AGENDA
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, MAY 13, 2019
CITY HALL COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:30 PM

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE United States and Texas Flags

ANNOUNCEMENTS

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Consideration and action on approval of meeting agenda

PRESENTATIONS

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

2. Presentation, discussion and direction on creating a Youth Advisory Council, (YAC).
   Sal Torres, Parks and Community Services Director

3. Presentation, discussion and direction on Water Wells and possible use at public water source.
   Brandon Dupree, Utilities Superintendent
   Paul Hackleman, P.E., CFM, Director of Public Works

4. Presentation on a roundabout roadway intersection for Hightower Drive and Whitley Road
   Paul Hackleman, P.E., CFM, Director of Public Works

5. Presentation of a Proclamation to the Watauga Public Works Department in honor of National Public Works Week, May 19 through May 25, 2019
   Paul Hackleman, P.E., CFM, Director of Public Works

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

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

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

REPORTS

1. Report on Comprehensive Plan Update Timeline and Cost.
   Andrea Gardner, City Manager

2. Report on the 2019 Texas Legislative Session.
   Andrea Gardner, City Manager

3. Report on Economic Development Activities
   Andrea Gardner, City Manager

CONSENT AGENDA

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

1. Consideration of January 28, 2019 Public Hearing Minutes
   Terri Johnson, City Secretary

2. Consideration of February 21, 2019 Council Workshop Minutes
   Terri Johnson, City Secretary

3. Consideration of March 7, 2019 Council Workshop Minutes
Terri Johnson, City Secretary

4. Consideration of March 7, 2019, Council Regular Meeting Minutes
Terri Johnson, City Secretary

5. Consideration of March 26, 2019 Council Special Meeting Minutes
Terri Johnson, City Secretary

6. Consideration of April 8, 2019 Council Workshop Minutes
Terri Johnson, City Secretary

7. Consideration of April 8, 2019, Council Regular Meeting Minutes
Terri Johnson, City Secretary

8. Consideration of April 15, 2019 Council Special Meeting Minutes
Terri Johnson, City Secretary

9. Consideration of an ordinance adopting the 2018 International Building Code (IBC) with local amendments {CAPTION}
Randy Richards, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

10. Consideration of an ordinance adopting the 2018 International Residential Code (IRC) with local amendments {CAPTION}
Randy Richards, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

11. Consideration of an ordinance adopting the 2018 International Energy Conservation Code (IECC) with local amendments {CAPTION}
Randy Richards, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

12. Consideration of an ordinance adopting the 2017 National Electrical Code (NEC) with local amendments {CAPTION}
Randy Richards, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

13. Consideration of an ordinance adopting the 2018 International Plumbing Code (IPC) with local amendments {CAPTION}
Randy Richards, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

14. Consideration of an ordinance adopting the 2018 International Fuel Gas Code (IFGC) with local amendments {CAPTION}
Randy Richards, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

15. Consideration of an ordinance adopting the 2018 International Mechanical Code (IMC) with local amendments {CAPTION}
Randy Richards, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

16. Consideration of an ordinance repealing Chapter 103, Article IX, Sections 103-305 through 103-330 (Housing Code) of the City of Watauga Code of Ordinances providing the Housing Code is no longer relevant or necessary given the adoption of both the 2018 edition of the International Building Code (IBC) and 2018 edition of the International Residential Code (IRC) with local amendments {CAPTION}
Randy Richards, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

17. Approval of the Quarterly Investment Report for the period ending March 31, 2019
Sandra Gibson, CGFO, CGFM, Director of Finance

18. Approval of the Monthly Financial Report for the period ending March 31, 2019
Sandra Gibson, CGFO, CGFM, Director of Finance

19. Consideration and action of Ordinance to amend Chapter 12 Fee Schedule, Section 12-30, Chapter 30 to add a fee for the Youth Fire Camp (CAPTION)
Shawn Fannan, Fire Chief
Sandra Gibson, CGFO, CGFM, Director of Finance

20. Consideration of an Interlocal Agreement for Blue-Green-Grey Project (Rain Gardens on Hightower Drive) between the North Central Texas Council of Governments (NCTCOG) and the City of Watauga
Paul Hackleman, P.E., CFM, Director of Public Works

21. Consideration of an ordinance amending the City of Watauga Code of Ordinances, Chapter 111 - Signs, Section 111-85 in relation to Changeable Electronic Variable Message Signs (CEVMS) {CAPTION}
Randy Richards, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

22. Consideration of an ordinance amending Chapter 26, Sections 26-301, 26-302 and 26-303 in relation to Electronic Cigarettes. The amendments to Chapter 26 provide for additional definitions as well as provide clarification regarding the prohibited uses of electronic cigarettes in City facilities and in public places. {CAPTION}
Randy Richards, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

23. Consideration of an ordinance amending Chapter 26, adopting proposed Article VII in order to establish a Smoking Ordinance; and repealing existing Section 28-1, which currently regulates smoking in City facilities. {CAPTION}
Randy Richards, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

PUBLIC HEARINGS

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

   a. Open Public Hearing-allow for staff comments
   b. Public Comments
   c. Close Public Hearing

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

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

   a. Open Public Hearing - allow for staff comments
   b. Public Comments
   c. Close Public Hearing

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

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

   a. Open Public Hearing - allow for staff comments
   b. Public Comments
   c. Close Public Hearing

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

UNFINISHED BUSINESS

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

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

3. Consideration and action on a proposed ordinance amending Chapter 12, Section 12-6 of the Watauga Code of Ordinances, establishing fees and fines regarding Backyard Chickens {CAPTION}
   Robert Parker, Chief of Police
   Sandra Gibson, CGFO, CGFM, Director of Finance

NEW BUSINESS

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

2. **Planning and Zoning Case No. Z-19-03:** Discussion and action on approval of a proposed ordinance for a new 70-lot single family home subdivision named Hightower Estates, from SF-6 to Planned Development. The subject property is located at 6000 and 6001 Hightower Drive. Watauga Commons, LLC, Sunny Partovi, owner/applicant
   Randy Richards, Building Official
   Paul Hackleman, P.E., CFM, Director of Public Works

3. Consideration and action on approval of a proposed resolution to establish a City Secretary Search Sub-Committee and select three (3) members to serve on this sub-committee
   Marcia Reyna, Human Resources and Civil Service Director

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

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

6. Consideration and action on the purchase of four total 2019 trucks from Sam Pack's Five Star Ford for the Public Works Department in the amount not to exceed $125,202
   Sandra Gibson, CGFO, CGFM, Director of Finance
   Paul Hackleman, P.E., CFM, Director of Public Works
   Jennifer Walls, Purchasing Agent

7. **Planning and Zoning Case No. Z-19-04:** Discussion and action on approval of a proposed ordinance for a FLUM (Future Land Use Map) revision for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020, from "Parks and Open Space" to "Local Office/Retail/Commercial".
   Randy Richards, Building Official
   Paul Hackleman, P.E., CFM, Director of Public Works

8. **Planning and Zoning Case No. Z-19-05:** Discussion and action on approval of a proposed ordinance for a Zoning Change for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020 from GU (Government Use) to GB (General Business).
   Randy Richards, Building Official
   Paul Hackleman, P.E., CFM, Director of Public Works

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

10. Consideration and Possible action to amend section 22-1. - Charitable donation collection containers to include Keller Independent School District property within the City of Watauga as an exception.
   Robert Parker, Chief of Police

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

ITEMS FOR FUTURE CITY COUNCIL MEETINGS

EXECUTIVE SESSION

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

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

1. Deliberation regarding real property (Texas Government Code, Sec. 551.072) - 0.45 acres Astor Heights Addition Block 16 Lot 12R
   Andrea Gardner, City Manager

2. Deliberation regarding real property (Texas Local Government Code Sec 551.072) - 0.27 acres vacant land described as follows: Condra, John Survey, Abstract 309 Tract 1A02B
   Andrea Gardner, City Manager

3. Deliberation regarding real property (Texas Government Code, Sec. 551.072) - 0.27 acres described as follows: Condra, John Surey, Abstract 309, Tract 1A02B
   Andrea Gardner, City Manager

RECONVENE

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

ITEMS OF EXECUTIVE SESSION DELIBERATION

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

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

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

ADJOURNMENT

NOTICE

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

I, Terri Johnson, Interim City Secretary for the City of Watauga, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on Friday, May 10, 2019 before 6:30 p.m. in accordance with Chapter 551 of the Texas Government Code.

Terri Johnson

Terri Johnson, Interim City Secretary

CITY OF WATAUGA, TEXAS

AGENDA MEMORANDUM

DATE: April 30, 2019

TO: Honorable City Council Members

FROM: Sal Torres, Parks and Community Services Director

THROUGH: Andrea Gardner, City Manager
Terri Johnson, City Secretary

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

BACKGROUND/INFORMATION:

During the March 7 council meeting, council member Prescher presented a report on the Texas Municipal League Youth Advisory Commission held in February of 2019. Staff was given direction to present council with information for the development of a YAC for the City of Watauga.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

To provide staff with direction on how to proceed with necessary actions for the development of a Youth Advisory Council.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. YAC

REVIEWED BY:

Approved as to form for inclusion on Agenda

YOUTH ADVISORY COUNCIL





Youth Advisory Council (YAC)

What is a YAC?

A body of young people who provide counsel and support to organizations and governing bodies and create and participate in a variety of projects and community initiatives.

WHAT WILL THE YAC DO?



LEARN

YAC participants can learn about our City government and how it works,



SPECIAL PROJECTS

The youth can choose different projects to work on throughout the year.
Ex: Volunteerism, environmental projects, causes



VOICE

Members can advise City Council on teen-related issues and be a voice for the youth of the community.

Benefits

what a YAC brings to our youth

A YAC provides the youth in our community a chance to get involved with their city. It provides leadership and management opportunities. It can also be a tool to educate our youth on how the city is operated.

By giving our youth a voice, they are empowered to make a difference. The City also benefits from engaging the youth by harnessing their energy and ideas.

WHAT A YAC NEEDS

PLANNING COMMITTEE

Talk with youth in the community and ask if a youth council would be an appropriate forum for their participation.

Overall decide what it is we are forming the group to do.

The Committee will create bylaws that decide eligibility requirements, how many members make up the YAC, etc. Some YACs have also been established by city ordinance.

Committee should consider including youth.

COORDINATOR/FACILITATOR

A designated person to oversee the formation of council and act as primary point person for participants.

SELECTION COMMITTEE

Ultimately, the YAC members should be appointed by council. However, a small group should first review the applicants and only pass along those that meet the requirements set by the Planning Committe and City Council.

Potential Challenges

FUNDING

Some YACs have a budget or receive grants. However, many do not receive funding at all and operate with resources and materials they already have.

STAFFING

Staff time varies. Initiating a YAC can take more time than sustaining one. The facilitator will need to be available for meetings and special projects, assist in setting up meeting and projects, as well as time to prep for these activities.

Leadership considerations:
Parks & Community Services
Library
City Council

QUESTIONS



AGENDA MEMORANDUM

DATE: May 2, 2019

TO: Honorable City Council Members

FROM: Brandon Dupree, Utilities Superintendent
Paul Hackleman, P.E., CFM, Director of Public Works

THROUGH: Andrea Gardner, City Manager

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

BACKGROUND/INFORMATION:

Presentation on Water Wells and possible use at public water source.

FINANCIAL IMPLICATIONS:

N/A if no action
10% Increase in Utilities Div while bringing a well online
11.7% Decrease in Utilities Div once well is online

RECOMMENDATION/ACTION DESIRED:

To provide staff with direction on how to proceed with necessary actions related to budgeting for the installation of a water well.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Presentation PP - Water Well - May 13 2018 City Council

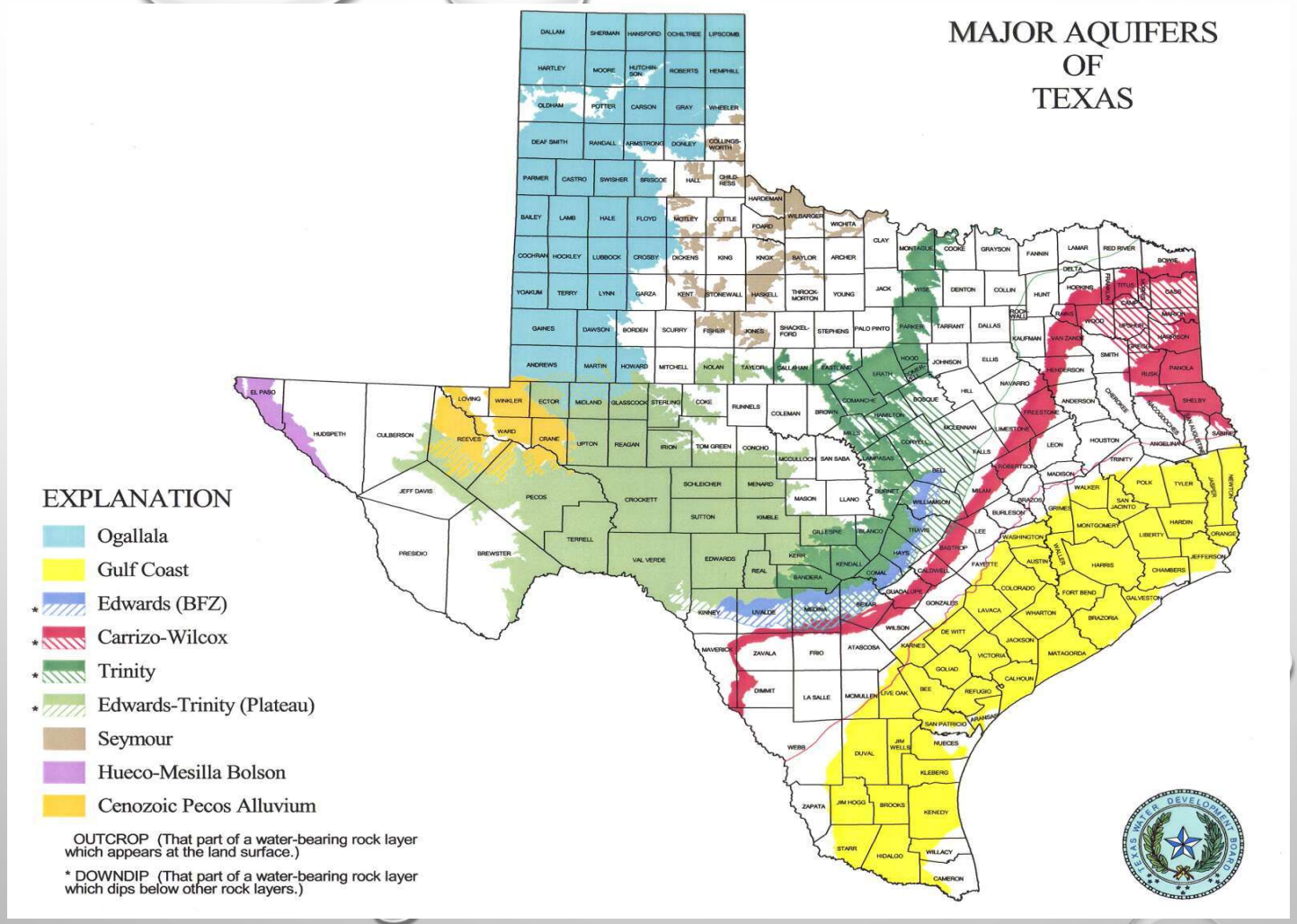
REVIEWED BY:

Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/8/2019
Andrea Gardner, City Manager	Approved - 5/8/2019
Terri Johnson, City Secretary	Final Approval - 5/8/2019

Approved as to form for inclusion on Agenda

City of Watauga

Water well options


MAJOR AQUIFERS
OF
TEXAS
EXPLANATION
Ogallala
Gulf Coast
* Edwards (BFZ)
* Carrizo-Wilcox
* Trinity
* Edwards-Trinity (Plateau)
Seymour
Hueco-Mesilla Bolson
Cenozoic Pecos Alluvium
OUTCROP (That part of a water-bearing rock layer which appears at the land surface.)
* DOWNDIP (That part of a water-bearing rock layer which dips below other rock layers.)
TEXAS WATER DEVELOPMENT BOARD

Is installing a well an option?

The answer is yes, but there is a process

- The city must submit engineering studies, surveys and stamped plans to agencies such as Texas Commission on Environmental Quality “TCEQ” and the Northern Trinity Groundwater District “NTGD”
- Approval time can be up to 2 years or longer



The cost of a production well is approximately 2 - 3 million dollars depending on certain factors. Listed below are just a few examples.

- Where will the location of well will be?
- Diameter and depth of well?
- Soil type to be drilled through?
- Will an elevated or ground storage tank be required?
- What will the optimal tank capacity need be?
- Desired gallons per minute “gpm” to determine size of pumps needed.
- Additional staff needed to manage the well.



POTENTIAL ANNUAL COSTS OF THE WELL WATER FROM WHAT WE CAN DETERMINE AT THIS TIME:

ELECTRIC COSTS:

- 450HP MOTOR (0.85 EFFICIENCY AND 0.8 LOAD FACTOR) X (0.7457 KW/HP = 315.8 KW
- ASSUME YOU RUN PUMP 12H/DAY = 800 GPM X 12 HOURS PER DAY = 800 GPM X 12 H X 60 M/H **= 576,000 GALLONS/DAY**
- ASSUME ELECTRIC RATE OF $0.11/KWH
- 12H X $0.08/KWH X 315.8KW = $303.17/DAY FOR 576,000 GALLONS = $0.53/1,000 GALLONS **= $110,427/YEAR**

LABOR COSTS:

- 1 OPERATOR = $42,500 (WITH BENEFITS) = 42,500/ (576,000 X 365) / 1000 = **$0.20/1,000 GALLONS**

CAPITAL COST RECOVERY (AMORTIZATION SCHEDULE ASSUMES 4% LOAN AND 20 YEARS FOR $2,100,000)

- ANNUAL P&I PAYMENT $153,000
- DAILY PAYMENT = $419.18 / 576,000 GALLONS/DAY = **$0.73/1,000 GALLONS**
- NORTH TRINITY GROUNDWATER CONSERVATION DISTRICT PRODUCTION FEE (TAX) **$0.125/1,000 GAL**

CAPITAL REPLACEMENT / MAINTENANCE $52,000/YEAR = $142.46/DAY / 576,000 GALLONS/DAY = **$0.25/1,000 GALLONS**

ESTIMATED COST PER 1,000 GALLONS (PRODUCTION FEE, POWER, LABOR, FINANCING & CAPITAL REPLACEMENT)

- $0.53 + $0.20 + $0.73 + $0.125 + $0.25 = $1.835 ~ **$1.84/1,000 GALLONS VS. $2.96 AVE 2018 BILLING = $231,789 PER YEAR IN POTENTIAL SAVINGS (11.7% OF OUR AVERAGE BILLING FOR YEAR ENDING SEPT. 2018 – WATER ONLY) DURING THE TIME WE PLAN, DESIGN, AND INSTALL THE WATER WELL COST SHALL INCREASE ABOUT 10% OF OUR AVERAGE WATER BILL FOR ABOUT 2 ½ YEARS.**

Challenges

- Must get approval from state agencies.
- Location of the well.
- Will land need to be aquired for the construction of the well or will the existing 2mil gallon elevated storage tank be sufficient?
- If land is to be aquired, this could reduce future revenue from a possible commercial or residential property that may have purchased the land.
- Chemicals will need to be added to the well water for disinfection and be monitored, balanced and blended with the two existing water sources we are currently supplied which are Fort Worth and Trinity River Authority "TRA". Engineering study will need to be performed to determine what affect this might have on the system.
- A well will require new sampling, reporting and licensing requirements.
- There could be a possible increase in positive bacteriological water samples if not properly treated.
- Budget for equipment failure and replacement costs.
- Possible complaints related to water hardness, odor, taste, color, etc…
- Possible issues relate to oil fracking.

Benefits include

- Can possibly help with chlorine residuals if properly treated .
- Water pressure could possibly increase if the well is constructed on the north east side of town.
- Well would provide an additional water source.





After meeting with The City of Bedford and taking a tour of one of their well sites, we were told that they do not run their system at full capacity or even everyday due to citizen complaints on taste and odor.

If the Citizen's of Watauga decided to accept slightly differing water characteristics, then the water well option would save about 11.7% of our overall water billing cost (not wastewater) assuming we operated the well 12 hours per day everyday. Savings would be realized after well in in production, there shall be an increase in water billing for the two or so years it takes to bring a water well online of about 10% of the water bill.

