requirement merely because it lacks the necessary resources to assist in a particular instance; (d) That they will provide access to detainees, such as when an immigration officer seeks to interview a person who might be a removable alien; and (e) That they will not leak or otherwise publicize the existence of an immigration enforcement operation. (2) The recipient must certify under penalty of perjury pursuant to 28 U.S.C. § 1746 and using a form that is acceptable to DHS, that it will comply with the requirements of this term. Additionally, the recipient agrees that it will require any subrecipients or contractors to certify in the same manner that they will comply with this term prior to providing them with any funding under this award. (3) The recipient agrees that compliance with this term is material to the Government's decision to make or continue with this award and that the Department of homeland Security may terminate this grant, or take any other allowable enforcement action, if the recipient fails to comply with this term.
Article 12	**Copyright** Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 to any work first produced under federal awards and also include an acknowledgement that the work was produced under a federal award (including the federal award number and federal awarding agency). As detailed in 2 C.F.R. § 200.315, a federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for federal purposes and to authorize others to do so.

Article 13	**Debarment and Suspension** Recipients must comply with the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689 set forth at 2 C.F.R. Part 180 as implemented by DHS at 2 C.F.R. Part 3000. These regulations prohibit recipients from entering into covered transactions (such as subawards and contracts) with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.
Article 14	**Drug-Free Workplace Regulations** Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government- wide implementation (2 C.F.R. Part 182) of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).
Article 15	**Duplicative Costs** Recipients are prohibited from charging any cost to this federal award that will be included as a cost or used to meet cost sharing requirements of any other federal award in either the current or a prior budget period. See 2 C.F.R. § 200.403(f). However, recipients may shift costs that are allowable under two or more federal awards where otherwise permitted by federal statutes, regulations, or the federal award terms and conditions.
Article 16	**Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX** Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17. Recipients of a federal award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 19.
Article 17	**Energy Policy and Conservation Act** Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94-163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article 18	**Equal Treatment of Faith-Based Organizations** It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.
Article 19	**Anti-Discrimination** Recipients must comply with all applicable Federal anti-discrimination laws material to the government's payment decisions for purposes of 31 U.S.C. § 372(b)(4). (1) Definitions. As used in this clause – (a) DEI means "diversity, equity, and inclusion." (b) DEIA means "diversity, equity, inclusion, and accessibility." (c) Discriminatory equity ideology has the meaning set forth in Section 2(b) of Executive Order 14190 of January 29, 2025. (d) Federal anti-discrimination laws mean Federal civil rights law that protect individual Americans from discrimination on the basis of race, color, sex, religion, and national origin. (e) Illegal immigrant means any alien, as defined in 8 U.S.C. § 1101(a)(3), who has no lawful immigration status in the United States.(2) Grant award certification. (a) By accepting the grant award, recipients are certifying that: (i) They do not, and will not during the term of this financial assistance award, operate any programs that advance or promote DEI, DEIA, or discriminatory equity ideology in violation of Federal anti-discrimination laws; and (ii) They do not engage in and will not during the term of this award engage in, a discriminatory prohibited boycott. (iii) They do not, and will not during the term of this award, operate any program that benefits illegal immigrants or incentivizes illegal immigration. (3) DHS reserves the right to suspend payments in whole or in part and/or terminate financial assistance awards if the Secretary of Homeland Security or her designee determines that the recipient has violated any provision of subsection (2). (4) Upon suspension or termination under subsection (3), all funds received by the recipient shall be deemed to be in excess of the amount that the recipient is determined to be entitled to under the Federal award for purposes of 2 C.F.R. § 200.346. As such, all amounts received will constitute a debt to the Federal Government that may be pursued to the maximum extent permitted by law.
Article 20	**False Claims Act and Program Fraud Civil Remedies** Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729- 3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)

Article 21	**Federal Debt Status** All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.
Article 22	**Federal Leadership on Reducing Text Messaging while Driving** Recipients are encouraged to adopt and enforce policies that ban text messaging while driving recipient-owned, recipient-rented, or privately owned vehicles when on official government business or when performing any work for or on behalf of the Federal Government. Recipients are also encouraged to conduct the initiatives of the type described in Section 3(a) of Executive Order 13513.
Article 23	**Fly America Act of 1974** Recipients must comply with Preference for U.S. Flag Air Carriers (a list of certified air carriers can be found at: Certificated Air Carriers List | US Department of Transportation, https://www.transportation.gov/policy/aviation-policy/certificated-aircarriers-list)for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.
Article 24	**Hotel and Motel Fire Safety Act of 1990** Recipients must ensure that all conference, meeting, convention, or training space funded entirely or in part by federal award funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a.
Article 25	**John S. McCain National Defense Authorization Act of Fiscal Year 2019** Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. The statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.

Article 26	**Limited English Proficiency (Civil Rights Act of 1964, Title VI)** Recipients must comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: https://www.dhs.gov/guidance-published-help-department-supported-organizationsprovide-meaningful-access-people-limited and additional resources on http://www.lep.gov.
Article 27	**Lobbying Prohibitions** Recipients must comply with 31 U.S.C. § 1352 and 6 C.F.R. Part 9, which provide that none of the funds provided under a federal award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification. Per 6 C.F.R. Part 9, recipients must file a lobbying certification form as described in Appendix A to 6 C.F.R. Part 9 or available on Grants.gov as the Grants.gov Lobbying Form and file a lobbying disclosure form as described in Appendix B to 6 C.F.R. Part 9 or available on Grants.gov as the Disclosure of Lobbying Activities (SF-LLL).
Article 28	**National Environmental Policy Act** Recipients must comply with the requirements of the National Environmental Policy Act of 1969, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq.) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.
Article 29	**National Security Presidential Memorandum-33 (NSPM-33) and provisions of the CHIPS and Science Act of 2022, Pub. L. 117-167, Section 10254** (1) Recipient research institutions ("covered institutions") must comply with the requirements in NSPM-33 and provisions of Pub. L.117-167, Section 10254 (codified at 42 U.S.C. § 18951) certifying that the institution has established and operates a research security program that includes elements relating to: (a) cybersecurity; (b) foreign travel security; (c) research security training; and (d) export control training, as appropriate. (2) Definition. "Covered institutions" means recipient research institutions receiving federal Research and Development (R&D) science and engineering support "in excess of $50 million per year."