QUESTIONS?

DIRECTION…

AGENDA MEMORANDUM

DATE: May 2, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

SUBJECT: Presentation on a roundabout roadway intersection for Hightower Drive and Whitley Road

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BACKGROUND/INFORMATION:

Whitley Road construction is part of a multiple Capital Improvement Plan Project broken into five or more phases. Phase 1 (Oakhill Road to Starnes Road) is complete and Phase 2 (Watauga Road to near Chapman Road) is out for bids.

Phase 3 is from Chapman Road to near Hightower Drive and is currently in design.

Phase 4 would be from Hightower Drive to Oakhill Road. If the council desired to include a traffic roudabout, the roundabout would included the roundabout in the design of Whitley 4.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

Provide direction related to supporting the inclusion of a roundabout at the intersection of Hightower Drive and Whitley Road in the Whitley Road 4 Design.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Roundabout - Burgess Niple - May 13 2018 Watauga City Council

REVIEWED BY:

Andrea Gardner, City Manager — Approved - 5/8/2019
Terri Johnson, City Secretary — Final Approval - 5/8/2019
Approved as to form for inclusion on Agenda

May 13, 2019

Roundabout at Whitley Road & Hightower Drive

BURGESS & NIPLE
Engineers ■ Planners

Ideas in motion.

Roundabout at Whitley Road & Hightower Drive

Pros

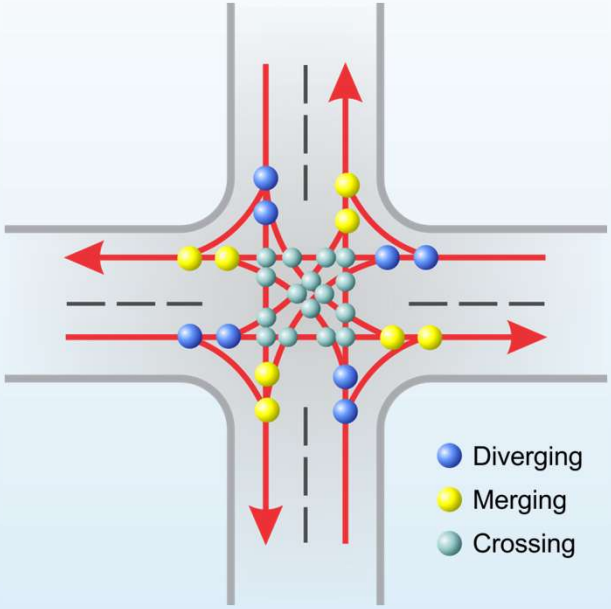
- Much safer than signalized intersection
- More efficient (less delay)
- Reduced noise
- Reduced vehicle emissions – greener!
- Lower maintenance costs / less energy consumption
- More aesthetic design options!
- Ability to phase (add lanes later)

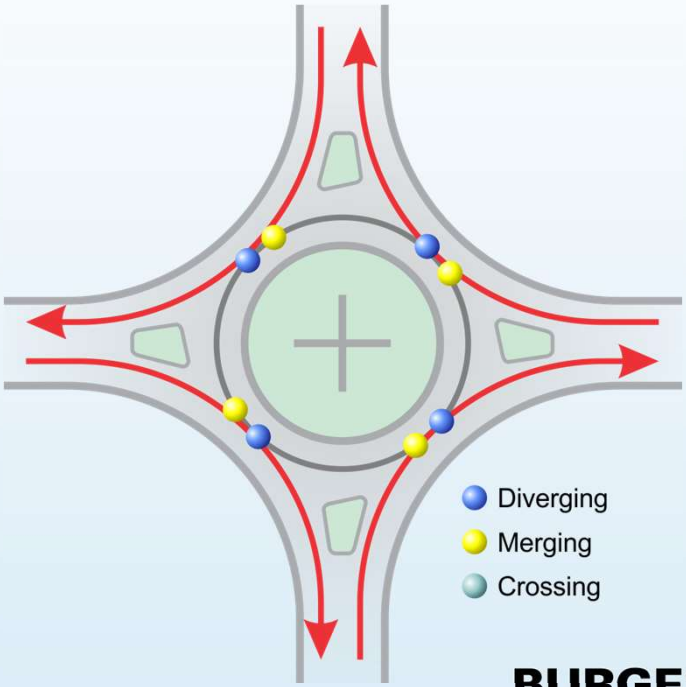
BURGESS & NIPLE

Roundabout at Whitley Road & Hightower Drive

Improved Safety -

- Few reported injuries
- Serious injuries or fatalities are very rare
- Lower speeds and less severe collision angles
- Reduces number of conflict points from 32 to 8

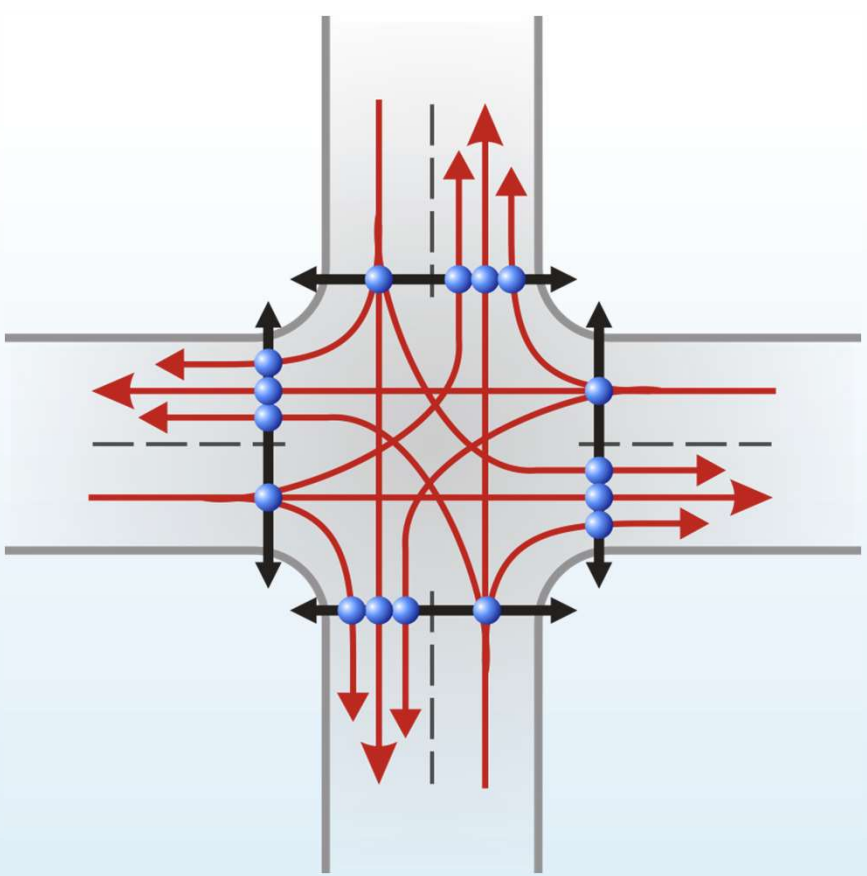


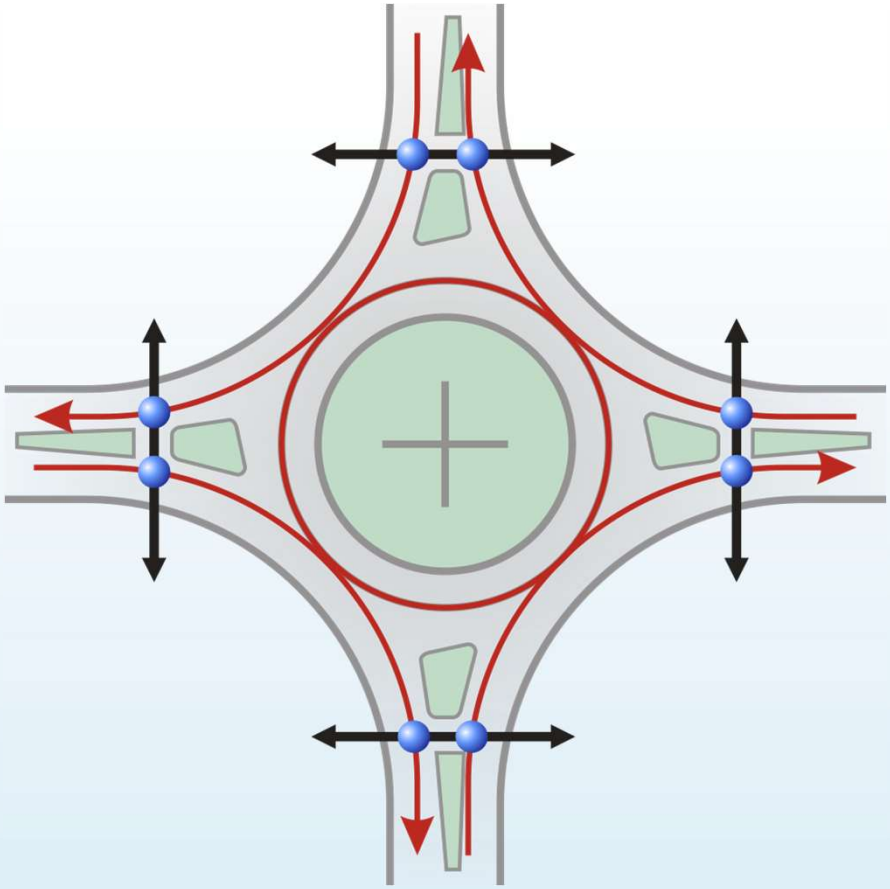


BURGESS & NIPLE

Roundabout at Whitley Road & Hightower Drive

Pedestrian Safety -

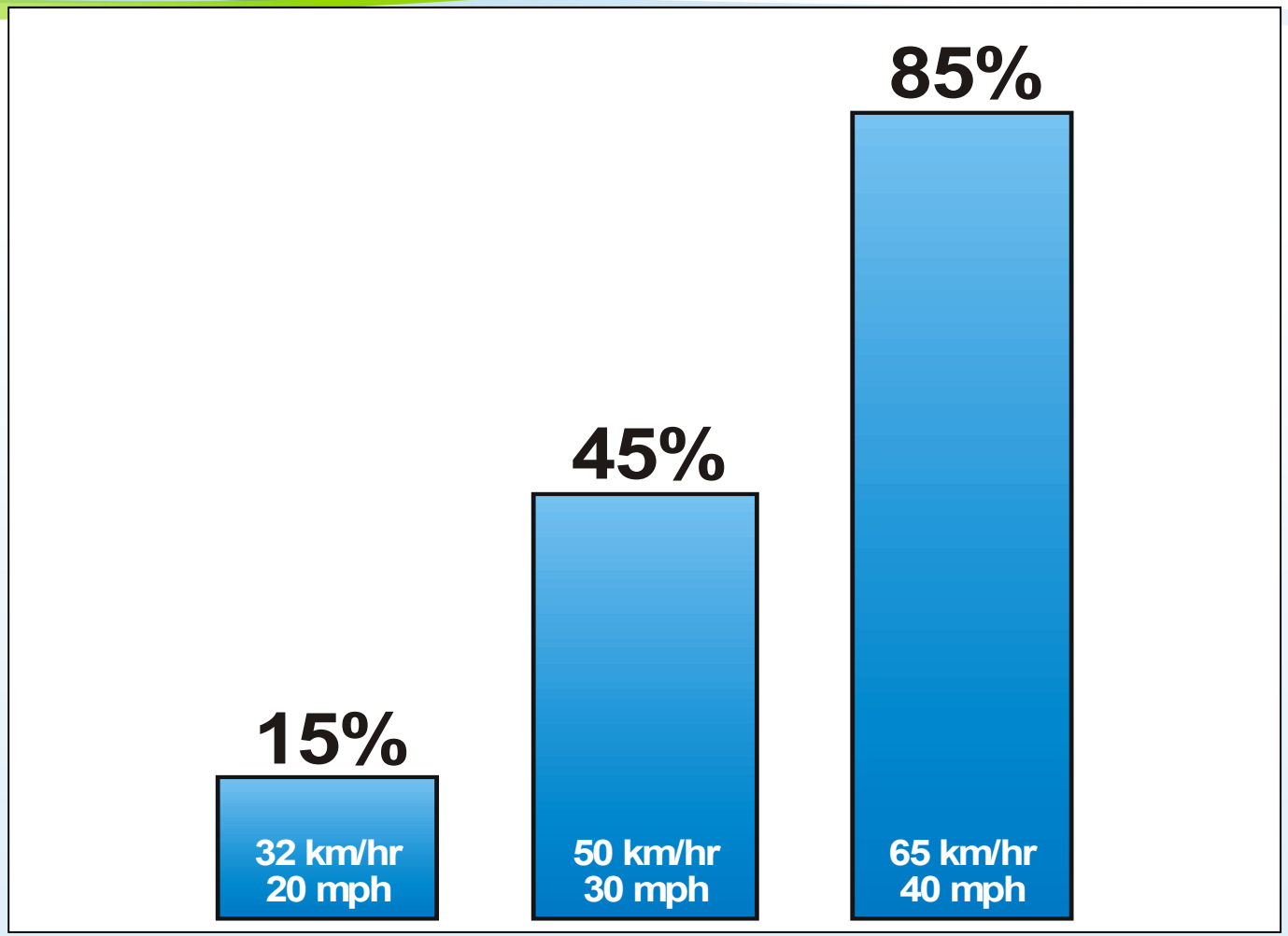




BURGESS & NIPLE

Roundabout at Whitley Road & Hightower Drive

What do lower speeds mean for pedestrian safety?

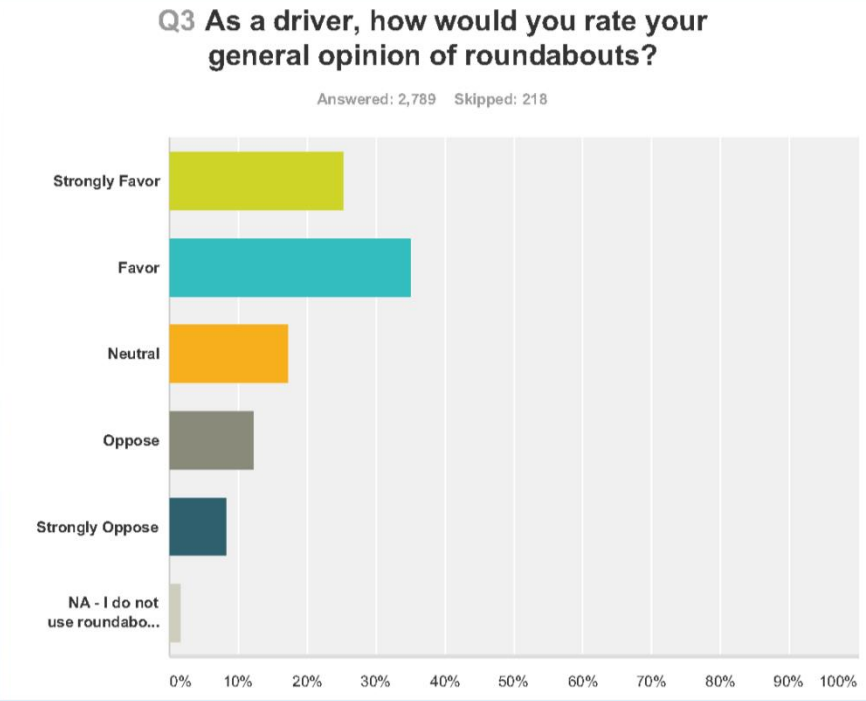


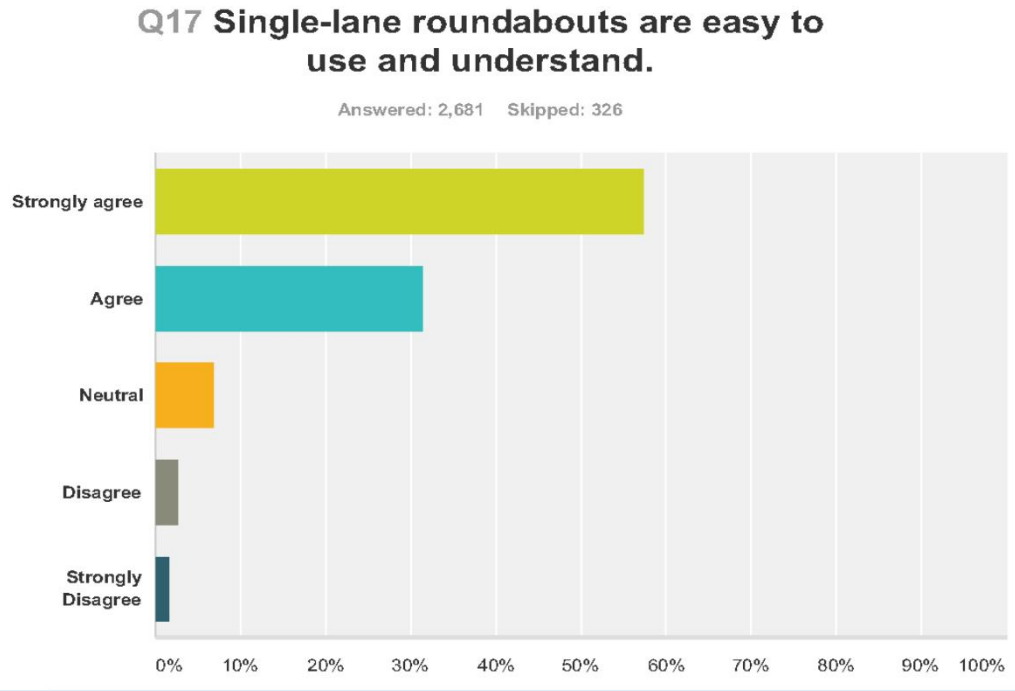
Source: United Kingdom

BURGESS & NIPLE

Roundabout at Whitley Road & Hightower Drive

In areas where there are roundabouts, people like them!
Single lane roundabouts are easy to use!

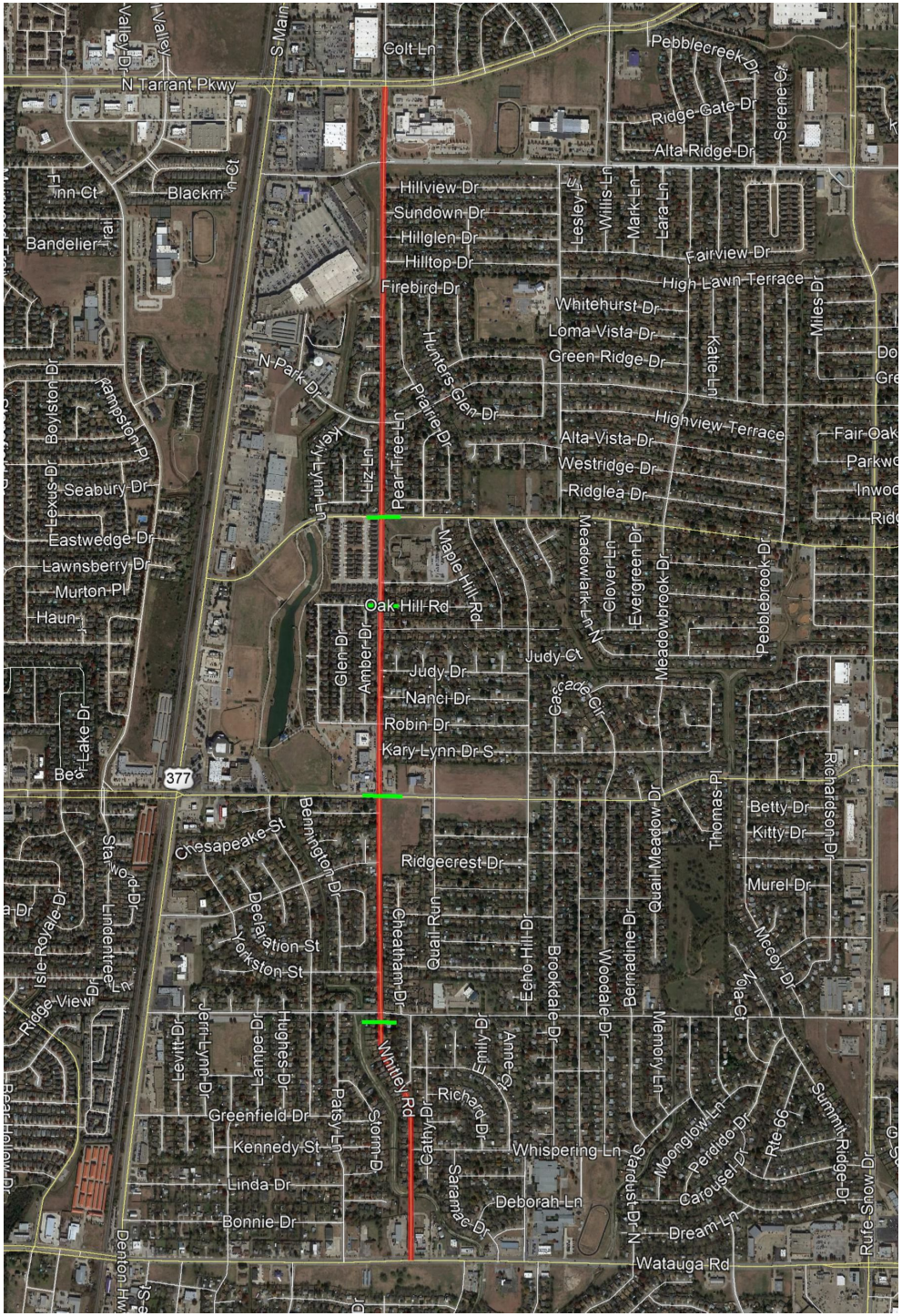




BURGESS & NIPLE

Phases of Whitley Road

Ideas in motion.