Article 30	**Non-Supplanting Requirement** Recipients of federal awards under programs that prohibit supplanting by law must ensure that federal funds supplement but do not supplant non-federal funds that, in the absence of such federal funds, would otherwise have been made available for the same purpose.
Article 31	**Notice of Funding Opportunity Requirements** All the instructions, guidance, limitations, scope of work, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this federal award are incorporated by reference. All recipients must comply with any such requirements set forth in the NOFO. If a condition of the NOFO is inconsistent with these terms and conditions and any such terms of the federal award, the condition in the NOFO shall be invalid to the extent of the inconsistency. The remainder of that condition and all other conditions set forth in the NOFO shall remain in effect.
Article 32	**Patents and Intellectual Property Rights** Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq. and applicable regulations governing inventions and patents, including the regulations issued by the Department of Commerce at 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Government Awards, Contracts, and Cooperative Agreements) and the standard patent rights clause set forth at 37 C.F.R. § 401.14.
Article 33	**Presidential Executive Orders** Recipients must comply with the requirements of Presidential Executive Orders related to grants (also known as federal assistance and financial assistance), the full text of which are incorporated by reference.
Article 34	**Procurement of Recovered Materials** States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965) (codified as amended by the Resource Conservation and Recovery Act at 42 U.S.C. § 6962) and 2 C.F.R. § 200.323. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article 35	**Rehabilitation Act of 1973** Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (codified as amended at 29 U.S.C. § 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
Article 36	**Reporting Recipient Integrity and Performance Matters** If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of the federal award, then the recipient must comply with the requirements set forth in the government-wide federal award term and condition for Recipient Integrity and Performance Matters is in 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated by reference.
Article 37	**Reporting Subawards and Executive Compensation** For federal awards that total or exceed $30,000, recipients are required to comply with the requirements set forth in the government-wide federal award term and condition on Reporting Subawards and Executive Compensation set forth at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated by reference.

Article 38 **Required Use of American Iron, Steel, Manufactured Products, and Construction Materials**

(1) Recipients of a federal award from a financial assistance program that provides funding for infrastructure are hereby notified that none of the funds provided under this federal award may be used for a project for infrastructure unless: (a) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (b) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (c) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. (2) The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project. (3) Waivers When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. The agency should notify the recipient for information on the process for requesting a waiver from these requirements. (a) When the Federal agency has determined that one of the following exceptions applies, the federal awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that: (i) applying the domestic content procurement preference would be inconsistent with the public interest; (ii) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or (iii) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. (b) A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. (c) There may be instances where a federal award qualifies, in whole or in part, for an existing waiver described at "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov. (4) Definitions. The definitions applicable to this term are set forth at 2 C.F.R. § 184.3, the full text of which is incorporated by reference.

Article 39	**SAFECOM** Recipients receiving federal awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. The SAFECOM Guidance is updated annually and can be found at Funding and Sustainment | CISA.
Article 40	**Subrecipient Monitoring and Management** Pass-through entities must comply with the requirements for subrecipient monitoring and management as set forth in 2 C.F.R. §§ 200.331-333.
Article 41	**System for Award Management and Unique Entity Identifier Requirements** Recipients are required to comply with the requirements set forth in the governmentwide federal award term and condition regarding the System for Award Management and Unique Entity Identifier Requirements in 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated reference.
Article 42	**Termination of a Federal Award** (1) By DHS. DHS may terminate a federal award, in whole or in part, for the following reasons: (a) If the recipient fails to comply with the terms and conditions of the federal award; (b) With the consent of the recipient, in which case the parties must agree upon the termination conditions, including the effective date, and in the case of partial termination, the portion to be terminated; or (c) Pursuant to the terms and conditions of the federal award, including, to the extent authorized by law, if the federal award no longer effectuates the program goals or agency priorities. (3) By the Recipient. The recipient may terminate the federal award, in whole or in part, by sending written notification to DHS stating the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. However, if DHS determines that the remaining portion of the federal award will not accomplish the purposes for which the federal award was made, DHS may terminate the federal award in its entirety. (4) Notice. Either party will provide written notice of intent to terminate for any reason to the other party no less than 30 calendar days prior to the effective date of the termination. (5) Compliance with Closeout Requirements for Terminated Awards. The recipient must continue to comply with closeout requirements in 2 C.F.R. §§ 200.344200.345 after an award is terminated.
Article 43	**Terrorist Financing** Recipients must comply with Executive Order 13224 and applicable statutory prohibitions on transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible for ensuring compliance with the Executive Order and laws.

Article 44	**Trafficking Victims Protection Act of 2000(TVPA)** Recipients must comply with the requirements of the government-wide federal award term and condition which implements Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386, § 106 (codified as amended at 22 U.S.C. § 7104). The federal award term and condition is in 2 C.F.R. § 175.105, the full text of which is incorporated by reference.
Article 45	**Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, Pub. L. 107-56** Recipients must comply with the requirements of Pub. L. 107-56, Section 817 of the USA PATRIOT Act, which amends 18 U.S.C. §§ 175–175c.
Article 46	**Use of DHS Seal, Logo and Flags** Recipients must obtain written permission from DHS prior to using the DHS seals, logos, crests, or reproductions of flags, or likenesses of DHS agency officials. This includes use of DHS component (e.g., FEMA, CISA, etc.) seals, logos, crests, or reproductions of flags, or likenesses of component officials.
Article 47	**Whistleblower Protection Act** Recipients must comply with the statutory requirements for whistleblower protections in 10 U.S.C § 470141 U.S.C. § 4712.

Article 48	**Environmental Planning and Historic Preservation (EHP) Review** DHS/FEMA funded activities that could have an impact on the environment are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the recipient to comply with all federal, state, and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; Endangered Species Act; National Historic Preservation Act of 1966, as amended; Clean Water Act; Clean Air Act; National Flood Insurance Program regulations; and any other applicable laws, regulations and executive orders. General guidance for FEMA's EHP process is available on the DHS/FEMA Website. Specific applicant guidance on how to submit information for EHP review depends on the individual grant program. Applicants should contact their grant Program Officer to be put into contact with EHP staff responsible for assisting their specific grant program. The FEMA EHP review process must be completed before funds are released to carry out the proposed project, otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies. DHS/FEMA may also need to perform a project closeout review to ensure the applicant complied with all required EHP conditions identified in the initial review. If ground disturbing activities occur during construction, the applicant will monitor the ground disturbance, and if any potential archaeological resources are discovered, the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA. EO 11988, Floodplain Management, and EO 11990, Protection of Wetlands, require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to relocate, and be evaluated for social, economic, historical, environmental, legal, and safety considerations. FEMA's regulations at 44 C.F.R. Part 9 implement the EOs and require an eight-step review process if a proposed action is in a floodplain or wetland or has the potential to affect or be affected by a floodplain or wetland. The regulation also requires that the federal agency provide public notice of the proposed action at the earliest possible time to provide the opportunity for public involvement in the decision-making process (44 C.F.R. § 9.8). Where there is no opportunity to relocate the federal action, FEMA is required to undertake a detailed review to determine what measures can be taken to minimize future damages to the floodplain or wetland.
Article 49	**Applicability of DHS Standard Terms and Conditions to Tribal Nations** The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to sub-recipients as a matter of law, regulation, or executive order. If the requirement does not apply to Tribal Nations, or there is a federal law or regulation exempting its application to Tribal Nations, then the acceptance by Tribal Nations, or acquiescence to DHS Standard Terms and Conditions does not change or alter its inapplicability to a Tribal Nation. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribal Nations where it does not already exist.

Article 50	**Acceptance of Post Award Changes** In the event FEMA determines that an error in the award package has been made, or if an administrative change must be made to the award package, recipients will be notified of the change in writing. Once the notification has been made, any subsequent requests for funds will indicate recipient acceptance of the changes to the award. Please email FEMA Grant Management Operations at: ASK-GMD@fema.dhs.gov for any questions.
Article 51	**Disposition of Equipment Acquired Under the Federal Award** When original or replacement equipment acquired under this award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the non-state recipient or subrecipient (including subrecipients of a State or Tribal Nation), must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313(e). State recipients must follow the disposition requirements in accordance with State laws and procedures. 2 C.F.R. section 200.313(b). Tribal Nations must follow the disposition requirements in accordance with Tribal laws and procedures noted in 2 C.F.R. section 200.313(b); and if such laws and procedures do not exist, then Tribal Nations must follow the disposition instructions in 2 C.F.R. section 200.313(e).
Article 52	**Prior Approval for Modification of Approved Budget** Before making any change to the FEMA approved budget for this award, a written request must be submitted and approved by FEMA as required by 2 C.F.R. section 200.308. For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(i) regarding the transfer of funds among direct cost categories, programs, functions, or activities. For awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently $250,000) and where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved, transferring funds among direct cost categories, programs, functions, or activities is unallowable without prior written approval from FEMA. For purposes of awards that support both construction and non-construction work, 2 C.F.R. section 200.308((f)(9) requires the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work. Any deviations from a FEMA approved budget must be reported in the first Federal Financial Report (SF-425) that is submitted following any budget deviation, regardless of whether the budget deviation requires prior written approval.
Article 53	**Indirect Cost Rate** 2 C.F.R. section 200.211(b)(16) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for the award is stated in the budget documents or other materials approved by FEMA and included in the award file.

Article 54	**Build America, Buy America Act (BABAA) Required Contract Provision & Self-Certification** In addition to the DHS Standard Terms & Conditions regarding Required Use of American Iron, Steel, Manufactured Products, and Construction Materials, recipients and subrecipients of FEMA financial assistance for programs that are subject to BABAA must include a Buy America preference contract provision as noted in 2 C.F.R. section 184.4 and a self-certification as required by the FEMA Buy America Preference in FEMA Financial Assistance Programs for Infrastructure (FEMA Interim Policy #207-22-0001). This requirement applies to all subawards, contracts, and purchase orders for work performed, or products supplied under the FEMA award subject to BABAA.
Article 55	**Award Performance Goals** FEMA will measure the recipient's performance of the grant by comparing the firefighter hiring activities of new, additional firefighters, rehire laid off firefighters, or retain firefighters facing layoff OR recruitment and retention activities of volunteer firefighters who are involved with or trained in the operations of firefighting and emergency response as requested in its application. In order to measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient is required to report on the recipients increased compliance with the National standards described in the NOFO.

Article 56 **Termination of the Federal Award (Updated)**

1. Paragraph C.XL of the FY 2025 DHS Standard Terms and Conditions, v.3 sets forth a term and condition entitled “Termination of a Federal Award.” The termination provision condition listed below applies to the grant award and the term and condition in Paragraph C.XL of the FY 2025 DHS Standard Terms and Conditions, v.3 does not.

2. Termination of the Federal Award by FEMA

FEMA may terminate the federal award in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:

a. If the recipient or subrecipient fails to comply with the terms and conditions of the federal award.

b. With the consent of the recipient, in which case FEMA and the recipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.

c. If the federal award no longer effectuates the program goals or agency priorities. Under this provision, FEMA may terminate the award for these purposes if any of the following reasons apply:

i. If DHS/FEMA, in its sole discretion, determines that a specific award objective is ineffective at achieving program goals as described in this NOFO;

ii. If DHS/FEMA, in its sole discretion, determines that an objective of the award as described in this NOFO will be ineffective at achieving program goals or agency priorities;

iii. If DHS/FEMA, in its sole discretion, determines that the design of the grant program is flawed relative to program goals or agency priorities;

iv. If DHS/FEMA, in its sole discretion, determines that the grant program is not aligned to either the DHS Strategic Plan, the FEMA Strategic Plan, or successor policies or documents;

v. If DHS/FEMA, in its sole discretion, changes or re-evaluates the goals or priorities of the grant program and determines that the award will be ineffective at achieving the updated program goals or agency priorities; or

vi. For other reasons based on program goals or agency priorities described in the termination notice provided to the recipient pursuant to 2 C.F.R. § 200.341.

vii. If the awardee falls out of compliance with the Agency’s statutory or regulatory authority, award terms and conditions, or other applicable laws.

3. Termination of a Subaward by the Pass-Through Entity

The pass-through entity may terminate a subaward in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:

a. If the subrecipient fails to comply with the terms and conditions of the federal award.

b. With the consent of the subrecipient, in which case the pass-through entity and the subrecipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.

c. If the pass-through entity's award has been terminated, the pass-through recipient will terminate its subawards.