North Tarrant Parkway
Whitley Road 5
Starnes Road
Whitley Road 1
Oakhill Road
Whitley Road 4
Hightower Drive (Roundabout)
Whitley Road 3
Chapman Road
Whitley Road 2
Watauga Road
N Tarrant Pkwy
Colt Ln
Pebblecreek Dr
Ridge Gate Dr
Alta Ridge Dr
Serene Ct
Hillview Dr
Sundown Dr
Hillglen Dr
Hilltop Dr
Firebird Dr
Fairview Dr
High Lawn Terrace
Whitehurst Dr
Loma Vista Dr
Green Ridge Dr
Highview Terrace
Alta Vista Dr
Westridge Dr
Ridglea Dr
Fair Oak
Bandelier
Blackm
Inn Ct
Seabury Dr
Eastwedge Dr
Lawnsberry Dr
Murton Pl
Haun
Lake Dr
Oak Hill Rd
Judy Dr
Nanci Dr
Robin Dr
Kary Lynn Dr S
Judy Ct
Cedar Cir
Meadowbrook Dr
Pebblebrook Dr
Meadowlark Ln N
Clover Ln
Evergreen Dr
Maple Hill Rd
Glen Dr
Amber Dr
Hunters Glen Dr
Prairie Dr
Pear Tree Ln
Liz Ln
Kary Lynn Dr
N Park Dr
Boylston Dr
Ramston Pl
Lexus Dr
Lesley Ln
Willis Ln
Mark Ln
Lara Ln
Katie Ln
Miles Dr
377
Ridgecrest Dr
Chesapeake St
Bennington Dr
Declaration St
Yorkston St
Cheatham Dr
Quail Run
Echo Hill Dr
Brookdale Dr
Woodale Dr
Bermadine Dr
Quail Meadow Dr
Thomas Pl
Betty Dr
Kitty Dr
Richardson Dr
Murel Dr
Mccoy Dr
Watauga Dr
Ridge View Dr
Isle Royale Dr
Lindentree Ln
Levitt Dr
Lee Lynn Dr
Greenfield Dr
Kennedy St
Linda Dr
Bonnie Dr
Lampe Dr
Hughes Dr
Patsy Ln
Storm Dr
Whitley Rd
Richard Dr
Anne St
Whispering Ln
Deborah Ln
Saratoga Dr
Dream Ln
Watauga Rd
Moonglow Ln
Perdido Dr
Carousel Dr
Rte 66
Summit Ridge Dr
Rufe Snow Dr
Starcrest Dr N
Denton Hwy



Single Lane Roundabout

BURGESS & NIPLE



Roundabout with Right Turn Lanes

BURGESS & NIPLE

Questions / Comments?
Directions for Staff?

Ideas in motion.

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City of Watauga; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the City of Watauga to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2019 marks the 59th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

RESOLVED, I, **Arthur L. Miner** do hereby designate the week May 19 – 25, 2019 as

NATIONAL PUBLIC WORKS WEEK IN WATAUGA

I urge all citizens to join with representatives of the American Public Works Association/Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

Proclaimed this the 13th day of May, 2019.

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

_____
Arthur L. Miner, Mayor

Attest: _____
Terri Johnson, Interim City Secretary

AGENDA MEMORANDUM

DATE: May 8, 2019

TO: Honorable City Council Members

FROM:

THROUGH:

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

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
None

REVIEWED BY:
Terri Johnson, City Secretary — Final Approval - 5/9/2019
Approved as to form for inclusion on Agenda

AGENDA MEMORANDUM

DATE: April 23, 2019

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

THROUGH: Andrea Gardner, City Manager

SUBJECT: Report on Comprehensive Plan Update Timeline and Cost.

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
None

REVIEWED BY:
Terri Johnson, City Secretary — Final Approval - 5/8/2019
Approved as to form for inclusion on Agenda

AGENDA MEMORANDUM

DATE: April 23, 2019

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

THROUGH: Andrea Gardner, City Manager

SUBJECT: Report on the 2019 Texas Legislative Session.

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
None

REVIEWED BY:
Terri Johnson, City Secretary — Final Approval - 5/8/2019
Approved as to form for inclusion on Agenda

AGENDA MEMORANDUM

DATE: April 24, 2019

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

THROUGH: Andrea Gardner, City Manager

SUBJECT: Report on Economic Development Activities

BACKGROUND/INFORMATION:

Report on Economic Development Activities

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

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

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

None

REVIEWED BY:

Andrea Gardner, City Manager — Approved - 4/26/2019
Terri Johnson, City Secretary — Final Approval - 4/29/2019
Approved as to form for inclusion on Agenda

MINUTES
WATAUGA CITY COUNCIL
PUBLIC HEARING
MONDAY, JANUARY 28, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
7:00 P.M.

The City Council of the City of Watauga, Texas convened at 7:08 p.m., for the purpose of conducting a public hearing with the following members present:

Mayor Pro Tem, Place 4 David Griffin
Council Member, Place 3 Sandra Bush
Council Member, Place 2 Tom Snyder
Council Member, Place 5 Melva Clark (absent)
Council Member, Place 6 Mark Taylor
Council Member, Place 1 Scott Prescher
Council Member, Place 7 Kim Irving

and

Andrea Gardner, City Manager
Zolaina R. Parker, City Secretary
Robert Parker, Chief of Police
Bradley Fraley, Chief Information Officer/PIO

Citizen input and discussion with regard to allowing backyard chickens

Mayor Pro Tem Griffin opened the Public Hearing and Police Chief Robert Parker introduced the topic for this public hearing.

Chief Parker reviewed the research into policies of eleven neighboring cities regarding backyard chickens. He suggested that persons, who wished to speak on this topic, also address the following questions that were being considered in a proposed ordinance:

Specific number of chickens Min/Max?
Allow Roosters or Crowing Hens?
Require Permits/Inspections?
Require training?
Minimum proximity to property line?
Minimum lot size requirements?
Other considerations

Citizens' Comments:

Cheneya Cruze, 6013 Kary Lynn Dr. South – in favor of backyard chickens

Ty Cruze, 6013 Kary Lynn Dr. South – in favor of backyard chickens

Emma Harvey, 6809 Richardson Dr. – in favor of backyard chickens

Jeremy Moody, 5924 Robin Dr. – in favor of backyard chickens

Kay Ivy, 6135 Starnes Rd. – expressed concerns

Paul Hopkins, 7509 Meadowbrook Dr. – discussed benefits and requirements for permits/inspections

Emily Kim, 6641 Mona Lisa Ave. – in favor of backyard chickens

Amanda Cochran, 6517 Alta Vista Dr. – in favor of backyard chickens

Katie Johnson, 5924 Robin Dr. – in favor of backyard chickens

Chief Parker announced that another Public Hearing on this topic would be held on February 11, 2019.

ADJOURNMENT

Mayor Pro Tem David Griffin thanked everyone for coming and adjourned the Public Hearing at 7:45 p.m.

APPROVED: this 13th day of May, 2019

SIGNED: this ____ day of May, 2019

APPROVED:

_____
Arthur L. Miner, Mayor

ATTEST:

_____
Terri Johnson, Interim City Secretary

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

MINUTES
WATAUGA CITY COUNCIL
WORKSHOP
THURSDAY, FEBRUARY 21, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
7:00 P.M.

The City Council of the City of Watauga, Texas convened at 7:01 p.m., for the purpose of conducting a workshop with the following members present:

Mayor Pro Tem, Place 4 David Griffin
Council Member, Place 3 Sandra Bush
Council Member, Place 2 Tom Snyder
Council Member, Place 5 Melva Clark
Council Member, Place 6 Mark Taylor
Council Member, Place 1 Scott Prescher (absent)
Council Member, Place 7 Kim Irving

and

Andrea Gardner, City Manager
Mark Daniel, City Attorney
Zolaina R. Parker, City Secretary
Robert Parker, Chief of Police
Shawn Fannan, Fire Chief
Sandra Gibson, Director of Finance
Marcia Reyna, Director of Human Resources/Civil Service
Paul Hackelman, Director of Public Works
Lana Ewell, Library Director
Bradley Fraley, Chief Information Officer/PIO

Budget Process and Long Range Planning for Fiscal Year 2019-2020 and beyond

Sandra Gibson, Director of Finance, provided information on the budget process and long range planning for FY 2019-2020. She answered questions from the City Council and proposed projects discussed.

ADJOURNMENT

Mayor Pro Tem David Griffin adjourned the workshop at 9:10 p.m.

APPROVED: this 13th day of May, 2019

SIGNED: this _____ day of May, 2019

APPROVED:

_____
Arthur L. Miner, Mayor

ATTEST:

_____
Terri Johnson, Interim City Secretary

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

MINUTES
WATAUGA CITY COUNCIL
WORKSHOP
THURSDAY, MARCH 7, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
5:30 P.M.

The City Council of the City of Watauga, Texas convened at 5:31 p.m., for the purpose of conducting a workshop with the following members present:

Mayor Pro Tem, Place 4 David Griffin
Council Member, Place 3 Sandra Bush
Council Member, Place 2 Tom Snyder
Council Member, Place 5 Melva Clark
Council Member, Place 6 Mark Taylor
Council Member, Place 1 Scott Prescher
Council Member, Place 7 Kim Irving (arrived after Roll Call)

and

Andrea Gardner, City Manager
Zolaina R. Parker, City Secretary
Robert Parker, Chief of Police
Randy Barkley, Assistant Fire Chief
Sandra Gibson, Director of Finance
Marcia Reyna, Director of Human Resources/Civil Service
Sal Torres, Director of Parks and Community Services
Lana Ewell, Library Director
Bradley Fraley, Chief Information Officer/PIO

Smoking Ordinance and Commercial Electronic Variable Message Signs (CEVMS)

City Council met to allow for discussion regarding the Smoking Ordinance and Changeable Electronic Variable Message Signs (CEVMS).

Mayor Pro Tem Griffin yielded the floor to Paul Hackleman, Director of Public Works, who led the presentation and discussion.

Council Member Taylor suggested that smoking be banned in parks, restaurants and within twenty (20') feet of building entrances.

Council Member Prescher wanted a 100% ban of smoking within the City of Watauga.

Council Member Bush discussed electronic cigarettes.

The consensus of the Council appeared to be to proceed with updating the smoking ordinance.

The Council Members were generally in favor of allowing the Changeable Electronic Variable Message Signs (CEVMS).

ADJOURNMENT

Mayor Pro Tem David Griffin adjourned the workshop at 6:04 p.m.

APPROVED: this 13th day of May, 2019

SIGNED: this ____ day of May, 2019

APPROVED:

_____
Arthur L. Miner, Mayor

ATTEST:

_____
Terri Johnson, Interim City Secretary

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

MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
THURSDAY, MARCH 7, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:30 PM

CALL TO ORDER

The City Council of the City of Watauga, Texas convened in the Regular Meeting at 6:31 p.m. with the following members present:

Mayor Pro Tem, Place 4	David Griffin
Council Member, Place 1	Scott Prescher
Council Member, Place 2	Tom Snyder
Council Member, Place 3	Sandra Bush
Council Member, Place 5	Melva Clark
Council Member, Place 6	Mark Taylor
Council Member, Place 7	Kim Irving

and

Andrea Gardner, City Manager
Jessika Velazquez, Representative of City Attorney's office
Zolaina R. Parker, City Secretary
Robert Parker, Chief of Police
Shawn Fannan, Fire Chief
Sandra Gibson, Director of Finance
Paul Hackelman, Director of Public Works
Sal Torres, Director of Parks and Community Services
Lana Ewell, Library Director
Bradley Fraley, Chief Information Officer/PIO

INVOCATION

Council Member Kim Irving voiced the invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem David Griffin led the pledges of allegiance to the United States flag and the State of Texas flag.

ANNOUNCEMENTS

City Staff did not have any announcements.

Council Member Mark Taylor announced the following:

1) Thanked Café Sicilia for providing the food this evening

2) Paws in the Park
3) State of the City Address to be held March 20, 2019

Mayor Pro Tem Griffin expressed appreciation for the public's attendance at the Council meetings and everyone's support of the City of Watauga.

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Consideration and action on approval of meeting agenda

   Council Member Sandra Bush made the motion to approve the meeting agenda. The motion was seconded by Council Member Melva Clark and passed with the following vote:

   AYES: Bush, Clark, Griffin, Prescher, Snyder, Taylor, Irving
   NAYS: None
   ABSENT: None
   ABSTAIN: None

PRESENTATIONS

1. Presentation of a Proclamation to All Storage in honor of their 15 Year Business Anniversary

   Mayor Pro Tem Griffin presented a Proclamation to All Storage in honor of their 15 Year Business Anniversary.

2. Presentation of a Proclamation to Cost Plus World Market in honor of their 15 Year Business Anniversary

   Mayor Pro Tem Griffin presented a Proclamation to Cost Plus World Market in honor of their 15 Year Business Anniversary.

3. Presentation of a Proclamation to Half Price Books in honor of their 15 Year Business Anniversary

   Mayor Pro Tem Griffin presented a Proclamation to Half Price Books in honor of their 15 Year Business Anniversary.

4. Presentation of a Proclamation to Wells Fargo, N.A. in honor of their 15 Year Business Anniversary

   Mayor Pro Tem Griffin presented a Proclamation to Wells Fargo, N.A. in honor of their 15 Year Business Anniversary.

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

   Andrea Gardner, City Manager, presented Service Awards for City of Watauga Employees celebrating a milestone anniversary during the month of March 2019 to Helen Newpher, Public Works Permit Technician with 10 years of service and to Police Lieutenant Jason Babcock with 20 years of dedicated service.

6. Presentation of Comprehensive Annual Financial Report for period ending September 30, 2018

   Sandra Gibson, Director of Finance introduced Mr. Christopher Breaux with Whitley Penn who presented the Comprehensive Annual Financial Report for the fiscal year ending September 30, 2018.

CITIZEN'S OPEN FORUM

Citizens addressing the City Council included:

Paul Hopkins, 7509 Meadowbrook Drive – felt Council needed to review the codes and ordinances and he agreed with that being completed. He also commented about allowing work trailers as Watauga is a working class community.

Dawnna Brown, 6613 Willow View Dr. – concerned about the safety of school zones and safety of children due to lack of patrol.

Lissa Sieja, 6605 Jerri Lynn Dr. – expressed interest in a dog park.

Michael Schwabb, 6909 Bennington Drive – with Lifestyle Church stated everyone is praying for the Council.

Art Miner, 7757 Kelly Lynn Lane – thought the Meet the City event was great. He also stated that the Mayor's speech during the Announcement portion of the agenda was out-of-line.

Donna Strickland, 5654 Cornwallis Court – talked about the tone of the Council meetings and stated that clapping is not appropriate for the assembly.

Nicki Freeze, 6516 Old Mill Circle – concerned about the safety for the children with regard to speeding.

REPORTS

1. Report on the Texas Municipal League Youth Advisory Commission Summit held in February 2019

Council Member Scott Prescher presented a report on the Texas Municipal League Youth Advisory Commission Summit held in February 2019. He introduced Ty Cruze, 6013 Kary Lynn Dr. South, who addressed the Council. Ty attended the Summit with his father, Richard Cruze and Council Member Prescher.

2. Report on Economic Development Efforts

City Manager Gardner and Economic Development Specialist Denise Wilkinson presented a report on Economic Development efforts.

3. Update on Civic Plus Mobile Application

Bradley Fraley, Chief Information Officer/PIO provided an update on the Civic Plus Mobile Application.

CONSENT AGENDA

Council Member Melva Clark made the motion to approve the consent agenda as presented. The motion was seconded by Councilmember Irving and passed unanimously:

AYES: Clark, Irving, Griffin, Prescher, Snyder, Bush, Taylor
NAYS: None
ABSENT: None
ABSTAIN: None

1. Consideration of a proposed resolution amending Policy 10.10 Performance and Conduct Expectations of the City of Watauga Personnel, Administration and Financial Policies and Procedures Manual.

CITY OF WATAUGA
RESOLUTION #19-03-07-01

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING SECTION 10.10 OF THE PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL REGARDING PERFORMANCE AND CONDUCT EXPECTATIONS; PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

2. Consideration of proposed resolution agreeing to meet all matching contribution requirements for the expenditures under the Tarrant County Home Investment Partnerships Program (HOME) for program year 2019.

CITY OF WATAUGA
RESOLUTION #19-03-07-02

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AGREEING TO MEET ALL MATCH CONTRIBUTION REQUIREMENTS FOR THE EXPENDITURES UNDER THE TARRANT COUNTY HOME INVESTMENT PARTNERSHIPS PROGRAM FOR PROGRAM YEAR 2019; PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

3. Consideration of an Interlocal Agreement for pavement striping of Patsy Lane between Tarrant County and the City of Watauga

4. Consideration and approval of the Tarrant County Interlocal Agreement for rehabilitation and resurface of North Park Drive

5. Consideration and acceptance of the Comprehensive Annual Financial Report for the Fiscal year ending September 30, 2018

6. Consideration and approval on the Monthly Financial Report for the period ending January 31, 2019

7. Consideration of January 14, 2019 Council Regular Meeting Minutes

8. Consideration of February 11, 2019 Council Regular Meeting Minutes

9. Consideration of February 11, 2019 Council Workshop Meeting Minutes

UNFINISHED BUSINESS

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

   Citizens who spoke:

Richard Cruze, 6013 Kary Lynn Drive South – in favor of backyard chickens but would like to see the fence requirement be 4 feet instead of 6 feet and also change the height of the coup.

Paul Hopkins is pro-chicken and stated he does not care about the fences being a requirement as he feels other solutions like shrubs and trees can be used.

Amanda Cockran, 6517 Alta Vista Drive – will provide classes to city for free to care for chickens, as they need to be kept as any other animals.

Donna Strickland stated she hoped the Council would reconsider this issue because the ordinance needs to address more requirements, including the lot size requirement and those residents who have dogs.

Mayor Pro Tem Griffin called upon Police Chief Parker who stated that Council Member Prescher had a video to show the audience before he made any comments.

Council Member Prescher's video showed a visit he made with the Animal Shelter in South Fort Worth regarding chickens, as well as a visit with an owner of backyard chickens.

Chief Parker thanked City staff for preparing this presentation regarding backyard chickens. He stated that the response from citizens was overwhelmingly positive. Parker reviewed the research and the proposed ordinance.

Council Member Prescher made the motion to accept the proposed ordinance with changes on Page 3, Page 4, Page 5, Page 6 and Page 8. The motion died for lack of a second.

Council Member Taylor made a motion to approve the proposed ordinance as presented, and add the following requirements:

1) minimum lot size of not less than 7,500 square feet,
2) fencing or screening to obscure view of the chickens from the street and/or adjacent properties, and
3) applicant shall obtain consent of 75% of adjacent property owners when four (4) or more properties touch the applicant's property, or, if only three (3) properties touch the applicant's property, then the applicant would be required to obtain consent from 50% of those adjacent properties. The motion died for lack of a second.

Council Member Prescher made a motion to approve the proposed ordinance as presented. The motion died for a lack of a second.

Chief Parker explained that the plan was for the Police Department to get involved with the training of citizens for this issue.