4. Termination by the Recipient or Subrecipient

The recipient or subrecipient may terminate the federal award in whole or in part for the following reasons identified in 2 C.F.R. § 200.340: Upon sending FEMA or the pass-through entity a written notification of the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if FEMA or the pass-through entity determines that the remaining portion of the federal award will not accomplish the purposes for which the federal award was made, FEMA or the pass-through entity may terminate the federal award in its entirety.

5. Impacts of Termination

a. When FEMA terminates the federal award prior to the end of the period of performance due to the recipient's material failure to comply with the terms and conditions of the federal award, FEMA will report the termination in SAM.gov in the manner described at 2 C.F.R. § 200.340(c).

b. When the federal award is terminated in part or its entirety, FEMA or the pass-through entity and the recipient or subrecipient remain responsible for compliance with the requirements in 2 C.F.R. §§ 200.344 and 200.345.

6. Notification Requirements

FEMA or the pass-through entity must provide written notice of the termination in a manner consistent with 2 C.F.R. § 200.341. The federal award will be terminated on the date of the notification unless stated otherwise in the notification.

7. Opportunities to Object and Appeals

Where applicable, when FEMA terminates the federal award, the written notification of termination will provide the opportunity, and describe the process, to object and provide information challenging the action, pursuant to 2 C.F.R. § 200.342.

8. Effects of Suspension and Termination

The allowability of costs to the recipient or subrecipient resulting from financial obligations incurred by the recipient or subrecipient during a suspension or after the termination of a federal award are subject to 2 C.F.R. § 200.343.

Article 57 **Payment Information (Updated)**

Recipients will submit payment requests in FEMA GO for FY25 awards under this program.

Instructions to Grant Recipients Pursuing Payments

FEMA reviews all grant payments and obligations to ensure allowability in accordance with 2 C.F.R. § 200.305. These measures ensure funds are disbursed appropriately while continuing to support and prioritize communities who rely on FEMA for assistance. Once a recipient submits a payment request in FEMA GO, FEMA will review the request. If FEMA approves a payment, it will process the payment through FEMA GO and the payment will be delivered pursuant to the recipients SAM.gov financial information. If FEMA disapproves a payment, FEMA will inform the recipient.

Processing and Payment Timeline

FEMA must comply with regulations governing payments to grant recipients. See 2 C.F.R. § 200.305. For grant recipients other than States, 2 C.F.R. § 200.305(b)(3) stipulates that FEMA is to make payments on a reimbursement basis within 30 days after receipt of the payment request, unless FEMA reasonably believes the request to be improper. For state recipients, 2 C.F.R. § 200.305(a) instructs that federal grant payments are governed by Treasury-State Cash Management Improvement Act (CMIA) agreements ("Treasury-State agreement") and default procedures codified at 31 C.F.R. part 205 and Treasury Financial Manual (TFM) 4A-2000, "Overall Disbursing Rules for All Federal Agencies." See 2 C.F.R. § 200.305(a).

Treasury-State agreements generally apply to "major federal assistance programs" that are governed by 31 C.F.R. part 205, subpart A and are identified in the Treasury-State agreement. 31 C.F.R. §§ 205.2, 205.6. Where a federal assistance (grant) program is not governed by subpart A, payment and funds transfers from FEMA to the state are subject to 31 C.F.R. part 205, subpart B. Subpart B requires FEMA to "limit a funds transfer to a state to the minimum amounts needed by the state and must time the disbursement to be in accord with the actual, immediate cash requirements of the state in carrying out a federal assistance program or project. The timing and amount of funds transfers must be as close as is administratively feasible to a state's actual cash outlay for direct program costs and the proportionate share of any allowable indirect costs." 31 C.F.R. § 205.33(a). Nearly all FEMA grants are not "major federal assistance programs." As a result, payments to states for those grants are subject to the "default" rules of 31 C.F.R. part 205, subpart B.

If additional information is needed, a request for information will be issued by FEMA to the recipient; recipients are strongly encouraged to respond to any additional FEMA request for information inquiries within three business days. If an adequate response is not received, the request may be denied, and the entity may need to submit a new reimbursement request; this will re-start the 30-day timeline.

Submission Process

All non-disaster grant program reimbursement requests must be reviewed and approved by FEMA prior to drawdowns.

For all non-disaster reimbursement requests (regardless of system), please ensure submittal of the following information:

1. Grant ID / Award Number

2. Total amount requested for drawdown

3. Purpose of drawdown and timeframe covered (must be within the award performance period)

4. Subrecipient Funding Details (if applicable).

• Is funding provided directly or indirectly to a subrecipient?

• If no, include statement "This grant funding is not being directed to a subrecipient."

• If yes, provide the following details:

• The name, mission statement, and purpose of each subrecipient receiving funds, along with the amount allocated and the specific role or activity being reimbursed.

• Whether the subrecipient’s work or mission involves supporting aliens, regardless of whether FEMA funds support such activities.

• Whether the payment request includes an activity involving support to aliens?

• Whether the subrecipient has any diversity, equity, and inclusion practices.

5. Supporting documentation to demonstrate that expenses are allowable, allocable, reasonable, and necessary under 2 C.F.R. Part 200 and in compliance with the grant’s NOFO, award terms, and applicable federal regulations.

Article 58 **Non-Applicability of Specific Agreement Articles**

Notwithstanding their inclusion in this award package, the following Agreement Articles do not apply to this grant award:

1. Communication and Cooperation with the Department of Homeland Security and Immigration Officials.

2. Paragraph (2)(a)(iii) of Anti-Discrimination.

Article 59	**Non-Applicability of Specific Agreement Articles** Notwithstanding their inclusion in this award package, the following Agreement Article does not apply to this grant award: Termination of a Federal Award The intent of this provision is to clarify that Paragraph C.XL (Termination of a Federal Award) of the FY 2025 DHS Standard Terms and Conditions does not apply to this award. Instead, the Agreement Article titled "Termination of the Federal Award", or "Termination of the Federal Award (Updated)" applies to this grant award.	