City Council discussed this issue and no action was taken.

Mayor Pro Tem Griffin recessed the Regular Meeting at 8:54 p.m.

The Regular Meeting was reconvened at 9:09 p.m.

NEW BUSINESS

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

   Citizens' Comments:

   Art Miner asked questions about why additional comments cannot be heard on the chicken item and stated that in the past others were allowed to speak on a previous item.

   Paul Hopkins stated that the proposed fees are excessive.

   Neal Cooper, 6921 Cheatham Drive – stated that he agreed with Mr. Hopkins that the fees are excessive and should be looked at again.

   Mayor Pro Tem Griffin made the motion to postpone this item indefinitely and the motion was seconded by Council Member Irving.

   It was explained that this item went hand-in-hand with the ordinance allowing backyard chickens and if/when that item was brought back to City Council, this item would accompany it.

   The vote of the motion to postpone this item indefinitely passed as follows:

   AYES: Griffin, Irving, Snyder, Taylor, Clark
   NAYS: Prescher, Bush
   ABSENT: None
   ABSTAIN: None

2. Consideration and action on proposed ordinance amending the City of Watauga Code of Ordinances, Chapter 22 – Licenses, Permits and Business Regulations – Article III, Child Care Facilities, updating Section 22-79, Requirements for home child care facilities, and Section 22-83, Driver's certificate for residential and commercial facilities

No citizens spoke on this item.

Public Works Director Paul Hackelman reviewed this ordinance with the City Council.

Following discussion, Council Member Taylor made a motion to approve ordinance as amended by moving Item C from Section 22-83 to Section 22-82(5) and replacing existing Item 5 in Section 22-82. The motion was seconded by Mayor Pro Tem Griffin and passed unanimously:

AYES: Taylor, Griffin, Bush, Clark, Prescher, Snyder, Irving
NAYS: None
ABSENT: None
ABSTAIN: None

ORDINANCE # 1687

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 22, ARTICLE III OF THE CODE OF ORDINANCES OF THE CITY OF WATAUGA, TEXAS; PROVIDING FOR UPDATES TO SECTIONS 22-79 AND 22-83 REGARDING VIDEO AND PAMPHLET REQUIREMETNS FOR DAY CARE FACILITY DRIVERS, BOTH RESIDENTIAL AND COMMERCIAL; PROVIDING THAT ALL ORDINANCES IN CONFLICT HEREBY ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

3. Consideration, discussion and direction on access to City Hall and the staff area after regular business hours

Citizen's Comments:

Art Miner does not know why this is on the agenda. He always thought City Council had full access to the facilities. He felt this should have been addressed behind closed doors and not in front of the public.

City Manager Gardner explained that Texas Open Meetings Act (TOMA) does not allow for those type of private meetings amongst a quorum of Council. She did not know what had been done in the past with Council access to City Hall.

Ms. Gardner gave a brief background of this item and Council discussed the need for access to City Hall.

It was the consensus of the City Council to direct City Staff to draft an item for Council Members who want access to the City Hall workroom area within the time frame of 6:00 a.m. – 10:00 p.m., seven (7) days a week (Council Members only).

4. Consideration, discussion and action on approval of a Certificate of Amendment to the Articles of Incorporation to the Watauga Parks Development Corporation with regard to changing the name to the Watauga Economic Development Corporation.

Citizens' Comments:

Paul Hopkins is concerned that the City needs to continue to protect the parks.

Nelson Stoppiello, 7104 Lyndale Court – stated that he supports the work of the City Council, the City Manager and the City Staff but he does not support changing the Parks Development Corporation to an Economic Development Corporation as it is going to take money away from Parks. Public hearings need to be held to address what citizens want to do. He urged Council to vote no.

City Manager Gardner addressed this issue and reminded the Council of a presentation she made in August, 2018. This is a name change only of Watauga's Type B Board.

Following discussion by the City Council, Council Member Taylor made the motion to change the name of Watauga Parks Development Corporation to Watauga Development Corporation.

The motion was seconded by Council Member Bush.

Ms. Gardner explained the two different types of economic development corporations - a 4-A and a 4-B or a Type A and Type B. The City of Watauga is a Type B corporation. Type A corporations requires any time money is spent on anything other than economic development, it would have to go on the ballot for the voters to approve but for a Type B, the City would have greater flexibility because you don't have to put a project on the ballot for the voters to approve.

The original motion was amended to name Watauga Economic Development Corporation. Council Member Taylor and Council Member Bush agreed to the amendment making the motion on the floor to rename Watauga Park Development Corporation to Watauga Economic Development Corporation.

The motion passed 7-0-0-0 as follows:

AYES: Bush, Clark, Griffin, Prescher, Snyder, Taylor, Irving
NAYS: None
ABSENT: None
ABSTAIN: None

RESOLUTION # 19-03-07-03

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS APPROVING THE CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION TO THE WATAUGA PARKS DEVELOPMENT CORPORATION WHICH SHALL CHANGE THE CORPORATION'S NAME TO THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION; PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

Citizens' Comments:

Nelson Stoppiello stated that this will not get the economic return that citizens are expecting. He is concerned about where this will lead.

Art Miner, President of the Watauga PDC, stated he is on board with the changes and approves moving forward with recouping businesses. He stated that additional training needs to be given to the current members.

The City Manager provided information on economic incentives allowed and protection for the City and the Economic Development Corporation.

The City Council agreed to all recommended changes and it was the consensus to direct City Staff to proceed with a draft ordinance to amend the City Code relating to this item.

6. Consideration, discussion and direction on transferring the property known as the Brooks Property located at 6200 Watauga Road with a legal description of 3.238 acres of the W.J. Miller Survey Abstract No. 1020 to the Watauga Type B Corporation for the purposes of completing a survey and listing the property for sale with the net of all selling expenses being placed in the PDC Fund for the specific purpose of increasing funds for incentive purposes to attract retail, industrial or other commercial economic development allowed under Texas Local Government Sections 501, 502 and 505 with the exception of Parks projects

   Citizens who addressed the Council:

   Nelson Stoppiello stated that the original use of that property was park land and before considering turning the proceeds of the sale of that property over to Economic Development, he wanted to make sure they go to Parks instead.

   Paul Hopkins stated that the name of the board was just changed and now the City is excluding Parks projects and would like to know why.

   Art Miner spoke as President of the WPDC, not as a representative of a consensus of the board. He stated that the WPDC had voted months ago to transfer this property to the City for the specific purpose of economic development. He would like to see a percentage of the money go back to the General Fund to take care of the parks.

   Neil Cooper would like to see the City invest proceeds in additional Park lands.

   Lindsey Neal, 6920 Cheatham Drive – would like the City to take the money to possibly develop a dog park.

   City Manager Gardner briefed the Council on the background of the proposal to sell this land.

   Following discussion, the Council directed Staff to proceed with the City Manager's recommendation to utilize property and funds for economic development purposes, excluding parks projects.

7. Consideration, discussion and direction on creating a Parks Advisory Board, declaring the purpose of the board, establishing membership numbers for the board and requiring bylaws be created by the board for Council approval

   No one in the audience spoke on this agenda item.

   It was the consensus of the Council to proceed with creating a Parks Advisory Board.

8. Consideration, discussion and direction on the City's Strategic Plan
There were no citizens' comments.

The City Manager reminded the Council about the workshops held in February.

Council agreed with the City Manager's recommendation on the City's Strategic Plan.

9. Consideration, discussion and direction on the FY 2020 Budget Priorities from Council as a follow up from the February 21, 2019 Workshop Meeting

Citizen's Comments:

Nelson Stoppiello wants to make sure Parks are part of the budget priorities.

City Manager Gardner reviewed the February 21st workshop and asked for Council's feedback by March 19th.

No action was taken.

10. Consideration and action on approving the creation of a City Manager's Workgroup for the purpose of completing the Comprehensive Plan Update

There were no citizens to address this item.

Ms. Gardner addressed this item with the City Council.

Council Member Snyder made the motion to authorize the establishment of a City Manager's Workgroup for the purpose of completing the Comprehensive Plan Update with an amendment to bring back a budget for funds to be spent.

The motion was seconded by Council Member Bush and passed unanimously:

AYES: Bush, Taylor, Clark, Griffin, Prescher, Snyder, Irving
NAYS: None
ABSENT: None
ABSTAIN: None

11. Consideration and action on approving amendments to Chapter 12, Fee Schedule, Section 12-30 regarding recreational fees.

There were no citizens to address this item.

Sandra Gibson, Director of Finance, addressed the Council on this item.

Sal Torres, Director of Parks and Recreation, answered questions from the Council.

Following discussion, Council Member Taylor made the motion to accept the fee changes effective April 1, 2019 with the amendment to look into a monthly fee option for fiscal year 2020.

The motion as seconded by Council Member Tom Snyder and passed unanimously:

AYES: Taylor, Snyder, Bush, Clark, Griffin, Prescher, Irving
NAYS: None
ABSENT: None
ABSTAIN: None

ORDINANCE NO. 1688

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

12. Consideration and action on approval of a 2.087% CPI rate increase requested by Waste Connections of Texas with an effective date of July 1, 2019

There were no citizens' comments on this item.

Deby Woodard, Assistant Finance Director, addressed the Council on this item. Mr. Marty Grant, District Manager with Waste Connections Lonestar, Inc. was present to answer questions from the Council.

Following discussion, Council Member Taylor made the motion to approve the 2.087% CPI rate increase requested by Waste Connections of Texas with an effective date of July 1, 2019.

The motion was seconded by Council Member Bush and passed with the following vote:

AYES: Taylor, Bush, Clark, Griffin, Snyder, Irving
NAYS: Prescher
ABSENT: None

ABSTAIN: None

ITEMS FOR FUTURE CITY COUNCIL MEETINGS

Council Member Taylor would like to see a discussion regarding lowering residential speed limits, a possible dog park, and the creation of Watauga Youth Advisory Council in the City.

EXECUTIVE SESSION

Council did not go into Executive Session on any item.

ADJOURNMENT

With no further business at hand, Mayor Pro Tem Griffin adjourned the Regular Meeting at 11:20 p.m.

APPROVED: this the 13th day of May, 2019

SIGNED: this the _____ day of May, 2019

APPROVED:

_____
Arthur L. Miner, Mayor

ATTEST:

_____
Terri Johnson, Interim City Secretary

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

MINUTES
WATAUGA CITY COUNCIL
SPECIAL MEETING
TUESDAY, MARCH 26, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:30 P.M.

CALL TO ORDER

The City Council of the City of Watauga, Texas convened at 6:30 p.m., for the purpose of conducting a special meeting with the following members present:

Mayor Pro Tem, Place 4 David Griffin
Council Member, Place 1 Scott Prescher
Council Member, Place 2 Tom Snyder
Council Member, Place 3 Sandra Bush
Council Member, Place 5 Melva Clark
Council Member, Place 6 Mark Taylor
Council Member, Place 7 Kim Irving

and

Andrea Gardner, City Manager
Mark Daniel, City Attorney
Zolaina R. Parker, City Secretary
Marcia Reyna, Director of Human Resources/Civil Service
Bradley Fraley, Chief Information Officer/PIO

INVOCATION

Council Member Kim Irving voiced the invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem led the pledges to the United States flag and to the State of Texas flag.

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Consideration and action on approval of meeting agenda

Council Member Mark Taylor made a motion to approve the meeting agenda as written. The motion was seconded by Council Member Melva Clark and passed unanimously as follows:

AYES: Taylor, Clark, Griffin, Prescher, Bush, Snyder, Irving
NAYS: None
ABSENT: None
ABSTAIN: None

NEW BUSINESS

1. Consideration and action on providing direction as to the recruitment of a City Secretary

There were no citizens' comments at this time.

Marcia Reyna, Director of Human Resources/Civil Service, presented this item to the Council and gave options regarding an interim City Secretary.

Council Member Irving made the motion to allow the HR Department to do the search to fill the position of City Secretary and to hire an experienced City Secretary to fill the position on an interim basis.

The motion was seconded by Council Member Sandra Bush and passed unanimously as follows:

AYES: Taylor, Clark, Griffin, Prescher, Bush, Snyder, Irving
NAYS: None
ABSENT: None
ABSTAIN: None

EXECUTIVE SESSION

ADJOURNMENT

Mayor Pro Tem David Griffin adjourned the Special Meeting at 7:12 p.m.

APPROVED: this 13th day of May, 2019

SIGNED: this _____ day of May, 2019

APPROVED:

_____
David Griffin, Mayor Pro Tem

ATTEST:

_____
Terri Johnson, Interim City Secretary

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

MINUTES
WATAUGA CITY COUNCIL
WORKSHOP
MONDAY, APRIL 8, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
5:30 P.M.

The City Council of the City of Watauga, Texas convened at 5:39 p.m., for the purpose of conducting a workshop with the following members present:

Mayor Pro Tem, Place 4 David Griffin
Council Member, Place 3 Sandra Bush
Council Member, Place 2 Tom Snyder
Council Member, Place 5 Melva Clark
Council Member, Place 6 Mark Taylor
Council Member, Place 1 Scott Prescher (absent)
Council Member, Place 7 Kim Irving

and

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

Splash Pad Project

City Council met to receive a presentation and discuss the Splash Pad Project.

Mayor Pro Tem Griffin yielded the floor to Paul Hackleman, Director of Public Works, and Sal Torres, Director of Parks and Community Services who led the presentation and discussion.

City Council consensus was to proceed with design of the Splash Pad project (Option 5 from the presentation).

ADJOURNMENT

Mayor Pro Tem David Griffin adjourned the workshop at 6:01 p.m.

APPROVED: this 13th day of May, 2019

SIGNED: this _____ day of May, 2019

APPROVED:

_____
Arthur L. Miner, Mayor

ATTEST:

_____
Terri Johnson, Interim City Secretary

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

MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, APRIL 8, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITELY ROAD
6:30 PM

CALL TO ORDER

The City Council of the City of Watauga, Texas convened in the Regular Meeting at 6:31 p.m. with the following members present:

Mayor Pro Tem, Place 4	David Griffin
Council Member, Place 1	Scott Prescher
Council Member, Place 2	Tom Snyder
Council Member, Place 3	Sandra Bush
Council Member, Place 5	Melva Clark (excused absence)
Council Member, Place 6	Mark Taylor
Council Member, Place 7	Kim Irving

and

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

INVOCATION

Mr. Kyev Tatum, representative of the Southern Christian Leadership Conference gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem David Griffin led the pledges of allegiance to the United States flag and the State of Texas flag.

ANNOUNCEMENTS

City Staff did not have any announcements.

Council Member Mark Taylor reminded everyone of the Paws in the Park scheduled on April 20th.

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Consideration and action on approval of meeting agenda

   Council Member Taylor made a motion to remove the following items from tonight's agenda:

   New Business Item #10 – Consideration and deliberation regarding Criminal Complaint filed against the entire City Council

   New Business Item #11 – Consideration, discussion and possible action on finding a solution as it pertains to crosswalks at local schools

   New Business Item #12 – Consideration and discussion on providing ideas and suggestion to promote local businesses

   New Business Item #13 – Consideration and discussion regarding financial expenditures by the City Manager that are under $50,000 without any oversight

   Council Member Prescher seconded the motion which failed as follows:

   AYES: Taylor, Prescher, Snyder
   NAYS: Griffin, Bush, Irving
   ABSENT: Clark
   ABSTAIN: None

   Mayor Pro Tem Griffin made a motion to move the Executive Session to just after Presentations Item #8. Council Member Bush seconded the motion, which failed as follows:

   AYES: Griffin, Bush, Irving
   NAYS: Prescher, Snyder, Taylor
   ABSENT: Clark
   ABSTAIN: None

   Mayor Pro Tem Griffin made a motion to approve the agenda as presented. Council Member Bush seconded the motion, which passed 5-1-1-0 as follows:

   AYES: Griffin, Bush, Prescher, Snyder, Irving
   NAYS: Taylor
   ABSENT: Clark
   ABSTAIN: None

PRESENTATIONS

1. Presentation of Proclamation for Watauga Small Business Week – May 5-11, 2019

   Mayor Pro Tem Griffin presented a Proclamation to Denise Wilkinson, Economic Development Specialist for Watauga Small Business Week.

2. Presentation of Proclamation to Famous Footwear for 15 Years of Business Service

   Mayor Pro Tem Griffin presented a Proclamation to Famous Footwear in honor of 15 Years of Business Service in the City of Watauga.

3. Presentation of Proclamation to Lee Cleaners for 15 Years of Business Service

   Mayor Pro Tem Griffin presented a Proclamation to Lee Cleaners in honor of 15 Years of Business Service in the City of Watauga.

4. Presentation of Proclamation to Schlotzsky's for 15 Years of Business Service

   Mayor Pro Tem Griffin presented a Proclamation to Schlotzsky's in honor of 15 Years of Business Service in the City of Watauga.

5. Presentation of a Proclamation to Alliance for Children in honor of Child Abuse Prevention Month, April 2019

   Mayor Pro Tem Griffin presented a Proclamation to Alliance for Children in honor of Child Abuse Prevention Month, April 2019.

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

   Andrea Gardner, City Manager, presented a Service Award to City of Watauga employee Sarah Gianoli-Nyhus for celebrating an eight-year anniversary during the month of April 2019.

7. Presentation of Life Saving Awards to Lieutenant Robert Boettcher, Firefighters David Martinez, Justin Morris, William Hammond, Stephen Osborn and Jacob Flores

   Fire Chief Shawn Fannan recognized the Firefighters who responded to a medical emergency at 6001 Ridgecrest Drive on February 26, 2019. He also recognized Kristian Lawry who was performing CPR on his mother, Mrs. Jose

Foley, when the Firefighters arrived on scene. He announced that the patient had recovered and introduced Mrs. Foley, who thanked everyone.

8. Presentation of Stone Hope Award to City of Watauga by Southern Christian Leadership Conference (SCLC) in honor of having one of the hottest and most affordable housing markets in the country since 2017.

   Mayor Pro Tem Griffin, Council Member Snyder, Council Member Irving and Council Member Bush stepped to the podium and received the Stone of Hope Award presented to the City of Watauga by the Southern Christian Leadership Conference.

CITIZEN'S OPEN FORUM

Citizens addressing the City Council included:

Joyce Kirkpatrick, 6400 Community Court – expressed concerns about behavior on social media.

Lori Campagna, 6600 Brookdale Drive – expressed concern a hostile environment created in Watauga on social media and through text messages.

Chris Campagna, 6600 Brookdale Drive – thanked the Council for their leadership and expressed disappointment in the disrespectful actions toward each other and the rest of the City.

Donna Strickland, 5654 Cornwallis Court – thanked Council for moving forward with the Splash Pad.

Elise Strickland, 5654 Cornwallis Court – thanked Council for Splash Pad.

Karis Strickland, 5654 Cornwallis Court – concerned with strife and chaos seen with the City Council and audience.

Laney Strickland, 5654 Cornwallis Court – appreciate the Splash Pad plan to have shade.

Paul Hopkins, 7509 Meadowbrook Drive – expressed interesting words were used to kick off the meeting tonight with threats to have people removed. He stated that the City Secretary position will be hard to fill and he felt the public was first introduced to the City Manager with the housing issue and now others are coming around due to the work being done.

Kim Foster, 6505 Lampe Drive – asked Council to stop the things being said that are hurtful and which are destroying lives.

REPORTS

1. Update on the Watauga Animal Shelter's process as it pertains to care of animals and strays during after-hours

   Sgt. Parham reviewed the after-hours procedures for Animal Control.

CONSENT AGENDA

Council Member Irving made a motion to accept the consent agenda as presented. The motion was seconded by Councilmember Taylor and passed 6-0-1-0 as follows:

AYES: Irving, Taylor, Griffin, Prescher, Snyder, Bush
NAYS: None
ABSENT: Clark
ABSTAIN: None

1. Consideration and Approval of Monthly Financial Report for the period ending February 28, 2019

2. Consideration and approval of Letter of Engagement for Whitley Penn, LLP to perform the Fiscal Year 2018-2019 City of Watauga Independent Audit in an amount not to exceed $53,000, representing the fourth and final renewal term for Proposal # 15-204

3. Consideration and approval of the job description and position profile for the position of City Secretary

4. Consideration approving water billing adjustments from North Richland Hills (NRH) due to water main break and subtraction meter failure and authorize the City Manager to approve modified payments as needed in the future

PUBLIC HEARING

Mayor Pro Tem Griffin recessed the Regular Meeting at 7:44 p.m. and opened the Public Hearing at 7:44 p.m.

1. Public Hearing to address Complaint 2019-01, 2019-02, and 2019-03

   The Mayor Pro Tem called upon City Attorney Mark Daniel to elaborate on this item. Mr. Daniel stated that this was Council Member Prescher's item and the City Attorney had nothing to say in the public hearing, as his information was covered under Attorney/Client Privilege.

   Speakers from the audience included:

Art Miner, 7757 Kelly Lynn Lane – wanted to know if the audience could see the complaints.

Donna Strickland talked about words reflect character and motive of individuals.

Council Member Prescher stepped to the podium and addressed the audience. He began reading his complaint.

After interruption from the audience, the City Attorney ruled that Mr. Prescher could continue to speak regarding his complaint.

Mayor Pro Tem Griffin informed Mr. Prescher that he had ten (10) minutes to finish reviewing his complaint.

Council Member Bush quoted from the Texas Election Code Sec. 2.054 and discussed a text message from Council Member Prescher.

The Mayor Pro Tem closed the Public Hearing at 8:07 p.m. and announced that Council would take a short recess.

The Regular Meeting was reconvened at 8:21 p.m. by Mayor Pro Tem Griffin.

UNFINISHED BUSINESS

1. Consideration and action to ratify the motion and vote on authorizing City staff to conduct an applicant search for purposes of filling the vacancy of City Secretary and authorizing City staff to contract with a qualified firm for interim City Secretary services until such time as the position of City Secretary is filled

   There were no citizens' comments on this item.

   City Manager Gardner stated this was just a ratification from the last meeting.

   Council Member Taylor made the motion to ratify City Council's vote from the Special Meeting held on March 26, 2019 to authorize City staff to conduct an applicant search for purposes of filling the vacancy of City Secretary and authorizing City staff to contract with a qualified firm for interim City Secretary services until such time as the position of City Secretary is filled.

   The motion was seconded by Mayor Pro Tem Griffin and passed 6-0-1-0 as follows:

   AYES: Irving, Taylor, Griffin, Prescher, Snyder, Bush
   NAYS: None
   ABSENT: Clark

ABSTAIN: None

2. Consideration and action to authorize City staff to contract with Texas First Group for Interim City Secretary services/duties until such time as the position of City Secretary is filled

   There were no citizen comments on this item.

   Council Member Irving made the motion to authorize City staff to contract with Texas First Group for Interim City Secretary services/duties until such time as the position of City Secretary is filled.

   The motion was seconded by Mayor Pro Tem Griffin and passed 6-0-1-0 as follows:

   AYES: Irving, Griffin, Prescher, Snyder, Bush, Taylor
   NAYS: None
   ABSENT: Clark
   ABSTAIN: None

NEW BUSINESS

1. Consideration and action to approve the appointment of Terri Johnson as Interim City Secretary

   There were no citizen comments on this item.

   Director of Human Resources/Civil Service Marcia Reyna stated that City Staff recommended that Council approve the appointment of Ms. Terri Johnson as Interim City Secretary.

   Council Member Tom Snyder made a motion to approve the appointment of Terri Johnson as Interim City Secretary. The motion was seconded by Mayor Pro Tem Griffin and passed 6-0-1-0 as follows:

   AYES: Snyder, Griffin, Irving, Taylor, Prescher, Bush
   NAYS: None
   ABSENT: Clark
   ABSTAIN: None

2. Discussion and approval on Community Development Block Grant (CDBG) 44th Year Dunson Drive and Dunson Court Wastewater System Improvements – Construction Bid Acceptance in the amount of $196,189.74

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

Director of Public Works Paul Hackelman reviewed this item with the City Council.

Council Member Taylor made a motion to accept the bid from Reytech Services, LLC for construction of the Dunson Drive and Dunson Court Wastewater System Improvements project in the amount of $196,189.74. Watauga's pledge above and beyond Tarrant County's grant is $41,189.74.

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

AYES: Taylor, Prescher, Griffin, Snyder, Bush, Irving
NAYS: None
ABSENT: Clark
ABSTAIN: None

3. Consideration, discussion and possible action on the review of City Ordinance Sec. 40-208 through 40-211, as it pertains to trailers

Citizens' Comments:

Mrs. Barbara Martin, 6808 Richardson Drive – commented that the trailer parked in front of their home was a construction trailer for their heating/air conditioning business which they operate out of their home and the trailer was too large to park in their driveway. She stated that the notice they received stated they had an extreme recreational vehicle parked at their home.

Paul Hopkins commented that Watauga is a working-class city and the need of businesses to park job trailers on the street.

Watauga Police Chief Parker gave a background of this item and stated they were looking for Council direction. Chief Parker called on Sgt. James Parham to review the ordinance regarding Commercial Vehicles and Trailers.

Following discussion, Council Members Prescher and Snyder suggested that an ordinance amendment be brought back to the Council for consideration.

No action taken at this time.

4. Discussion and direction on over 65 discount eligibility for water and sewer services

Citizens' Comments:

Paul Hopkins commented that he is in favor of this discount.

City Manager Gardner spoke in absence of Finance Director Sandra Gibson who was attending a conference and not available. She introduced the agenda memorandum submitted by Ms. Gibson.

Following a lengthy discussion by the City Council, it was the consensus of Mayor Pro Tem Griffin, Council Member Irving, and Council Member Bush that the ordinance be amended to reflect that the discount eligibility for water and sewer services would include property owners and renters who are over 65 years of age, along with persons with disabilities that could be verified through the Tarrant Appraisal District (TAD). Council Members Taylor and Prescher did not want to include renters in the discounts, only home owners. Council Member Snyder agreed to include disabled as verified by TAD.

5. Consideration and action on approval of Grounds Maintenance Proposal #19-006 to MGLawn and Landscape, LLC for Options 1, 2, & 3

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

Jennifer Walls, Purchasing Agent and Deby Woodard, Assistant Finance Director reviewed this item with the Council. Ms. Woodard stated that the cost of this proposal was less than previously charged.

City Manager Gardner explained the process for request for proposals (RFP).

Following discussion, Council Member Snyder made the motion to approve the Grounds Maintenance Proposal #19-006 to MGLawn and Landscape, LLC for Options 1, 2, & 3.

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

AYES: Snyder, Irving, Griffin, Prescher, Bush, Taylor
NAYS: None
ABSENT: Clark
ABSTAIN: None

6. Consideration and action on a resolution to declare the procedures that support the City Charter language regarding communications with City staff that report to the City Manager

There were no citizens' comments on this item.

Council Member Taylor explained his request to have this item placed on the agenda.

Following discussion, Council Member Taylor made the motion to adopt Resolution #19-04-08-01. The motion died for lack of a second.

Council Member Prescher suggested two small changes to the wording on Section F to add local elections and Section I to copy City Manager on emails.

The motion to approve Resolution #19-04-08-01 with the stated changes proposed was made by Council Member Prescher and seconded by Mayor Pro Tem Griffin. The motion failed 3-3-1-0 as follows:

AYES: Prescher, Snyder, Taylor
NAYS: Griffin, Bush, Irving
ABSENT: Clark
ABSTAIN: None

City Manager Gardner gave a brief background on this item and stated that she agreed with the suggested changes by Council Member Prescher.

The motion to approve Resolution #19-04-08-01 with two changes previously proposed by Council Member Prescher (Section F to add local elections and Section I to include the City Manager with such contact), along with changing the word “private” to “direct” in Section D. The motion was seconded by Mayor Pro Tem Griffin.

The motion passed 6-0-1-0 as follows:

AYES: Prescher, Griffin, Snyder, Bush, Taylor, Irving
NAYS: None
ABSENT: Clark
ABSTAIN: None

CITY OF WATAUGA
RESOLUTION #19-04-08-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATAUGA TO DECLARE THE PROCEDURES THAT SUPPORT THE CITY CHARGER LANGUAGE REGARDING COMMUNICATIONS WITH CITY STAFF THAT REPORT TO THE CITY MANAGER; PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE

7. Consideration and action on approving a Standard Operating Procedure for City Council Access to City Hall

No citizens spoke on this item.

City Manager Gardner addressed this item with the City Council.

Following discussion, the motion was made by Council Member Taylor to accept the Standard Operating Procedure (SOP) for City Council Access to City Hall.

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

AYES: Taylor, Prescher, Griffin, Bush, Snyder, Irving
NAYS: None
ABSENT: Clark
ABSTAIN: None

8. Consideration and action on a resolution approving the City of Watauga Strategic Plan for FY 2019-2020

No one from the audience addressed this item.

City Manager Gardner reported that this was the final form for the 2019-2020 Strategic Plan.

Council Member Prescher made the motion to adopt Resolution #19-04-08-02 approving the City of Watauga Strategic Plan for FY 2019-2020.

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

AYES: Prescher, Irving, Griffin, Bush, Snyder, Taylor
NAYS: None
ABSENT: Clark
ABSTAIN: None

CITY OF WATAUGA, TEXAS
RESOLUTION NO. 19-04-08-02

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ADOPTING THE STRATEGIC PLAN FOR THE FISCAL YEAR 2019-2020; PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

9. Consideration and action on appointing two members of the City Council to serve on the City Manager's Workgroup for the purposes of updating the City's Comprehensive Plan

No one in the audience addressed this item.

The City Manager reviewed the plans for the Workgroup and asked for Council representation.

Following discussion, Council Member Prescher made the motion to appoint Council Member Mark Taylor and Council Member Tom Snyder to the City Manager's Workgroup for the purposes of updating the City's Comprehensive Plan.

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

AYES: Taylor, Snyder, Griffin, Prescher, Bush
NAYS: Irving
ABSENT: Clark
ABSTAIN: None

10. Consideration and deliberation regarding Criminal Complaint filed against the entire City Council

Citizen's Comments:

Chris Campagna asked how a criminal complaint was filed against the entire City Council.

Council Member Bush explained why she asked this item to be placed on the agenda. She reported that the District Attorney dismissed the complaint.

City Attorney Daniel addressed this complaint that suggested a serious Texas Open Meeting Act (TOMA) violation.

Council Member Irving stated she was puzzled why it is filed against everyone and asked if the individual was lacking attention. She stated she wasn hurt by it.

Council Member Prescher explained why he filed the complaint with the DA's office.

Following discussion, no action was taken on this item.

11. Consideration, discussion and possible action on finding a solution as it pertains to crosswalks at local schools

    No one in the audience addressed this item.

    Mayor Pro Tem Griffin discussed the extreme need for school crossing guards and Police Chief Parker reviewed the current situation at the schools. Parker announced that currently there are 14 positions allotted with 6 vacancies. The Chief announced that an evaluation was currently being made of each school crossing that was slated for a crossing guard. There is one crossing guard at every school.

    Following a brief discussion, no action was taken on this item.

12. Consideration and discussion on providing ideas and suggestions to promote local businesses

    Citizens' Comments:

    Paul Hopkins commented that the City does a pretty good job now of promoting local businesses.

    Jan Hill, 6444 Westridge – commented that she was a member of the WEDC and felt it is very important that Council and the residents attend the anniversary events at local businesses.

    Art Miner, President of Watauga Economic Development Corporation commented that he agreed with Council Member Taylor that this was an appropriate agenda item for the Council meeting.

    Mayor Pro Tem Griffin explained why he placed this item on the agenda. He stated that many local businesses had concerns about the lack of togetherness in our community. Everybody's ideas were needed.

    City Manager Gardner addressed Council Member Bush's comments about the issues during construction on Rufe Snow and its impact on businesses along Rufe Snow.

    Following discussion by the City Council, no action was taken on this item.

13. Consideration and discussion regarding financial expenditures by the City Manager that are under $50,000 without any oversight

    Citizens' Comments:

Paul Hopkins stressed that oversight was needed on anything over $5,000.

Council Member Bush explained that she added this item because she wondered how much had been spent under $50,000 for consultants and studies.

Council Member Prescher requested the City Manager explain the process. Ms. Gardner explained that she presents a budget to the City Council each year. She reported that there was oversight on every expenditure through the budget process.

Following Council discussion, no action was taken on this item.

ITEMS FOR FUTURE CITY COUNCIL MEETINGS

There were no items presented for future City Council meetings.

The Regular meeting was recessed at 10:36 p.m. and Council went into Executive Session.

EXECUTIVE SESSION

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

1. To discuss and provide feedback with regard to the annual performance evaluation of Andrea Gardner, City Manager

2. To provide an update with regard to the Criminal Complaint filed against City Council and City Council Interactions

RECONVENE

The Regular meeting was reconvened at 11:34 p.m.

DISCUSSION AND ACTION AS A RESULT OF THE EXECUTIVE SESSION DELIBERATING THE FOLLOWING:

1. To discuss and provide feedback with regard to the annual performance evaluation of Andrea Gardner, City Manager

2. To provide an update with regard to the Criminal Complaint filed against City Council and City Council Interactions

Mayor Pro Tem Griffin made a motion to take no action at this time on Executive Session Items 1 and 2. The motion was seconded by Council Member Taylor and passed 6-0-1-0 with the following vote:

AYES: Griffin, Taylor, Prescher, Snyder, Bush, Irving
NAYS: None
ABSENT: Clark
ABSTAIN: None

ADJOURNMENT

With no further business at hand, Mayor Pro Tem Griffin adjourned the Regular Meeting at 11:39 p.m.

APPROVED: this the 13th day of May, 2019

SIGNED: this the _____ day of May, 2019

APPROVED:

_____
Arthur L. Miner, Mayor

ATTEST:

_____
Terri Johnson, Interim City Secretary

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

MINUTES
WATAUGA CITY COUNCIL
SPECIAL MEETING
MONDAY, APRIL 15, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:00 P.M.

CALL TO ORDER

The City Council of the City of Watauga, Texas convened at 6:10 p.m., for the purpose of conducting a special meeting with the following members present:

Mayor Pro Tem, Place 4 David Griffin
Council Member, Place 3 Sandra Bush
Council Member, Place 2 Tom Snyder
Council Member, Place 5 Melva Clark
Council Member, Place 6 Mark Taylor
Council Member, Place 1 Scott Prescher
Council Member, Place 7 Kim Irving

and

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

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Consideration and action on approval of meeting agenda

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

Council Member Mark Taylor began the discussion of the item to be discussed in Executive Session. He stated this is not a continuation of the City Manager's annual performance as a vote of no action was taken at the April 8, 2019 City Council meeting. The City Attorney stated the wording was sufficient.

Council Member Taylor continued with his thoughts and stated that this was not a proper vote. There was much disagreement about the item and Council Member Melva Clark left the meeting at 6:19.

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

AYES: Irving, Griffin, Bush
NAYS: Snyder, Prescher, Taylor
ABSENT: Clark
ABSTAIN: None

Because approval of the meeting agenda failed, the Mayor Pro Tem moved to adjournment.

EXECUTIVE SESSION

1. Continuation of discussion and providing feedback with regard to the annual performance evaluation of Andrea Gardner, City Manager

RECONVENE

ITEM OF EXECUTIVE SESSION DELIBERATION:

1. Continuation of discussion and providing feedback with regard to the annual performance evaluation of Andrea Gardner, City Manager

ADJOURNMENT

Mayor Pro Tem David Griffin adjourned the Special Meeting at 6:23 p.m.

APPROVED: this 13th day of May, 2019

SIGNED: this _____ day of May, 2019

APPROVED:

_____
Arthur L. Miner, Mayor

ATTEST:

_____
Terri Johnson, Interim City Secretary

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

AGENDA MEMORANDUM

DATE: April 15, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consideration of an ordinance adopting the 2018 International Building Code (IBC) with local amendments {CAPTION}

BACKGROUND/INFORMATION:

In 2015, the City Council adopted the 2012 Edition of the International Building Code (IBC) with North Central Texas Council Of Government (NCTCOG) Region Amendments as the official reference regarding building construction within the corporate limits.

All Editions of the International Codes are revised every three (3) years to keep pace with new trends in the construction fields. Adoption of the 2018 Edition of the International Building Code with NCTCOG Region Amendments would ensure that the most current information will be available to assist the Building and Fire Code Officials as they evaluate structures within the city.

The additions to the 2018 IBC are shown in the NCTCOG Amendments (Attached). The changes to the Code of Ordinances, Sections 103-19 and 103-20 are attached and shown in red.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

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

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Attorney Letter
2. 2018 Proposed IBC Ordinance
3. 2018 NCTCOG Amendments to IBC
4. Red-Lined changes to existing IBC ordinance

AGENDA MEMORANDUM

REVIEWED BY:

Randy Richards, Building Official	Approved - 4/26/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/6/2019
Andrea Gardner, City Manager	Approved - 5/6/2019
Terri Johnson, City Secretary	Final Approval - 5/6/2019

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

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

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

March 1, 2019

Mr. Randy Richards
City of Watauga
7800 Virgil Anthony Sr. Blvd.
Watauga, Texas 76148

VIA E-MAIL

Re: Amendments to the City of Watauga Building Code, Residential Code, Energy Conservation Code, Electrical Code, Plumbing Code, Fuel Gas Code, Mechanical Code, Swimming Pool and Spa Code and Housing Code

Dear Mr. Richards:

Please find enclosed Ordinances amending and repealing the following Sections of Chapter 103 of the Watauga Code of Ordinances:

(1) Article II, Sections 103-19 and 103-20 (Building Code)

(2) Article III, Section 103-44 (Residential Code)

(3) Article IV, Section 103-62 (Energy Conservation Code)

(4) Article V, Section 103-83 and 103-84 (Electrical Code)

(5) Article VI, Section 103-140 (Plumbing Code)

(6) Article VII, Section 103-223 (Fuel Gas Code)

(7) Article VIII, Section 103-276, 103-277 and 103-278 (Mechanical Code)

(8) Article IX, Sections 103-305 through 103-330 (Housing Code)

(9) Article XI, Section 103-353 and 103-354 (Swimming Pool and Spa Code)

Please note, each Ordinance has attached to it a "red-lined version of amendments." This will allow City Council members the opportunity to view what minor changes were made to each code.

These updated versions include the minor revisions (capitalization, spelling mistakes and the like) you requested our office incorporate on February 28, 2019.

These nine Ordinances may be submitted for consideration at the next City Council meeting.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv

cc: Ms. Zolaina Parker, City Secretary
Ms. Andrea Gardner, City Manager
Mr. David Griffin, Mayor Pro Tem

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

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

WHEREAS, the 2018 International Building Code is generally considered to provide standard building regulations for municipalities throughout the State of Texas; and

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

WHEREAS, the amendment of additional local requirements under Section 103-20 includes requiring permits for elevated decks permanently attached to the ground.

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

I.

Chapter 103, Article II, Sections 103-19 and 103-20 of the City of Watauga Code of Ordinances constituting the Building Code for the City of Watauga shall be amended to read as follows:

Sec. 103-19. - Adopted.

(a) The Building Code of the City is hereby revised and amended to conform to the 2018 edition of the International Building Code of the International Code Council (ICC), and the same, as amended, is hereby adopted as the City's Building Code.

(b) The City incorporates into the 2018 edition of the International Building Code the Recommended Amendments to the 2018 International Building Code from the North Central Texas Council of Governments dated September 2018 with the exception of comments, editorials, and notes contained on the face of that document.

(c) One copy of the 2018 edition of the International Building Code and the Recommended Amendments to the 2018 International Building Code from the North Central Texas Council of Governments are incorporated herein by reference and shall remain on file in the offices of both the City Secretary and the Building Official for permanent record and inspection.

Sec. 103-20. - Additional requirements.

Notwithstanding any provisions in the International Building Code, the following requirements shall apply:

(a) One-story detached accessory buildings used as tool and storage sheds, playhouses, elevated decks with permanent attachment to the ground and similar uses shall require a permit.

(b) All fences over 30 (thirty) inches in height require a permit.

(c) Any building or structure (portable, temporary, accessory or permanent) with a first-floor area of 200 (two-hundred) square feet or more shall comply with the masonry construction requirements of the applicable zoning district.

(d) Hurricane or wind clips shall be required on all roof rafters.

(e) In wind force areas of 100 (one-hundred) mph or less, plywood or OSB shall be fastened to areas of each wall stabilizing the walls against racking. "Braced wall panels" (areas of clear wall covered with plywood or OSB) must be at least 4 (four) feet wide, extended to the full height of the wall, and be located at or near each end of the wall with no more than 25 (twenty-five) feet between the panels.

II.

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

III.

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

IV.