Obligating document

1. Agreement No.	2. Amendment No.	3. Recipient No.	4. Type of Action	5. Control No.
EMW-2024-FF-00203	N/A	751086086	AWARD	WX02142N2025T

6. Recipient Name and Address	7. Issuing FEMA Office and Address	8. Payment Office and Address
CITY OF WATAUGA 7105 WHITLEY RD WATAUGA, TX 76148	Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646	FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742

9. Name of Recipient Project Officer	9a. Phone No.	10. Name of FEMA Project Coordinator	10a. Phone No.
Randy Barkley	8176815614	Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program	1-866-274-0960

11. Effective Date of This Action	12. Method of Payment	13. Assistance Arrangement	14. Performance Period
09/20/2025	OTHER - FEMA GO	COST SHARING	03/19/2026 to 03/18/2029 **Budget Period** 03/19/2026 to 03/18/2029

15. Description of Action a. (Indicate funding data for awards or financial changes)						
Program Name Abbreviation	**Assistance Listing No.**	**Accounting Data (ACCS Code)**	**Prior Total Award**	**Amount Awarded This Action + or (-)**	**Current Total Award**	**Cumulative Non-Federal Commitment**
FF	97.083	2025-FF-GF01 - P410-xxxx-4101-D	$0.00	$606,463.08	$606,463.08	$376,990.59
		Totals	$0.00	$606,463.08	$606,463.08	$376,990.59

b. To describe changes other than funding data or financial changes, attach schedule and check here:
N/A

~~**16.FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)**~~
This field is not applicable for digitally signed grant agreements

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	**DATE**
18. FEMA SIGNATORY OFFICIAL (Name and Title) **Stacey Street, Deputy Assistant Administrator Grants Program Directorate**	**DATE** **09/20/2025**

CITY OF WATAUGA, TEXAS
RESOLUTION NO. ____________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS, ACCEPTING THE AWARD OF A STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT IN THE AMOUNT $606,463.08 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FISCAL YEAR 2024 SAFER GRANT PROGRAM FOR THREE FIREFIGHTER PERSONNEL AND AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF WATAUGA TO COMPLY WITH ALL SAFER GRANT REQUIREMENTS ASSOCIATED WITH THE FY 2024 AWARD.

WHEREAS, the Watauga Fire Department submitted a Staffing for Adequate Fire and Emergency Response application to the Federal Emergency Management Agency in June 2025 requesting funding for the personnel and benefit costs for three firefighter positions; and

WHEREAS, on September 20, 2025, the City of Watauga Fire Department was notified by FEMA of the SAFER grant award for FY 2024; and

WHEREAS, the City Council finds acceptance of the SAFER grant award to be in the best interest of the City of Watauga; and

WHEREAS, the Watauga Fire Department recognizes the grant award will provide the City the opportunity to increase firefighter staffing in a financially feasible manner to allow a phased in approach for increased personnel costs once the funding ends; and

WHEREAS, the action authorized by this Resolution is in furtherance of the public interest, for the good of the community, and necessary and proper for carrying out the authority granted by law to the City.

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

I.

The City Council hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the Council hereby incorporates such recitals as a part of this Resolution.

II.

The City of Watauga accepts the Staffing for Adequate Fire and Emergency Response grant award and authorizes the City Manager to act on behalf of the City for all matters related to the grant award acceptance.

III.

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

V.

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

VI.

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

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas on this 13th day of October 2025.

APPROVED

____
Arthur L. Miner, Mayor

ATTEST:

____
Linda Proskey, City Secretary

APPROVED AS TO FORM AND LEGALITY:

____
City Attorney

AGENDA MEMORANDUM

DATE: September 12, 2025

TO: Honorable City Council Members

FROM: Arthur Miner, Mayor

SUBJECT: Discuss and consider the nomination of a candidate to serve as a member of the Tarrant County Appraisal District Board of Directors.

BACKGROUND/INFORMATION:

The current terms of two appointed members of the Tarrant Appraisal District Board of Directors will expire on December 31, 2025. Taxing units are not required to submit any nominations but, if they choose to do so, the nominations may be made only by a resolution adopted by the governing body and the presiding officer of the governing body must submit the names of the nominees to TAD BEFORE October 15, 2025, which means the nominations must be received by our office no later than October 14, 2025.

FINANCIAL IMPLICATIONS:

None

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. 2026-september-letter-TAD nomimations
2. Resolution TAD Board of Directors Nomination for Ballot 2025
3. 2026-vote-calculation

REVIEWED BY:

David Berman, City Attorney	Approved - 9/12/2025
Sandra Gibson, City Manager	Approved - 9/23/2025
Linda Proskey, City Secretary	Final Approval - 9/29/2025

Approved as to form for inclusion on Agenda

Tarrant Appraisal District

Joe Don Bobbitt
Executive Director
Chief Appraiser

September 2, 2025

Presiding Officer
Entity in Tarrant County

RE: Nomination and Appointment to TAD Board of Directors

Dear Presiding Officer:

The current terms of two appointed members of the Tarrant Appraisal District Board of Directors will expire on December 31, 2025. As required by Section 6.03 of the Property Tax Code, the first step in appointing voting members for the term beginning January 1, 2026, is calculating the number of votes to which the participating taxing units are entitled (see enclosure).

This year, the Conservation/Reclamation districts are participating according to Section 6.03(c) of the Property Tax Code which states, "Conservation and reclamation districts are not entitled to vote unless at least one conservation and reclamation district in the district delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year."

We received written request from the Tarrant Regional Water District on May 23rd, 2025. The other eligible districts in Tarrant County are Far North Fort Worth MUD, Karis MMD, Live Oak Creek MUD, Trophy Club MUD and Viridian MMD. These nominations are under an earlier timeline, and one nomination has been made. These entities participate in the voting process on the regular timeline.

The **next step** is nomination of other candidates. Taxing units are not required to submit any nominations but, if they choose to do so, the **nominations may be made only by a resolution adopted by the governing body and the presiding officer of the governing body must submit the names of the nominees to TAD *BEFORE* October 15, 2025, which means the nominations must be received by our office no later than October 14, 2025.**

To be eligible to serve as a voting member of the Board of Directors, an individual must have resided in Tarrant County for at least two years immediately preceding January 1, 2026. An individual who is otherwise eligible is not ineligible because he or she is a member of the government body of a taxing unit. Texas law restricts eligibility and conduct of members of governmental bodies such as appraisal districts' board of directors. In consultation with your attorneys, please review the Property Tax Code and other applicable laws carefully for the details of those restrictions, including definitions of "substantial interest", "business entity", "deferred", "abated", and other terms used below and for the potential criminal consequences of violating certain restrictions. In summary, the Property Tax Code provides that the following are ineligible to serve as voting members of the Board of Directors:

- An individual who has been an employee of the Tarrant Appraisal District at any time during the preceding three years;

- An individual who has served as a voting member of the Board of Directors for all or part of five terms since January 1, 2022
- An individual who is an employee of a taxing unit that participates in Tarrant Appraisal District unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the District;
- An individual who, directly or through a business entity in which he or she has a substantial interest, is a party to a contract with Tarrant Appraisal District or a taxing unit that participates in the District, if the contract relates to the performance of any activity governed by the Property Tax Code;
- An individual who has engaged in the business of appraising property for compensation for use in proceedings under the Property Tax Code at any time during the preceding three years;
- An individual who has engaged in the business of representing property owners for compensation in proceedings under the Property Tax Code in Tarrant County at any time during the preceding three years;
- An individual who is related by blood or marriage to an individual who is engaged in the business of appraising property for compensation for use in proceedings under the Property Tax Code or of representing property owners for compensation in proceedings under the Property Tax Code in Tarrant County, if the relationship is within the 1st or 2nd degrees on the following chart;

Degrees of Consanguinity and Affinity

1st DEGREE	2nd DEGREE	3rd DEGREE
By Consanguinity • Parents • Children **By Affinity** • Spouses of relatives listed under first degree consanguinity • Spouse • Spouse's parents • Spouse's children • Stepparents • Stepchildren	**By Consanguinity** • Grandparents • Grandchildren • Brothers & sisters **By Affinity** • Spouses of relatives listed by second degree consanguinity • Spouse's grandparents • Spouse's grandchildren • Spouse's brothers & sisters	**By Consanguinity** • Great grandparents • Great grandchildren • Nieces & nephews • Aunts & uncles **By Affinity** • No prohibitions

- an individual who owns property on which delinquent taxes have been owed to a taxing unit for more than 60 days after the date the individual knew or should have known of the delinquency unless the delinquent taxes, penalty, and interest are being paid under an installment plan or a suit to collect the delinquent taxes is deferred or abated.

When submitting nominations to jwooddell@tad.org, please include the full name of each candidate, his or her complete residence address, and a current biography. From timely submitted nominations, the ballot will be distributed before October 30th to each taxing unit entitled to participate in the appointment process, which may be summarized as follows:

before October 01, 2025	Chief Appraiser calculates numbers of votes and notifies taxing units
before October 15, 2025	Governing bodies of taxing units nominate candidates by resolution and send names to Chief Appraiser
before October 30, 2025	Chief Appraiser prepares ballot and sends it to taxing units
before December 15, 2025 for most taxing units but see the different requirements in section 6.03(k-1) that applies only to "each taxing unit entitled to cast at least five percent of the total votes", which in this appointment cycle means 100 or more votes on the enclosed list	Governing bodies of taxing units determine their votes by resolution and send votes to Chief Appraiser
before December 31, 2025	Chief Appraiser counts votes, determines which 2 candidates received the most votes, and submits results to taxing units
January 01, 2026	new term begins

Copies of the Nomination Letter, the Ballot Letter, and the Results Letter and enclosures will be posted at www.tad.org/Board-Appointment-Process for your convenience. Entity nominations, nominee biographies, and entity votes will be uploaded as submitted. Please bookmark this communication tool in lieu of PIA requests. If you have any questions, please call 817.284.0024.

Sincerely,

Joe Don Bobbitt
Executive Director/Chief Appraiser

JDB:jw
Enclosure: Voting Allotment

CITY OF WATAUGA, TEXAS
RESOLUTION NO. 2025-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS, AUTHORIZING THE CITY OF WATAUGA, TEXAS TO NOMINATE CANDIDATES TO THE CHIEF APPRAISER OF THE CENTRAL APPRAISAL DISTRICT OF TARRANT COUNTY APPRAISAL DISTRICT'S BOARD

WHEREAS, pursuant to Chapter 6 of the Texas Property Tax Code, that the Central Appraisal District of Tarrant County is governed by a Board of Directors that are nominated and appointed by taxing units within Tarrant County, Texas; and,

WHEREAS, the City of Watauga, Texas is nominating the following candidate to the Chief Appraiser for appointment to the Board of Directors of the Central Appraisal District of Tarrant County, Texas:

- ________________________________

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

I.

The Central Appraisal District of Tarrant County has a Board of Directors that governs the Tarrant County's Central Appraisal District.

II.

That the above candidate is nominated to the Chief Appraiser of the Central Appraisal District of Tarrant County to be placed on the ballot for appointment to serve as Director on the Board of the Central Appraisal District of Tarrant County.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas on this 13th day of October 2025.

APPROVED

____
Arthur L. Miner, Mayor

ATTEST:

____
Linda Proskey, City Secretary

APPROVED AS TO FORM AND LEGALITY:

____
David Berman, City Attorney

TARRANT APPRAISAL DISTRICT
2025 Calculation of Taxing Entity Votes for Board of Directors
Per Section 6.03(d) of Texas Property Tax Code

	2024 TAXES IMPOSED	% OF TOTAL	>5% (k-1) applies 2025 VOTES
School Districts:			
Aledo ISD	6126463	0.11328%	2
Arlington ISD	432839540	8.00323%	160
Azle ISD	26436994	0.48882%	10
Birdville ISD	196630214	3.63570%	73
Burleson ISD	28531420	0.52755%	11
Carroll ISD	123686643	2.28697%	46
Castleberry ISD	17543731	0.32438%	6
Crowley ISD	139472009	2.57884%	52
Eagle Mountain/Saginaw ISD	200310529	3.70375%	74
Everman ISD	29178439	0.53951%	11
Fort Worth ISD	583909030	10.79651%	216
Godley ISD	1119999	0.02071%	0
Grapevine/Colleyville ISD	190275160	3.51820%	70
Hurst/Euless/Bedford ISD	193061065	3.56971%	71
Keller ISD	276036392	5.10393%	102
Kennedale ISD	23865026	0.44127%	9
Lake Worth ISD	21461580	0.39683%	8
Lewisville ISD	6469998	0.11963%	2
Mansfield ISD	221987044	4.10455%	82
Northwest ISD	164866630	3.04839%	61
White Settlement ISD	40922663	0.75666%	15
Total Schools	$ 2,924,730,569	54.07842%	1082
Cities:			
City of Arlington	246068948	4.54983%	91
City of Azle	8595369	0.15893%	3
City of Bedford	30322513	0.56066%	11
City of Benbrook	18450519	0.34115%	7
City of Blue Mound	1863872	0.03446%	1
City of Burleson	6986138	0.12917%	3
City of Colleyville	20620649	0.38128%	8
City of Crowley	12202751	0.22563%	5
City of Dalworthington Gardens	2797080	0.05172%	1
Edgecliff Village	1451998	0.02685%	1
City of Euless	31823615	0.58842%	12
City of Everman	3878754	0.07172%	1
City of Flower Mound	2244826	0.04151%	1
City of Forest Hill	7568425	0.13994%	3