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

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

APPROVED:

_____
DAVID GRIFFIN, Mayor Pro Tem

ATTEST:

_____
ZOLAINA R. PARKER, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, City Attorney

North Central Texas
Council of Governments

Recommended Amendments to the 2018 International Building Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2018 International Building Code* are hereby amended as follows: Standard type is text from the IBC. Underlined type is text inserted. ~~Lined through type is deleted text from IBC.~~ A double asterisk (**) at the beginning of a section identifies an amendment carried over from the 2015 edition of the code and a triple asterisk (***) identifies a new or revised amendment with the 2018 code.

Explanation of Options A and B:
Please note that as there is a wide range in fire fighting philosophies / capabilities of cities across the region, OPTION "A" and OPTION "B" are provided in the Fire and Building Code amendments. Jurisdictions should choose one or the other based on their fire fighting philosophies / capabilities when adopting code amendments.

***Section 101.4; change to read as follows:**

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes. The former ICC Electrical Code is now Appendix K of this code but no longer called by that name.)

***Section 101.4.8; add the following:**

101.4.8 Electrical. The provisions of the Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

(Reason: This was dropped when ICC quit publishing the ICC Electrical Code, but the Electrical Code still should be referenced regardless of how it is adopted.)

*** Section 103 and 103.1; amend to insert the Department Name**

~~DEPARTMENT OF BUILDING SAFETY~~ [INSERT OFFICIAL BUILDING DEPARTMENT NAME OF JURISDICTION]

103.1 Creation of enforcement agency. The ~~Department of Building Safety~~ [INSERT OFFICIAL BUILDING DEPARTMENT NAME OF JURISDICTION] is hereby created and the official in charge thereof shall be known as the *building official*.

(Reason: Reminder to be sure ordinance reads the same as designated by the city.)

****Section [A] 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas.** *(Jurisdictions may consider the option **to amend or delete** depending on local enforcement and flood hazard ordinances.)*

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

***Section 104.10.1; Flood hazard areas.** *(Jurisdictions may consider the option **to amend or delete** depending on local enforcement and flood hazard ordinances.)*

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

***Section 105.2 Work exempt from permit; under sub-title entitled "Building" delete items 1, 2, 10 and 11 and re-number as follows:**

Building:

~~1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m_2).~~

~~2. Fences not over 7 feet (1829 mm) high.~~

~~3.~~ 1. (Remainder Unchanged)

~~4.~~ 2. (Remainder Unchanged)

~~5.~~ 3. (Remainder Unchanged)

~~6.~~ 4. (Remainder Unchanged)

~~7.~~ 5. (Remainder Unchanged)

~~8.~~ 6. (Remainder Unchanged)

~~9.~~ 7. (Remainder Unchanged)

~~10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.~~

~~11.~~ 8. (Remainder Unchanged)

~~12.~~ 9. (Remainder Unchanged)
~~13.~~ 10. (Remainder Unchanged)

(Reason: Items deleted are for one- and two-family dwellings regulated by the International Residential Code. Accessory structures, fences and shade cloth structures would require a permit for commercial properties to ensure compliance with local ordinance, egress, accessibility, flame spread of fabric, wind/snow design load, etc.)

***Section 109; add Section 109.7 to read as follows:**

109.7 Re-inspection Fee. A fee as established by city council resolution may be charged when:

1. The inspection called for is not ready when the inspector arrives;

2. No building address or permit card is clearly posted;

3. City approved plans are not on the job site available to the inspector;

4. The building is locked or work otherwise not available for inspection when called;

5. The job site is red-tagged twice for the same item;

6. The original red tag has been removed from the job site.

7. Failure to maintain erosion control, trash control or tree protection.

Any re-inspection fees assessed shall be paid before any more inspections are made on that job site.

(Reason: This fee is not a fine or penalty but is designed to compensate for time and trips when inspections are called for when not ready.)

***Section 109; add Section 109.8, 109.8.1, 109.8.2 and 109.9 to read as follows:**

109.8 Work without a permit.

109.8.1 Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

109.8.2 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code or the city fee schedule as applicable. The payment of such investigation fee shall not exempt the applicant from compliance with all other provisions of either this code or the technical codes nor from penalty prescribed by law.

109.9 Unauthorized cover up fee. Any work concealed without first obtaining the required inspection in violation of Section 110 shall be assessed a fee as established by the city fee schedule.

(Reason: This fee is not a fine or penalty but is designed to compensate for time and to remove incentive to attempt to evade permits and code compliance. Text taken from former Uniform Administrative Code.)

****Section 110.3.5; Lath, gypsum board and gypsum panel product inspection; Delete exception**

~~**Exception** : Gypsum board and gypsum panel products that are not part of a fire resistance rated assembly or a shear assembly.~~

(Reason: Lath or gypsum board inspections are not typically performed in this area.)

****Section 202; amend definition of Ambulatory Care Facility as follows:**

AMBULATORY CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less than 24-hour basis to individuals who are rendered incapable of self-preservation by the services provided ~~or staff has accepted responsibility for care recipients already incapable~~. This group may include but not be limited to the following:

- Dialysis centers
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

*(Reason: To clarify the range of uses included in the definition. [Explanatory note related to **Ambulatory Care Facilities**: This group of uses includes medical or dental offices where persons are put under for dental surgery or other services. Section 903.2.2 will now require such uses to be sprinklered if on other than the floor of exit discharge or if four or more persons are put under on the level of exit discharge. Recommend (1.) jurisdictions document any pre-existing non-conforming conditions prior to issuing a new C of O for a change of tenant and, (2.) On any medical or dental office specify on C of O the maximum number of persons permitted to be put under general anesthesia. It is recommended that before a Certificate of Occupancy is issued, a letter of intended use from the business owner shall be included and a C of O documenting the maximum number of care recipients incapable of self preservation allowed.)*

Section 202; add definition of Assisting Living Facilities to read as follows.

ASSISTED LIVING FACILITIES. *A building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff.*

(Reason: The code references Assisted Living facilities and definition was deleted.)

Section 202; change definition of "Atrium" as follows:

ATRIUM. An opening connecting ~~two~~ three or more stories... *{Balance remains unchanged}*

(Reason: Accepted practice in the region based on legacy codes. Section 1019 permits unenclosed two story stairways under certain circumstances.)

****Section 202; ~~add~~ amend definition of "Repair Garage" as follows:***

REPAIR GARAGE. A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such minor repairs.

(Reason: The code references aligns with fire code.)

Section 202; amend definition of SPECIAL INSPECTOR to read as follows:

SPECIAL INSPECTOR. A qualified person employed or retained by an approved agency who shall prove to the satisfaction of the registered design professional in responsible charge and ~~approved by~~ the Building Official as having the competence necessary to inspect a particular type of construction requiring special inspection.

(Reason: The registered design professional in responsible charge should be included.)

Option A
***Section 202;** {No amendment necessary}*

Option B
Section 202; amend definition to read as follows:

HIGH-RISE BUILDING. A building with an occupied floor located more than ~~75~~ 55 feet ~~(22 860 mm)~~ (16 764 mm) above the lowest level of fire department vehicle access.

(Reason: To define high-rise, as it influences sprinkler requirement thresholds based on the fire fighting capabilities of a jurisdiction.)

****Section 303.1.3; add a sentence to read as follows:***

303.1.3 Associated with Group E occupancies. A room or space used for assembly purposes that is associated with a Group E occupancy is not considered a separate occupancy, ~~E~~xcept when applying the assembly requirements of Chapters 10 and 11.

(Reason: To clarify that egress and accessibility requirements are applicable for assembly areas, i.e. cafeteria, auditoriums, etc.)

***Section 304.1; add the following to the list of occupancies:**

Fire stations
Police stations with detention facilities for 5 or less

(Reason: Consistent with regional practice dating back to the legacy codes.)

***Section 307.1.1; add the following sentence to Exception 4:**

4. Cleaning establishments... *{Text unchanged}* ...with Section 707 or 1-hour horizontal assemblies constructed in accordance with Section 711 or both. See also IFC Chapter 21, Dry Cleaning Plant provisions.

(Reason: To call attention to detailed requirements in the Fire Code.)

***Section 403.1, Exception 3; change to read as follows:**

3. The open air portion of a building *[remainder unchanged]*

(Reason: To clarify enclosed portions are not exempt.)

***Section 403.3, Exception; delete item 2.**

(Reason: To provide adequate fire protection to enclosed areas.)

***Section 403.3.2; change to read as follows:**

[F] 403.3.2 Water supply to required fire pumps. In buildings that are more than ~~420~~ 120 feet (36.5 m) in building height, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

Exception: {No change to exception.}

(Reason: The 2009 edition of the IFC added this requirement based on a need for redundancy of the water supply similar to the redundancy of the power supply to the fire pumps required for such tall buildings, partially due to the fact that these buildings are rarely fully evacuated in a fire event. More commonly, the alarm activates on the floor of the event, the floor above and the floor below. Back-up power to the fire pump becomes critical for this reason. Certainly, the power is pointless if the water supply is impaired for any reason, so a similar requirement is provided here for redundant water supplies. The 2015 edition changed the requirement to only apply to very tall buildings over 420 ft. This amendment modifies/lowers the requirement to 120 ft., based on this same height requirement for fire service access elevators. Again, the language from the 2009 and 2012 editions of the code applied to any high-rise building. This compromise at 120 ft. is based on the above technical justification of defend-in-place scenarios in fire incidents in such tall structures.)

***Section 404.5; delete Exception.**

(Reason: Consistent with amended atrium definition.)

Section 406.3.3.1 Carport separation; add sentence to read as follows:

A fire separation is not required between a Group R-2 and U carport provided that the carport is entirely open on all sides and that the distance between the two is at least 10 feet (3048 mm).

(Reason: Simplifies the fire separation distance and eliminates the need to obtain opening information on existing buildings when adding carports in existing apartment complexes. Consistent with legacy codes in effect in region for years and no record of problems with car fires spreading to apartments as a result.)

Table 506.2; delete sentence from table

~~l. The maximum allowable area for a single-story non sprinklered Group U greenhouse is permitted to be 9000 square feet or the allowable area shall be permitted to comply with Table C102.1 of Appendix C.~~

(Reason: To eliminate the need for Appendix C adoption and remain consistent with 6000 sq. ft. sprinklering provision.)

Section 506.3.1; add sentence to read as follows:

506.3.1 Minimum percentage of perimeter. [Existing Text remains]

In order to be considered as accessible, if not in direct contact with a street or fire lane, a minimum 10-foot wide pathway meeting fire department access from the street or approved fire lane shall be provided.

(Reason: To define what is considered accessible. Consistent with regional amendment to IFC 504.1.)

Section 602.1.1; add sentence to read as follows:

602.1.1 Minimum Requirements. [Existing Text to remain]

Where a building contains more than one distinct type of construction, the building shall comply with the most restrictive area, height, and stories, for the lesser type of construction or be separated by fire walls.

(Reason: To create definite language that requires separation between dissimilar building types.)

Section 708.4.2; change sentence to read as follows:

708.4.2 Fireblocks and draftstops in combustible construction. *[Body of text unchanged]*

Exceptions:

1. Buildings equipped with an automatic sprinkler system installed throughout in accordance with Section 903.3.1.1, or in accordance with Section 903.3.1.2 provided that sprinkler protection is provided in the space between the top of the fire partition and the underside of the floor or roof sheathing, deck or slab above as required for systems complying with Section 903.3.1.1. Portions of buildings containing concealed spaces filled with noncombustible insulation as permitted for sprinkler omission shall not apply to this exception for draftstopping. *[Remainder unchanged]*

Reason: (The most common exception used to eliminate the need for sprinklers in concealed spaces of combustible construction is to fill the space with noncombustible insulation. This exception was changed in 2010 to permit a 2-inch air gap at the top of the filled space. A space compliant with the permitted

omission above would allow hot gas and smoke to spread unimpeded throughout a building not provided with draftstopping. For this reason, omission of sprinklers permitted in accordance with NFPA 13 referenced standard should not be permitted with IBC exception requiring draftstopping in combustible construction.)

***Section 718.3; change sentence to read as follows:**

718.3 Draftstopping in floors. *[Body of text unchanged]*

Exceptions: Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. and provided that in combustible construction, sprinkler protection is provided in the floor space.

(Reason: To remain consistent with changes in 708.4.2 code.)

***Section 718.4; change sentence to read as follows:**

718.4 Draftstopping in attics. *[Body of text unchanged]*

Exceptions: Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and provided that in combustible construction, sprinkler protection is provided in the attic space.

(Reason: To remain consistent with changes in 708.4.2 code.)

****Section 901.6.1; add Section 901.6.1.1 to read as follows:**

901.6.1.1 Standpipe Testing. Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years:

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be backflushed or inspected by approved camera when foreign material is present or when caps are missing, and also hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.

2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the *fire code official*) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There is no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.

3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.

4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's as required by the *fire code official.*

5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of

each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.

6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (*fire code official*) shall be followed.

7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.

8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.

9. Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the *fire code official.*

(Reason: Increases the reliability of the fire protection system and re-emphasizes the requirements of NFPA 25 relative to standpipe systems, as well as ensuring that FDC connections are similarly tested/maintained to ensure operation in an emergency incident.)

***Section 903.1.1; change to read as follows:**

903.1.1 Alternative Protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted ~~instead of~~ in addition to automatic sprinkler protection where recognized by the applicable standard ~~and~~, or as *approved* by the *fire code official.*

(Reason: Such alternative systems do not provide the reliability of automatic sprinkler protection. Most gaseous type systems are highly susceptible to open doors, ceiling or floor tile removal, etc. However, an applicant could pursue an Alternate Method request to help mitigate the reliability issues with these alternative systems with the fire code official if so desired, or there may be circumstances in which the fire code official is acceptable to allowing an alternate system in lieu of sprinklers, such as kitchen hoods or paint booths.)

***Section 903.2; add paragraph to read as follows and delete the exception:**

Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

(Reason: Firefighter and public safety. This amendment eliminates the shunt trip requirement of the International Building Code Section 3005.5 for the purpose of elevator passenger and firefighter safety. This amendment is contingent on the Building Code amendment eliminating the Exceptions to Section 3005.4, such that passive fire barriers for these areas are maintained. The exception deletion is due to the fact that such telecom areas pose an undue fire risk to the structural integrity of the building.)

***Section 903.2.9; add Section 903.2.9.3 to read as follows:**

903.2.9.3 Self-Service Storage Facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

(Reason: Fire departments are unable to inspect these commercial occupancies and are unaware of the contents being stored. Previous allowance to separate units by fire barriers is difficult to enforce maintenance after opening.)

Option A

Section 903.2.11; change 903.2.11.3 and add 903.2.11.7 and 903.2.11.8, as follows:

903.2.11.3 Buildings 55 Feet or more in Height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories ~~with an occupant load of 30 or more~~, other than penthouses in compliance with Section 1510 of the *International Building Code*, located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exceptions:

~~1.~~ Open parking structures in compliance with Section 406.5 of the *International Building Code, having no other occupancies above the subject garage.*

~~2. Occupancies in Group F-2.~~

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply.

903.2.11.8 Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

Option B

Section 903.2.11; change 903.2.11.3 and add 903.2.11.7, 903.2.11.8, and 903.2.11.9 as follows:

903.2.11.3 Buildings ~~55~~ 35 feet or more in height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories ~~with an occupant load of 30 or more~~, other than penthouses in compliance with Section 1510 of the *International Building Code*, located ~~55~~ 35 feet (~~16 764~~ 10 668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exceptions:

~~1.~~ Open parking structures in compliance with Section 406.5 of the *International Building Code, having no other occupancies above the subject garage*.

~~2. Occupancies in Group F-2.~~

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply.

903.2.11.8 Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

903.2.11.9 Buildings Over 6,000 sq. ft. An automatic sprinkler system shall be installed throughout all buildings with a building area 6,000 sq. ft. or greater and in all existing buildings that are enlarged to be 6,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

Exception: Open parking garages in compliance with Section 406.5 of the *International Building Code.*

(Reason: Provides jurisdictions options as to their desired level of sprinkler protection based on multiple factors including firefighting philosophies/capabilities.)

***Section 903.3.1.1.1; change to read as follows:**

903.3.1.1.1 Exempt Locations. When approved by the *fire code official*, automatic sprinklers shall not be required in the following rooms or areas where such *...{text unchanged}...* because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the fire code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. ~~In rooms or areas that are of noncombustible construction with wholly noncombustible contents.~~
5. ~~Fire service access~~ Elevator machine rooms, ~~and~~ machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
6. {Delete.}

(Reason: Gives clarification. Exception 4 deleted to provide protection where fire risks are poorly addressed. Amendment 903.2 addresses Exception 5 above relative to the elimination of sprinkler protection in these areas to avoid the shunt trip requirement.)

***Section 903.3.1.2.3; delete sections and replace as follows:**

[F] Section 903.3.1.2.3 Attached Garages and Attics. Sprinkler protection is required in attached garages, and in the following attic spaces:

1. [Remainder Unchanged]
2. [Remainder Unchanged]
3. Attic spaces of buildings that are two or more stories in height above grade plane or above the lowest level of fire department vehicle access.
4. Group R-4, Condition 2 occupancy attics not required by Item 1 or 3 to have sprinklers shall comply with one of the following:
   [Remainder Unchanged]

(Reason: Attic protection is required due to issues with fire exposure via soffit vents, as well as firefighter safety. Several jurisdictions indicated experience with un-protected attic fires resulting in displacement of all building occupants. NFPA 13 provides for applicable attic sprinkler protection requirements, as well as exemptions to such, based on noncombustible construction, etc. Attached garages already require sprinklers via NFPA 13R – this amendment just re-emphasizes the requirement.)

Section 903.3.1.3; change to read as follows:

903.3.1.3 NFPA 13D Sprinkler Systems. *Automatic sprinkler systems* installed in one- and two-family *dwellings*; Group R-3; Group R-4, Condition 1; and *townhouses* shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

(Reason: To allow the use of the Plumbing section of the International Residential Code (IRC) and recognize current state stipulations in this regard.)

***Section 903.3.1.4; add to read as follows:**

[F] 903.3.1.4 Freeze protection. Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

903.3.1.4.1 Attics. Only dry-pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

Exception: Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
3. The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

903.3.1.4.2 Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.

(Reason: In the last few years, severe winters brought to light several issues with current practices for sprinklering attics, not the least of which was wet-pipe sprinklers in ventilated attics provided with space heaters, etc. for freeze protection of such piping. This practice is not acceptable for the protection of water-filled piping in a ventilated attic space as it does not provide a reliable means of maintaining the minimum 40 degrees required by NFPA, wastes energy, and presents a potential ignition source to the attic space. Listed antifreeze is specifically included because NFPA currently allows such even though there is no currently listed antifreeze at the time of development of these amendments. The intent of this amendment is to help reduce the large number of freeze breaks that have occurred in the past with water-filled wet-pipe sprinkler systems in the future, most specifically in attic spaces.)

***Section 903.3.5; add a second paragraph to read as follows:**

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every water-based fire protection system shall be designed with a 10 psi safety factor. Reference Section 507.4 for additional design requirements.

(Reason: To define uniform safety factor for the region.)

***Section 903.4; add a second paragraph after the exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(Reason: To avoid significant water losses. Consistent with amendment to IFC 905.9.)

***Section 903.4.2; add second paragraph to read as follows:**

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

(Reason: Fire department connections are not always located at the riser; this allows the fire department faster access.)

***Section 905.2; change to read as follows:**

905.2 Installation Standard. Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

(Reason: To define manual dry standpipe supervision requirements. Helps ensure the integrity of the standpipe system via supervision, such that open hose valves will result in a supervisory low air alarm.)

****Section 905.3; add Section 905.3.9 and exception to read as follows:**

905.3.9 Buildings Exceeding 10,000 sq. ft. In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

Exceptions:

1. Automatic dry, semi-automatic dry, and manual dry standpipes are allowed as provided for in NFPA 14 where approved by the fire code official.
2. R-2 occupancies of four stories or less in height having no interior corridors.

(Reason: Allows for the rapid deployment of hose lines to the body of the fire. Manual dry option added this edition.)

***Section 905.4, change Item 1, 3, and 5, and add Item 7 to read as follows:**

1. In every required ~~interior~~ exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at the main floor landing between stories, unless otherwise approved by the fire code official.
2. {No change.}
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

Exception: Where floor areas adjacent to an exit passageway are reachable from an ~~interior~~ exit stairway hose connection by a {No change to rest.}

4. {No change.}
5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way ~~a~~ hose connection ~~shall be~~ located to serve the roof or at the highest landing of an ~~interior~~ exit stairway with stair access to the roof provided in accordance with Section 1011.12.
6. {No change.}
7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

(Reason: Item 1, 3, and 5 amendments to remove 'interior' will help to clarify that such connections are required for all 'exit' stairways, to ensure firefighter capabilities are not diminished in these tall buildings, simply because the stair is on the exterior of the building. Item 5 reduces the amount of pressure required

to facilitate testing, and provides backup protection for fire fighter safety. Item 7 allows for the rapid deployment of hose lines to the body of the fire.)

***Section 905.9; add a second paragraph after the exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(Reason: To avoid significant water losses. Consistent with amendment to IFC 903.4.)

***Section 907.1; add Section 907.1.4 to read as follows:**

907.1.4 Design Standards. Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

(Reason: Provides for the ability of descriptive identification of alarms, and reduces need for panel replacement in the future. Updated wording to match the language of the new requirement at 907.5.2.3. Change of terminology allows for reference back to definitions of NFPA 72.)

***Section 907.2.1; change to read as follows:**

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies ~~where the~~ having an occupant load ~~due to the assembly occupancy is~~ of 300 or more persons, or where the ~~Group A~~ occupant load is more than 100 persons above or below the *lowest level of exit discharge*. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: {No change.}

Activation of fire alarm notification appliances shall:

1. Cause illumination of the *means of egress* with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.

(Reason: Increases the requirement to be consistent with Group B requirement. Also addresses issue found in Group A occupancies of reduced lighting levels and other A/V equipment that distracts from fire alarm notification devices or reduces ability of fire alarm system to notify occupants of the emergency condition.)

***Section 907.2.3; change to read as follows:**

907.2.3 Group E. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings,

whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

Exceptions:

1. {No change.}
   1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.) {No change to remainder of exceptions.}

(Reason: To distinguish educational from day care occupancy minimum protection requirements. Further, to define threshold at which portable buildings are considered a separate building for the purposes of alarm systems. Exceptions provide consistency with State law concerning such occupancies.)

***Section 907.2.12, Exception 3; change to read as follows:**

3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants, and similarly enclosed areas.

(Reason: To indicate that enclosed areas within open air seating type occupancies are not exempted from automatic fire alarm system requirements.)

***Section 907.4.2; add Section 907.4.2.7 to read as follows:**

907.4.2.7 Type. Manual alarm initiating devices shall be an approved double action type.

(Reason: Helps to reduce false alarms.)

***Section 907.6.1; add Section 907.6.1.1 to read as follows:**

907.6.1.1 Wiring Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

(Reason: To provide uniformity in system specifications and guidance to design engineers. Improves reliability of fire alarm devices and systems.)

***Section 907.6.3; delete all four Exceptions.**

(Reason: To assist responding personnel in locating the emergency event for all fire alarm systems.)

***Section 907.6.6; add sentence at end of paragraph to read as follows:**

See 907.6.3 for the required information transmitted to the supervising station.

(Reason: To assist responding personnel in locating the emergency event for all fire alarm systems.)

(Reason: Deleted Previous code amendment Section 909.22, For removal because it is already in the code in Sections 909.20.5, 909.20.6, 909.20.6.1, 909.20.6.2, and 909.20.6.3.)

***Section 910.2; change Exception 2 and 3 to read as follows:**

2. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.
3. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with control mode special application sprinklers with a response time index of 50(m*S)$^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

(Reason: Allows the fire department to control the smoke and heat during and after a fire event, while still prohibiting such systems from being automatically activated, which is a potential detriment to the particular sprinkler systems indicated.)

***Section 910.2; add subsections 910.2.3 with exceptions to read as follows:**

910.2.3 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m^2) in single floor area.

   Exception: Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

   Exception: Buildings of noncombustible construction containing only noncombustible materials.

(Reason: Maintains a fire protection device utilized in such occupancies where it is sometimes necessary to allow chemicals to burn out, rather than extinguish.)

***Section 910.3; add section 910.3.4 to read as follows:**

910.3.4 Vent Operation. Smoke and heat vents shall be capable of being operated by approved automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.2.1 through 910.3.2.3.

910.3.4.1 Sprinklered buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically.
The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

Exception: Manual only systems per Section 910.2.

910.3.4.2 Nonsprinklered Buildings. Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

Exception: Listed gravity-operated drop out vents.

(Reason: Amendment continues to keep applicable wording from prior to the 2012 edition of the IFC. Specifically, automatic activation criteria is no longer specifically required in the published code. Specifying a temperature range at which smoke and heat vents should activate in sprinklered buildings helps to ensure that the sprinkler system has an opportunity to activate and control the fire prior to vent operation.)

***Section 910.4.3.1; change to read as follows:**

910.4.3.1 Makeup Air. Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be ~~manual or~~ automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m2 per 0.4719 m3/s) of smoke exhaust.

(Reason: Makeup air has been required to be automatic for several years now in this region when mechanical smoke exhaust systems are proposed. This allows such systems to be activated from the smoke control panel by first responders without having to physically go around the exterior of the building opening doors manually. Such requires a significant number of first responders on scene to conduct this operation and significantly delays activation and/or capability of the smoke exhaust system.)

***Section 912.2; add Section 912.2.3 to read as follows:**

912.2.3 Hydrant Distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

(Reason: To accommodate limited hose lengths, improve response times where the FDC is needed to achieve fire control, and improve ease of locating a fire hydrant in those situations also. Also, consistent with NFPA 14 criteria.)

****Section 913.2.1; add Section 913.2.1.1 and exception to read as follows:**

913.2.1.1 Fire Pump Room Access. When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by IFC Section 506.1.

> **Exception:** When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the *fire code official*. Access keys shall be provided in the key box as required by IFC Section 506.1.

(Reason: This requirement allows fire fighters safer access to the fire pump room. The requirement allows access without being required to enter the building and locate the fire pump room interior access door during a fire event. The exception recognizes that this will not always be a feasible design scenario for some buildings, and as such, provides an acceptable alternative to protect the pathway to the fire pump room.)

Section 1006.2.2.7; add Section 1006.2.2.7 as follows:

1006.2.2.7 Electrical Rooms. For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

(Reason: Cross reference necessary for coordination with the NEC which has exiting requirements as well.)

****Section 1009.8; add the following Exception 7:**

1009.8 Two Way Communication. A two-way communication system complying with Sections 1009.8.1 and 1009.8.2 shall be provided at the landing serving each elevator required to be accessible on each accessible floor that is one or more stories above or below the level of exit discharge.

Exceptions:
7. Buildings regulated under State Law and built in accordance with State registered plans, including variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009 and chapter 11.

(Reason: To accommodate buildings regulated under Texas State Law and to be consistent with amendments in Chapter 11.)

****Section 1010.1.9.5 Bolt Locks; amend exceptions 3 and 4 as follows:**

Exceptions:
3. Where a pair of doors serves an occupant load of less than 50 persons in a Group B, F, M or S occupancy. (remainder unchanged)
4. Where a pair of doors serves a Group A, B, F, M or S occupancy (remainder unchanged)

(Reason: Application to M occupancies reflects regional practice; No. 4 expanded to Group A due to it being a similar scenario to other uses; No. 4 was regional practice.)

****Section 1020.1 Construction; add exception 6 to read as follows:**

6. In group B occupancies, corridor walls and ceilings need not be of fire-resistive construction within a single tenant space when the space is equipped with approved automatic smoke-detection within the corridor. The actuation of any detector must activate self-annunciating alarms audible in all areas within the corridor. Smoke detectors must be connected to an approved automatic fire alarm system where such system is provided.

(Reason: Regionally accepted alternate method.)

****Section 1029.1.1.1 Spaces under grandstands and bleachers; delete this section.**

(Reason: Unenforceable.)

****Section 1101.1 Scope; add exception to Section 1101.1 as follows:**

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

(Reason: To accommodate buildings regulated under state law. Further clarified in 2015 to mean components that are specifically addressed by TDLR shall be exempt.)

***Section 2901.1; add a sentence to read as follows:**

[P] 2901.1 Scope. {*existing text to remain*} The provisions of this Chapter are meant to work in coordination with the provisions of Chapter 4 of the International Plumbing Code. Should any conflicts arise between the two chapters, the Building Official shall determine which provision applies.

(Reason: Gives building official discretion.)

***Section 2902.1; add a second paragraph to read as follows:**

In other than E Occupancies, the minimum number of fixtures in Table 2902.1 may be lowered, if requested in writing, by the applicant stating reasons for a reduced number and approved by the Building Official.

(Reason: To allow flexibility for designer to consider specific occupancy needs.)

***Table 2902.1; add footnote g to read as follows:**

g. Drinking fountains are not required in M Occupancies with an occupant load of 100 or less, B Occupancies with an occupant load of 25 or less, and for dining and/or drinking establishments.

(Reason: Adjustment meets the needs of specific occupancy types.)

****Add new Section 2902.1.4 to read as follows:**

2902.1.4 Additional fixtures for food preparation facilities. In addition to the fixtures required in this Chapter, all food service facilities shall be provided with additional fixtures set out in this section.

2902.1.4.1 Hand washing lavatory. At least one hand washing lavatory shall be provided for use by employees that is accessible from food preparation, food dispensing and ware washing areas. Additional hand washing lavatories may be required based on convenience of use by employees.

2902.1.4.2 Service sink. In new or remodeled food service establishments, at least one service sink or one floor sink shall be provided so that it is conveniently located for the cleaning of mops or similar wet floor cleaning tool and for the disposal of mop water and similar liquid waste. The location of the service sink(s) and/or mop sink(s) shall be approved by the **<Jurisdiction's>** health department.

(Reason: Coordinates Health law requirements with code language for consistent regional practice.)

****Section 3001.2 Emergency Elevator Communication Systems for the deaf, hard of hearing and speech impaired; delete this section.**

(Reason: Per Elevator manufacturers input, they were not consulted prior to code approval and technology of elevator provisions as submitted are not currently available to provide this feature.)

****Section 3002.1 Hoistway Enclosure Protection required. Add exceptions to Section 3002.1 as follows:**

Exceptions:

4. Elevators completely located within atriums shall not require hoistway enclosure protection.

5. Elevators in open or enclosed parking garages that serve only the parking garage, shall not require hoistway enclosure protection.

(Reason: Provides specific Code recognition that elevators within atriums and within parking garages do not require hoistway enclosure protection. Amendment needed since specific Code language does not currently exist.)

****Section 3005.4 Machine rooms, control rooms, machinery spaces and control spaces; delete text as follows:**

~~Elevator machine rooms, control rooms, control spaces and machinery spaces outside of but attached to a hoistway that have openings into the hoistway shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both.~~

Revise text to read:

Elevator machine rooms, control rooms, control spaces and machinery spaces shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both.

(Remainder unchanged)

(Reason: This amendment eliminates code language to be consistent with the regional goal to require passive enclosures of these areas unless a hoistway enclosure is not required by other Code provisions. See companion change to eliminate fire sprinklers thereby eliminating shunt trip.)

*****Section 3005.4 Machine rooms, control rooms, machinery spaces and control spaces; Delete exceptions and add two new exceptions to Section 3005.4 as follows:**

Exceptions:

1. Elevator machine rooms, control rooms, machinery spaces and control spaces completely located within atriums shall not require enclosure protection.

2. Elevator machine rooms, control rooms, machinery spaces and control spaces in open or enclosed parking garages that serve only the parking garage, shall not require enclosure protection.

(Reason: This amendment eliminates the Exceptions to Section 3005.4 such that passive enclosures for these areas are to be provided and maintained. The fire rating of these enclosures is permitted to be omitted by the above added exceptions where allowed by other provisions of the code such as in atriums and parking structures. See companion change to eliminate fire sprinklers to eliminate the need for shunt trip system.)

****Section 3005.7 add a Section 3005.7 as follows:**

3005.7 Fire Protection in Machine rooms, control rooms, machinery spaces and control spaces.

3005.7.1 Automatic sprinkler system. The building shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, except as otherwise permitted by Section 903.3.1.1.1 and as prohibited by Section 3005.7.2.1.

3005.7.2.1 Prohibited locations. Automatic sprinklers shall not be installed in machine rooms, elevator machinery spaces, control rooms, control spaces and elevator hoistways.

3005.7.2.2 Sprinkler system monitoring. The sprinkler system shall have a sprinkler control valve supervisory switch and water-flow initiating device provided for each floor that is monitored by the building's fire alarm system.

3005.7.3 Water protection. An approved method to prevent water from infiltrating into the hoistway enclosure from the operation of the automatic sprinkler system outside the elevator lobby shall be provided.

3005.7.4 Shunt trip. Means for elevator shutdown in accordance with Section 3005.5 shall not be installed.

(Reason: Firefighter and public safety. This amendment eliminates the shunt trip requirement of the International Building Code Section 3005.5 for the purpose of elevator passenger and firefighter safety. The new section above is intended to be identical to Sections 3007.2, 3007.3, and 3007.4 for Fire Service Access Elevators and Sections 3008.2, 3008.3 and 3008.4 for Occupant Evacuation Elevators.)

****Section 3005.8; add Section 3005.8 as follows:**

3005.8 Storage. Storage shall not be allowed within the elevator machine room, control room, machinery spaces and or control spaces. Provide approved signage at each entry to the above listed locations stating: "No Storage Allowed.

(Reason: Reinforces the need to maintain space clean and free of combustibles. See companion change to eliminate fire sprinklers therein, to always require an enclosure - with IBC 3005.4 exceptions deleted - resulting in the limited need for a shunt trip system.)

Option A
Section 3006.2, Hoistway opening protection required; Revise text as follows:

5. The building is a high rise and the elevator hoistway is more than 75 feet (22 860 mm) in height. The height of the hoistway shall be measured from the lowest floor at or above grade to the highest floors served by the hoistway."

Option B
Section 3006.2, Hoistway opening protection required; Revise text as follows:

5. The building is a high rise and the elevator hoistway is more than ~~75 feet (22 860 mm)~~ 55 feet (16 764 mm) in height. The height of the hoistway shall be measured from the lowest floor at or above grade to the highest floors served by the hoistway."

(Reason: 2018 IBC text does not address hoistways that are greater than 75'-0" in height that are both below grade and above grade but not located above the high rise classification nor does the IBC address hoistways wholly located above grade such as those that serve sky lobbies".)

End

BUILDING CODE
RED-LINED VERSION OF AMENDMENTS

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ARTICLE II. - BUILDING CODE[1]

Sec. 103-19. - Adopted.

(a) The Bbuilding Ccode of the Ccity is hereby revised and amended to conform to the 2018 ~~2012~~ edition of the International Building Code of the International Code Council (ICC), and the same, as amended, is hereby adopted as the Ccity's Bbuilding Ccode.

(b) The Ccity incorporates into the 2018 ~~2012~~ edition of the International Building Code the recommended amendments to the 2018 ~~2012~~ International Building Code from the North Central Texas Council of Governments dated September 2018 ~~April 18, 2013~~ with the exception of comments, editorials, and notes contained on the face of that document.

(c) One copy of the 2018 ~~2012~~ edition of the International Building Code and the recommended amendments to the 2018 ~~2012~~ International Building Code from the North Central Texas Council of Governments are incorporated herein by reference and shall remain on file in the offices of both the Ccity Ssecretary and the Bbuilding Oofficial for permanent record and inspection.

(Code 2001, § 3.301(a), (b); Ord. No. 1592, § I, 6-22-2015)

State Law reference— International Building Code as state standard, V.T.C.A., Local Government Code § 214.216.

Sec. 103-20. - Additional requirements.

Notwithstanding any provisions in the International Building Code, the following requirements shall apply:

(1) One-story detached accessory buildings used as tool and storage sheds, playhouses, elevated decks with permanent attachment to the ground and similar uses shall require a permit.

(2) All fences over 30 (thirty) inches in height require a permit.

(3) Any building or structure (portable, temporary, accessory or permanent) with a first-floor area of 200 (two-hundred) square feet or more shall comply with the masonry construction requirements of the applicable zoning district.

(4) Hurricane or wind clips shall be required on all roof rafters.

(5) In wind force areas of 100 (one-hundred) mph or less, plywood or OSB shall be fastened to areas of each wall stabilizing the walls against racking. "Braced wall panels" (areas of clear wall covered with plywood or OSB) must be at least 4 (four) feet wide, extended to the full height of the wall, and located at or near each end of the wall with no more than 25 (twenty-five) feet between the panels.

(Code 2001, § 3.301(c); Code 2010, § 3.01.052; Ord. No. 1592, § I, 6-22-2015)

- **Sec. 103-21. - Amendments.**

Commented [C1]: NOTE: No amendments were requested for Section 103-21; thus, it is not included in the final ordinance as it does not need to be amended and will remain the same after passage of the ordinance.

Section 112 of the International Building Code is hereby amended to read as follows:

> The Board of Appeals shall have the power to hear and decide appeals of orders, decisions, or determinations made by the City's Building Official regarding the application or interpretation of the Building Code as provided by Article 1.04, Division 9 of the Code of Ordinances.

Appendix B of the International Building Code is hereby amended to read as follows:

> The Board of Appeals shall have the power to hear and decide appeals of orders, decisions, or determinations made by the City's Building Official regarding the application or interpretation of the Building Code as provided by Article 1.04, Division 9 of the Code of Ordinances.

(Ord. No. 1556, § II, 5-19-2014)

- **Secs. 103-22—103-43. - Reserved.**

AGENDA MEMORANDUM

DATE: April 22, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consideration of an ordinance adopting the 2018 International Residential Code (IRC) with local amendments {CAPTION}

BACKGROUND/INFORMATION:

In 2015, the City Council adopted the 2012 Edition of the International Residential Code (IRC) with North Central Council Of Government (NCTCOG) Region Amendments as the official reference regarding construction within the corporate limits.

All Editions of the International Codes are revised every three (3) years to keep pace with new trends in the construction fields. Adoption of the 2018 Edition of the International Residential Code with NCTCOG Region Amendments would ensure that the most current information will be available to assist the Building and Fire Code Officials as they evaluate structures within the city.

The additions to the 2018 IRC are shown in the NCTCOG Amendments (Attached). The changes to the Code of Ordinances, Sections 103-44 are attached and shown in red.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

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

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Attorney Letter
2. 2018 Proposed IRC Ordinance
3. 2018 NCTCOG Amendments to IRC
4. Red-Lined changes to existing IRC ordinance

REVIEWED BY:

AGENDA MEMORANDUM

Randy Richards, Building Official	Approved - 4/26/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/6/2019
Andrea Gardner, City Manager	Approved - 5/6/2019
Terri Johnson, City Secretary	Final Approval - 5/6/2019

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL
BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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FACSIMILE (817) 332-2763

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

March 1, 2019

Mr. Randy Richards
City of Watauga
7800 Virgil Anthony Sr. Blvd.
Watauga, Texas 76148

VIA E-MAIL

Re: Amendments to the City of Watauga Building Code, Residential Code, Energy Conservation Code, Electrical Code, Plumbing Code, Fuel Gas Code, Mechanical Code, Swimming Pool and Spa Code and Housing Code

Dear Mr. Richards:

Please find enclosed Ordinances amending and repealing the following Sections of Chapter 103 of the Watauga Code of Ordinances:

(1) Article II, Sections 103-19 and 103-20 (Building Code)

(2) Article III, Section 103-44 (Residential Code)

(3) Article IV, Section 103-62 (Energy Conservation Code)

(4) Article V, Section 103-83 and 103-84 (Electrical Code)

(5) Article VI, Section 103-140 (Plumbing Code)

(6) Article VII, Section 103-223 (Fuel Gas Code)

(7) Article VIII, Section 103-276, 103-277 and 103-278 (Mechanical Code)

(8) Article IX, Sections 103-305 through 103-330 (Housing Code)

(9) Article XI, Section 103-353 and 103-354 (Swimming Pool and Spa Code)

Please note, each Ordinance has attached to it a "red-lined version of amendments." This will allow City Council members the opportunity to view what minor changes were made to each code.

These updated versions include the minor revisions (capitalization, spelling mistakes and the like) you requested our office incorporate on February 28, 2019.

These nine Ordinances may be submitted for consideration at the next City Council meeting.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv

cc: Ms. Zolaina Parker, City Secretary
Ms. Andrea Gardner, City Manager
Mr. David Griffin, Mayor Pro Tem

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

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

WHEREAS, the 2018 International Residential Code is generally considered to provide standard residential regulations for municipalities throughout the State of Texas; and

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

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

I.