City of Fort Worth	760923076	14.06951%	281
City of Grand Prairie	72315296	1.33711%	27
City of Grapevine	31213824	0.57715%	12
City of Haltom City	24449399	0.45207%	9
City of Haslet	6284992	0.11621%	2
City of Hurst	24935531	0.46106%	9
City of Keller	24481253	0.45266%	9
City of Kennedale	8884810	0.16428%	3
Town of Lakeside	1278647	0.02364%	0
City of Lake Worth	3794694	0.07016%	1
City of Mansfield	63991986	1.18322%	24
City of Newark	254	0.00000%	0
City of N. Richland Hills	42477295	0.78541%	16
Town of Pantego	2597531	0.04803%	1
City of Pelican Bay	1026616	0.01898%	0
City of Reno	82455	0.00152%	0
City of Richland Hills	5008753	0.09261%	2
City of River Oaks	3877147	0.07169%	1
City of Roanoke	502308	0.00929%	0
City of Saginaw	15691549	0.29014%	6
City of Sansom Park	2682328	0.04960%	1
City of Southlake	35489177	0.65620%	13
Town of Trophy Club	651841	0.01205%	0
City of Watauga	12215503	0.22587%	5
Town of Westlake	4159429	0.07691%	2
City of Westover Hills	3418374	0.06321%	1
Westworth Village	2506916	0.04635%	1
City of White Settlement	10685449	0.19757%	4
Total Cities	$ 1,560,501,888	28.85376%	577
Other:			
Conservation/ Reclam. Districts*	46255126	0.85526%	17
Tarrant County	535101103	9.89405%	198
Tarrant County College	341725112	6.31851%	126
Total Other	$ 923,081,341	17.06782%	341
Total All	$ 5,408,313,798.28	100%	2000

***Breakdown of Conservation/ Reclamation Districts:**

Far North Fort Worth MUD	$ 2,752,408	5.95049%	1
Karis MMD	$ 158,009	0.34160%	0
Live Oak Creek MUD	$ 2,342,816	5.06499%	1
Tarrant Regional Water District	$ 31,322,671	67.71719%	12
Trophy Club MUD	$ 459,601	0.99362%	0
Viridian MMD	$ 9,219,620	19.93211%	3
	$ 46,255,126	100%	17

WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

AGENDA MEMORANDUM

DATE: September 30, 2025

TO: Honorable City Council Members

FROM: Randy Barkley, Fire Chief

THROUGH: Sandra Gibson, City Manager

SUBJECT: Consider action on the purchase of an Auto-Load System, Cot, and Stair Chair for the Fire/EMS Department from Stryker Corporation.

BACKGROUND/INFORMATION:

On August 11, 2025, the City Council approved the issuance of the FY25 Combination Tax and Limited Pledge Revenue Certificates of Obligation, which included funding for a new ambulance. The purchase of the ambulance itself will be brought forward at a future meeting from a separate vendor.

In order to meet ordering deadlines and avoid a projected 20% cost increase, staff recommends proceeding at this time with the separate purchase of the patient handling system (auto-load, cot, and stair chair) from Stryker. This ensures cost savings and compatibility with Watauga Fire Department's existing fleet and regional partners.

Stryker is a current vendor with the City of Watauga and has supplied EMS-related equipment in the past, including other auto-load systems, ambulance cots, and cardiac monitors. This purchase also matches the department's current fleet and existing systems already in place, ensuring standardization across equipment, consistent training for personnel, and streamlined service and maintenance.

This purchase includes:

- MTS Power-LOAD auto-loading system
- Power-PRO 2 Cot (High Configuration)
- Xpedition Stair Chair (High Configuration)
- ProCare Service coverage for each device

The total purchase price is $97,237.21, inclusive of delivery, installation, training, and ProCare maintenance coverage.

WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

AGENDA MEMORANDUM

A Sole Source Letter from Stryker confirms they are the sole provider of this equipment for EMS customers in the U.S. In addition, a Form 1295 Certificate of Interested Parties has been completed as required.

FINANCIAL IMPLICATIONS:

The total purchase price for the Auto-Load System, Cot, and Stair Chair is **$97,237.21**. Funding for this purchase is included in the FY25 Certificates of Obligation previously approved by Council on August 11, 2025.

This purchase will not require any additional appropriations from the General Fund. By ordering prior to the upcoming vendor price adjustment, the City avoids an estimated **20% cost increase**, ensuring long-term cost savings and maintaining standardization across the Fire/EMS fleet.

RECOMMENDATION/ACTION DESIRED:

Staff recommends approval of the purchase of the Auto-Load System, Cot, and Stair Chair for the Fire/EMS Department from Stryker Corporation in the amount of $97,237.21.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Stryker EC Sole Source Letter all products 2025
2. Watauga_Revised
3. STRYKER 1295 ACKNOWLEDGED

REVIEWED BY:

Randy Barkley, Fire Chief	Approved - 10/1/2025
Frieda Buck, Purchasing Coordinator	Approved - 10/1/2025
David Berman, City Attorney	Approved - 10/1/2025
Joseph Gorfida, Attorney	Approved - 10/1/2025
Sandra Gibson, City Manager	Approved - 10/2/2025
Linda Proskey, City Secretary	Final Approval - 10/2/2025

Approved as to form for inclusion on Agenda

9/26/25

To whom it may concern:

Stryker is the sole-source provider in the Hospital (hospitals and hospital-owned facilities), Emergency Response Services and Emergency Response Training (paramedics, professional and volunteer fire) markets in the U.S. and Canada for the following products:

- New Emergency Relief Patient Cover
- New LIFEPAK® 15 monitor/defibrillators
- New LIFEPAK 20e defibrillator/monitors
- New LIFEPAK 1000 automated external defibrillators
- New LUCAS® chest compression system
- TrueCPR® coaching devices
- CODE-STAT™ data review software and service
- Power-PRO 2 ambulance cot
- Performance-PRO XT ambulance cot
- Power-LOAD cot fastener
- Stair-PRO stair chair
- Performance-LOAD cot fastener
- LIFEPAK CR2 automated external defibrillator
- LIFEPAK CR Plus automated external defibrillator
- LIFEPAK 35 monitor/defibrillators

Stryker is the sole-source provider in all markets for the following products and services:

- RELI™ (Refurbished Equipment from the Lifesaving Innovators) devices
- LIFENET® system and related software
- Factory-authorized inspection and repair services which include repair parts, upgrades, inspections and repairs
- HealthEMS® Software
- HomeSolutions.net® Software
- ACLS (non-clinical) LIFEPAK defibrillator/monitors
- Heart Safe Solution℠ Government Campus Solution
- MultiTech 4G and Titan III gateways

Stryker is also the sole-source distributor of the following products for EMS customers in the U.S. and Canadian markets:

- McGRATH™ MAC EMS video laryngoscope

Stryker does not authorize any third parties to sell these products or services in the markets listed above. We will not fulfill orders placed by non-authorized businesses seeking to resell our products or services. If you have questions, please feel free to contact your local Stryker customer service representative at 800.442.1142.

Sincerely,

Matt Van Der Wende, Senior Director, Americas Sales

Emergency Care

11811 Willows Road NE, Redmond, WA 98052 USA | P +1 425 867 4000 | Toll-free +1 800 442 1142 | stryker.com

Watauga New Truck EQ - Before Oct 15

Quote Number:	11104105	Remit to:	Stryker Sales, LLC 21343 NETWORK PLACE CHICAGO IL 60673-1213 USA
Version:	1		
Prepared For:	CITY OF WATAUGA FIRE DEPT	Rep:	Heidi McGregor
	Attn:	Email:	heidi.mcgregor@stryker.com
		Phone Number:	

Quote Date:	09/30/2025
Expiration Date:	10/14/2025
Contract Start:	04/16/2025
Contract End:	04/15/2026

Delivery Address		**Sold To - Shipping**		**Bill To Account**	
Name:	CITY OF WATAUGA FIRE DEPT	Name:	CITY OF WATAUGA FIRE DEPT	Name:	CITY OF WATAUGA
Account #:	20003427	Account #:	20003427	Account #:	20127305
Address:	5909 HIGHTOWER DR	Address:	5909 HIGHTOWER DR	Address:	7105 WHITLEY RD
	WATAUGA		WATAUGA		WATAUGA
	Texas 76148-2050		Texas 76148-2050		Texas 76148-2024

Equipment Products:

#	Product	Description	Qty	Sell Price	Total
1.0	639005550001	MTS POWER LOAD	1	$33,779.15	$33,779.15
2.0	650705550001	6507 POWER PRO 2, HIGH CONFIG	1	$36,615.85	$36,615.85
4.0	625705550002	6257 XPEDITION HIGH CONFIG	1	$16,769.40	$16,769.40
5.0	650707000002	KIT, ALVARIUM BATTERY, SERVICE	1	$1,072.55	$1,072.55
				Equipment Total:	$88,236.95

Trade In Credit:

Product	Description	Qty	Credit Ea.	Total Credit

ProCare Products:

#	Product	Description	Qty	Sell Price	Total
3.1	POWERLOAD-PROCARE	Power Load for MTS POWER LOAD *04/17/2025 - 04/16/2027* √ Parts, Labor, Travel √ Preventative Maintenance √ Batteries Service	1	$4,233.60	$4,233.60
3.2	POWERPRO-PROCARE	Power Pro 2 for 6507 POWER PRO 2, HIGH CONFIG *04/17/2025 - 04/16/2026* √ Parts, Labor, Travel √ Preventative Maintenance √ Batteries Service	1	$1,490.40	$1,490.40
3.3	XPEDITION-PROCARE	Xpedition Stair Chair for 6257 XPEDITION HIGH CONFIG	1	$2,143.80	$2,143.80

stryker

Watauga New Truck EQ - Before Oct 15

Quote Number: 11104105

Remit to: Stryker Sales, LLC
21343 NETWORK PLACE
CHICAGO IL 60673-1213
USA

Version: 1

Prepared For: CITY OF WATAUGA FIRE DEPT
Attn:

Rep: Heidi McGregor
Email: heidi.mcgregor@stryker.com
Phone Number:

Quote Date: 09/30/2025
Expiration Date: 10/14/2025
Contract Start: 04/16/2025
Contract End: 04/15/2026

#	Product	Description	Qty	Sell Price	Total
		04/18/2025 - 04/17/2027 √ Parts, Labor, Travel √ Preventative Maintenance √ Batteries Service			

ProCare Total:	$7,867.80

Price Totals:

Estimated Sales Tax (0.000%):	$0.00
Shipping and Handling:	$1,132.46
Grand Total:	$97,237.21

Prices: In effect for 30 days

Terms: Net 30 Days

Shipping & Handling Includes:
Standard freight, special packaging, semi rigging cranes, labor & delivery of equipment to final location, removal of all packaging, pre-delivery site check, education/training

Terms and Conditions:
Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker’s prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's terms and conditions can be found at https://techweb.stryker.com/Terms_Conditions/index.html.

CERTIFICATE OF INTERESTED PARTIES

FORM **1295**

Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.	**OFFICE USE ONLY CERTIFICATION OF FILING**
1 Name of business entity filing form, and the city, state and country of the business entity's place of business. Stryker Sales Corporation through its Medical Division Portage, MI United States	**Certificate Number:** 2025-1370380 **Date Filed:** 09/30/2025
2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed. Watuage Fire Department	**Date Acknowledged:** 10/1/2025

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

11104105
Ambulance cot, Loading System, Chair

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable): Controlling	Intermediary

5 Check only if there is NO Interested Party. [X]

6 UNSWORN DECLARATION

My name is Heidi McGregor, and my date of birth is 3/12/1979.

My address is 3800 E Centre Ave, Portage (city), MI (state), 49002 (zip code), USA (country).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Tarrant County, State of TX, on the 30 day of Sept (month), 2025 (year).

Signature of authorized agent of contracting business entity
(Declarant)