Chapter 103, Article III, Section 103-44 of the City of Watauga Code of Ordinances constituting the Residential Code for the City of Watauga shall be amended to read as follows:

Sec. 103-44. - Adopted.

(a) The Residential Code of the City is hereby revised and amended to conform to the 2018 edition of the International Residential Code of the International Code Council (ICC), and the same, as amended, is hereby adopted as the City's Residential Code.

(b) The City incorporates into the 2018 edition of the International Residential Code the Recommended Amendments to the 2018 International Residential Code from the North Central Texas Council of Governments dated September 2018 with the exception of comments, editorials, and notes contained on the face of that document.

(c) The provisions of the Building Code, Electrical Code, and Mechanical Code as adopted elsewhere in the City's Code of Ordinances shall be used to provide the Code for any provision, requirement, or method not provided for within this Section.

(d) One copy of the 2018 edition of the International Residential Code and the Recommended Amendments to the 2018 International Residential Code from the North Central Texas Council of Governments are incorporated herein by reference and shall remain on file in the offices of both the City Secretary and the Building Official for permanent record and inspection.

II.

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

III.

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

IV.

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

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

APPROVED:

_____
DAVID GRIFFIN, Mayor pro tem

ATTEST:

_____
ZOLAINA R. PARKER, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, City Attorney

North Central Texas
Council of Governments

Recommended Amendments to the 2018 International Residential Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2018 International Residential Code* are hereby amended as follows: Standard type is text from the IRC. Underlined type is text inserted. ~~Lined through type is deleted text from IRC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2015 edition of the code and a triple asterisk identifies a new or revised amendment with the 2018 code.

In 2009, **the State Legislature enacted SB 1410 prohibiting cities from enacting fire sprinkler mandates in residential dwellings.** However, jurisdictions with ordinances that required sprinklers for residential dwellings prior to and enforced before January 1, 2009, may remain in place. Reference; Section R313 Automatic Fire Sprinkler Systems.

The energy provisions in IRC Chapter 11 is deleted in its entirety.
Reference the 2018 IECC for energy code provisions and recommended amendments.

***Section R102.4; change to read as follows:**

R102.4 Referenced codes and standards. The *codes*, when specifically adopted, and standards referenced in this *code* shall be considered part of the requirements of this *code* to the prescribed extent of each such reference and as further regulated in Sections R102.4.1 and R102.4.2. Whenever amendments have been adopted to the referenced *codes* and standards, each reference to said *code* and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the *Electrical Code* shall mean the *Electrical Code* as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

***Section R103 and R103.1 amend to insert the Department Name**

~~DEPARTMENT OF BUILDING SAFETY~~ [INSERT OFFICIAL BUILDING DEPARTMENT NAME OF JURISDICTION]

R103.1 Creation of enforcement agency. The ~~Department of Building Safety~~ [INSERT OFFICIAL BUILDING DEPARTMENT NAME OF JURISDICTION] is hereby created and the official in charge thereof shall be known as the *building official*.

(Reason: Reminder to be sure ordinance reads the same as designated by the city.)

***Section R104.10.1 Flood Hazard areas; delete this section.**

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

***Section R105.3.1.1& R106.1.4; delete these sections.**

(Reason: Floodplain provisions are addressed locally.)

***Section R110 (R110.1 through R110.5); delete the section.**

(Reason: Issuing CO's for residences is not a common practice in the area.)

***Section R202; change definition of "Townhouse" to read as follows:**

TOWNHOUSE. A single-family dwelling unit constructed in a group of three or more attached units separated by property lines in which each unit extends from foundation to roof and with a *yard* or *public way* on at least two sides.
(Reason: To distinguish Townhouses on separate lots.)

******Table R301.2 (1); fill in as follows:***

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY[f]	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP[e]	ICE BARRIER UNDER-LAYMENT[h]	FLOOD HAZARDS[g]	AIR FREEZING INDEX[i]	MEAN ANNUAL TEMPj
	SPEED[d] (MPH)	Topographic Effects[k]	Special Wind Region[L]	Windborne Debris Zone[m]		Weathering a	Frost Line Depth[b]	Termite[c]					
5 lb/ft	115 (3 sec-gust)/ 76 fastest mile	No	No	No	A	Moderate	6"	Very Heavy	22^0 F	No	Local Code	150	64.9^0 F

Delete remainder of table Manual J Design Criteria and footnote N

(Reason: To promote regional uniformity. Manual J is utilized by third party and not part of performed plan reviews. This is reference table only, not needed.)

*****Section R302.1; add exception #6 to read as follows:***

Exceptions: *{previous exceptions unchanged}*

6. Open non-combustible carport structures may be constructed when also approved within adopted ordinances.

(Reason: Refers to other ordinances, such as zoning ordinances.)

*****Section R302.3; add Exception #3 to read as follows:***

Exceptions:

1. *{existing text unchanged}*
2. *{existing text unchanged}*
3. Two-family dwelling units that are also divided by a property line through the structure shall be separated as required for townhouses.

(Reason: Provide guidance for a common construction method in this area. Correlates with amendment to IRC Section R202 Townhouse definition.)

*****Section R302.5.1; change to read as follows:***

R302.5.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 13/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 13/8 inches (35 mm) thick, or 20-minute fire-rated doors. ~~Equipped with a self-closing or automatic closing device~~.

(Reason: Absence of data linking self-closing devices to increased safety. Self-closing devices often fail to close the door entirely.)

***Section R303.3, Exception; amend to read as follows:**

Exception: {existing text unchanged} Spaces containing only a water closet or water closet and a lavatory may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

(Reason: Consistent with common local practice as recirculating fans are recognized as acceptable air movement.)

***Section R313.2 One and Two Family Dwellings; Delete this section and subsection in their entirety.**

(Reason: In 2009, the State Legislature enacted SB 1410, amending section 1301.551 subsection I of the occupation code, prohibiting cities from enacting fire sprinkler mandates one or two family dwellings only. However, jurisdictions with ordinances that required sprinklers for one or two family dwellings prior to and enforced before January 1, 2009, may remain in place.*)*

****Section R315.2.2 Alterations, repairs and additions; amend to read as follows:**

Exception:
1. [existing text remains]
2. Installation, alteration or repairs of all electrically powered mechanical systems or plumbing appliances.

(Reason: Revised exception for clarity. Code intent is to protect against the products of combustion.)

***Section R322 Flood Resistant Construction; deleted section.**

(Reason: Floodplain hazard ordinances may be administered by other departments within the city.)

****Section R401.2; amended by adding a new paragraph following the existing paragraph to read as follows.**

Section R401.2. Requirements. *{existing text unchanged} …*

Every foundation and/or footing, or any size addition to an existing post-tension foundation, regulated by this code shall be designed and sealed by a Texas-registered engineer.

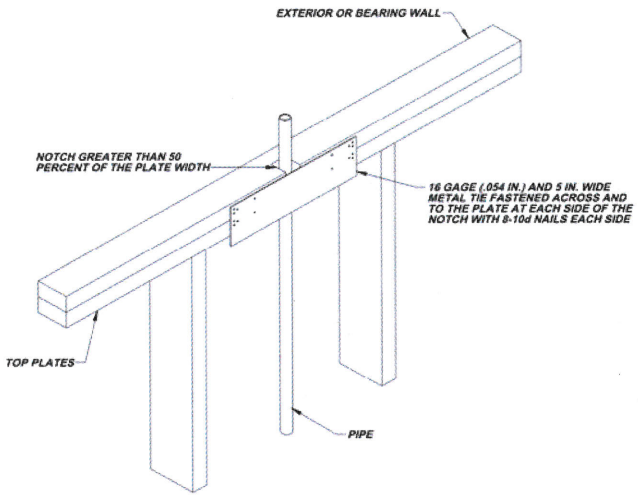
(Amendment to 2015 IRC carried forward to 2018 IRC.)

****Section R602.6.1; amend the following:**

R602.6.1 Drilling and notching of top plate. When piping or ductwork is placed in or partly in an exterior wall or interior load-bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inch thick (1.37 mm) (16 Ga) and ~~1 ½ inches (38) mm~~ 5 inches (127 mm) wide shall be fastened across and to the plate at each side of the opening with not less than eight 10d (0.148 inch diameter) having a minimum length of 1 ½ inches (38 mm) at each side or equivalent. Fasteners will be offset to prevent splitting of the top plate material. The metal tie must extend a minimum of 6 inches past the opening. See figure R602.6.1. {remainder unchanged}

(Amendment to 2015 IRC carried forward to 2018 IRC.)

***Figure R602.6.1; delete the figure and insert the following figure:**



(Amendment to 2015 IRC carried forward to 2018 IRC also provides additional assurance of maintaining the integrity of the framing by spreading the nailing pattern.)

***Add section R703.8.4.1.2 Veneer Ties for Wall Studs; to read as follows:**

R703.8.4.1.2 Veneer Ties for Wall Studs. In stud framed exterior walls, all ties may be anchored to studs as follows:

1. When studs are 16 in (407 mm) o.c., stud ties shall be spaced no further apart than 24 in (737 mm) vertically starting approximately 12 in (381 mm) from the foundation; or

2. When studs are 24 in (610 mm) o.c., stud ties shall be spaced no further apart than 16 in (483 mm) vertically starting approximately 8 in (254 mm) from the foundation.

(This amendment had been a carry over amendment for years to provide clear instruction for placement of brick ties. It is now retained with changes to reflect its correct placement and use for clarity when attachment to framing lumber (studs). It should remain for those purposes. It is in addition to the new new Table in 2018 which provides for brick ties directly to sheathing.)

Section R902.1; amend and add exception #5 to read as follows:

R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. Class A, B, or C roofing shall be installed ~~in designated by law as requiring their use or when the edge of the roof is less than 3 feet from a lot line~~. *{remainder unchanged}*

Exceptions:

1. *{text unchanged}*
2. *{text unchanged}*
3. *{text unchanged}*
4. *{text unchanged}*

5. Non-classified roof coverings shall be permitted on one-story detached *accessory structures* used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed (area defined by jurisdiction).

(Reason: to address accessory structures Group U exempt from permits per Section R105.2)

***** Chapter 11 [RE] – Energy Efficiency is deleted in its entirety; Reference the 2018 IECC for energy code provisions and recommended amendments.**

(Reason: The recommended energy code changes from the Energy and Green Advisory Board update the amendments for Chapter 11. The 2018 International Energy Conservation Code should be referenced for residential energy provisions. This approach simply minimizes the number of amendments to the IRC.)

******Section M1305.1.2; change to read as follows:***

M1305.1.2 Appliances in attics. *Attics containing appliances shall be provided . . . {bulk of paragraph unchanged} . . . side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), and large enough to allow removal of the largest appliance. As a minimum, for access to the attic space, provide one of the following:*

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An *access* door from an upper floor level.

Exceptions:

1. The passageway and level service space are not required where the *appliance* can be serviced and removed through the required opening.
2. Where the passageway is unobstructed*…{remaining text unchanged}*

(Reason: To provide a safe means of accessibility to appliances in attics and to allow for different types of construction limitations. Consistent with regional amendment to IFGC and IMC 306.3.)

*****Section M1411.3; change to read as follows:***

M1411.3 Condensate disposal. Condensate from all cooling coils or evaporators shall be conveyed from the drain pan outlet to ~~an *approved* place of disposal~~ a sanitary sewer through a trap, by means of a direct or indirect drain. *{remaining text unchanged}*

(Reason: Reflects regional practice and to reduce excessive runoff into storm drains.)

*****Section M1411.3.1, Items 3 and 4; add text to read as follows:***

M1411.3.1 Auxiliary and secondary drain systems. *{bulk of paragraph unchanged}*

1. *{text unchanged}*
2. *{text unchanged}*
3. An auxiliary drain pan... *{bulk of text unchanged}...* with Item 1 of this section. A water level detection device may be installed only with prior approval of the *building official.*
4. A water level detection device... *{bulk of text unchanged}...* overflow rim of such pan. A water level detection device may be installed only with prior approval of the *building official.*

(Reason: Reflects standard practice in this area.)

***Section M1411.3.1.1; add text to read as follows:**

M1411.3.1.1 Water-level monitoring devices. On down-flow units ...*{bulk of text unchanged}*... installed in the drain line. A water level detection device may be installed only with prior approval of the *building official.*

(Reason: Reflects standard practice in this area.)

****M1503.6 Makeup Air Required; amend and add exception as follows:**

M1503.6 Makeup air required. Where one or more gas, liquid or solid fuel-burning appliance that is neither direct-vent nor uses a mechanical draft venting system is located within a dwelling unit's air barrier, each exhaust system capable of exhausting in excess of 400 cubic feet per minute (0.19 m^3/s) shall be mechanically or passively provided with makeup air at a rate approximate~~ly~~ ~~equal~~ to the difference between exhaust air rate and 400 cubic feet per minute. Such makeup air systems shall be equipped with not fewer than one damper complying with Section M1503.6.2.

Exception*:* Makeup air is not required for exhaust systems installed for the exclusive purpose of space cooling and intended to be operated only when windows or other air inlets are open. Where all appliances in the house are of sealed combustion, power-vent, unvented, or electric, the exhaust hood system shall be permitted to exhaust up to 600 cubic feet per minute (0.28 m3/s) without providing makeup air. Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute (0.28 m3/s) shall be provided with a makeup air at a rate approximately to the difference between the exhaust air rate and 600 cubic feet per minute.

(Reason: Exception requires makeup air equaling the amount above and beyond 400 cfm for larger fan which will address concerns related to "fresh" air from the outdoors in hot humid climates creating a burden on HVAC equipment and negative efficiency impacts from back-drafting and wasted energy.)

****Section M2005.2; change to read as follows:**

M2005.2 Prohibited locations. Fuel-fired water heaters shall not be installed in a room used as a storage closet. Water heaters located in a bedroom or bathroom shall be installed in a sealed enclosure so that *combustion air* will not be taken from the living space. Access to such enclosure may be from the bedroom or bathroom when through a solid door, weather-stripped in accordance with the exterior door air leakage requirements of the *International Energy Conservation Code* and equipped with an *approved* self-closing device. Installation of direct-vent water heaters within an enclosure is not required.

(Reason: Corresponds with the provisions of IFGC Section 303.3, exception #5.)

****Section G2408.3 (305.5)Private Garages; delete this section in its entirety.**

(Reason: This provision does not reflect standard practice in this area.)

****Section G2415.2.1 (404.2.1) CSST; add a second paragraph to read as follows:**

Both ends of each section of medium pressure gas piping shall identify its operating gas pressure with an *approved* tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING: 1/2 to 5 psi gas pressure - Do Not Remove"

(Reason: To protect homeowners and plumbers.)

***Section G2415.12 (404.12) and G2415.12.1 (404.12.1); change to read as follows:**

G2415.12 (404.12) Minimum burial depth. Underground *piping systems* shall be installed a minimum depth of ~~12 inches (305 mm)~~ 18 inches (457 mm) below grade, ~~except as provided for in Section G2415.12.1.~~

G2415.12.1 (404.12.1) Individual Outdoor Appliances; Delete in its entirety

(Reason: To provide increased protection to piping systems.)

****Section G2417.1 (406.1); change to read as follows:**

G2417.1 (406.1) General. Prior to acceptance and initial operation, all *piping* installations shall be inspected and *pressure tested* to determine that the materials, design, fabrication, and installation practices comply with the requirements of this *code*. The *permit* holder shall make the applicable tests prescribed in Sections 2417.1.1 through 2417.1.5 to determine compliance with the provisions of this *code*. The *permit* holder shall give reasonable advance notice to the *building official* when the *piping system* is ready for testing. The *equipment*, material, power and labor necessary for the inspections and test shall be furnished by the *permit* holder and the *permit* holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

(Reason: To utilize language used in the IPC regarding who is responsible for testing procedures.)

****Section G2417.4; change to read as follows:**

G2417.4 (406.4) Test pressure measurement. Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. ~~Mechanical gauges used to measure test pressures shall have a range such that the highest end of the scale is not greater than five times the test pressure.~~

(Reason: To require the use of more accurate diaphragm gauges. Spring gauges do not provide accurate measurement below approximately 17 psig.)

****Section G2417.4.1; change to read as follows:**

G2417.4.1 (406.4.1) Test pressure. The test pressure to be used shall be no less than 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge, ~~irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.~~ For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 ½"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 ½"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

Diaphragm gauges used for testing must display a current calibration and be in good working condition. The appropriate test must be applied to the diaphragm gauge used for testing

(Reason: To provide for lesser pressures to coordinate with the use of more accurate diaphragm gauges.)

***Section G2417.4.2; change to read as follows:**

G2417.4.2 (406.4.2) Test duration. The test duration shall be held for a length of time satisfactory to the *Building Official*, but in no case for ~~be not~~ less than ~~10~~ fifteen (15) minutes. For welded *piping*, and for *piping* carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the *Building Official*, but in no case for less than thirty (30) minutes.

(Reason: To comply with accepted regional practices.)

***Section G2420.1 (406.1); add Section G2420.1.4 to read as follows:**

G2420.1.4 Valves in CSST installations. Shutoff *valves* installed with corrugated stainless steel (CSST) *piping systems* shall be supported with an approved termination fitting, or equivalent support, suitable for the size of the *valves*, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the *valve*. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's *piping*, fittings, and *valves* between anchors. All *valves* and supports shall be designed and installed so they will not be disengaged by movement of the supporting *piping*.

(Reason: To provide proper security to CSST valves. These standards were established in this region in 1999 when CSST was an emerging technology.)

***Section G2420.5.1 (409.5.1); add text to read as follows:**

G2420.5.1 (409.5.1) Located within the same room. The shutoff valve...*{bulk of paragraph unchanged}*... in accordance with the appliance manufacturer's instructions. A secondary shutoff valve must be installed within 3 feet (914 mm) of the firebox if appliance shutoff is located in the firebox.

(Reason: Reflects regional practice and provides an additional measure of safety.)

***Section G2421.1 (410.1); add text and Exception to read as follows:**

G2421.1 (410.1) Pressure regulators. A line *pressure regulator* shall be ... *{bulk of paragraph unchanged}... approved* for outdoor installation. Access to *regulators* shall comply with the requirements for access to *appliances* as specified in Section M1305.

> **Exception:** A passageway or level service space is not required when the *regulator* is capable of being serviced and removed through the required *attic* opening.

(Reason: To require adequate access to regulators.)

***Section G2422.1.2.3 (411.1.3.3) Prohibited locations and penetrations; delete Exception 1 and Exception 4.**

(Reason: To comply with accepted regional practices.)

***Section G2445.2 (621.2); add Exception to read as follows:**

G2445.2 (621.2) Prohibited use. One or more *unvented room heaters* shall not be used as the sole source of comfort heating in a *dwelling unit*.

Exception: Existing *approved unvented room heaters* may continue to be used in *dwelling units*, in accordance with the *code* provisions in effect when installed, when *approved* by the *Building Official* unless an unsafe condition is determined to exist as described in *International Fuel Gas Code* Section 108.7 of the Fuel Gas Code.

(Reason: Gives code official discretion.)

***Section G2448.1.1 (624.1.1); change to read as follows:**

G2448.1.1 (624.1.1) Installation requirements. The requirements for *water heaters* relative to access, sizing, *relief valves*, drain pans and scald protection shall be in accordance with this *code.*

(Reason: To clarify installation requirements. Also corresponds with amendments regarding water heater access.)

****Section P2603; add to read as follows:**

P2603.3 Protection against corrosion. Metallic piping, except for cast iron, ductile iron and galvanized steel, shall not be placed in direct contact with steel framing members, concrete or cinder walls and floors or other masonry. Metallic piping shall not be placed in direct contact with corrosive soil. Where sheathing is used to prevent direct contact, the sheathing shall have a thickness of not less than 0.008 inch (8 mil) (0.203 mm) and the sheathing shall be made of approved material ~~plastic~~. Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows movement of the piping within the sheathing.

(Reason: Allows for other materials to be accepted.)

****Section P2603.5.1 Sewer Depth; change to read as follows:**

P2603.5.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of [number] inches (mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches (304 mm) below grade.

(Reason: Provides sewer depth that is common in this region. Deleted reference to private sewage disposal because a private sewage disposal code is not typically adopted in this region.)

****Section P2604; add to read as follows:**

P2604.2.1 Plastic sewer and DWV piping installation. Plastic sewer and DWV piping installed underground shall be installed in accordance with the manufacturer's installation instructions. Trench width shall be controlled to not exceed the outside the pipe diameter plus 16 inches or in a trench which has a controlled width equal to the nominal diameter of the piping multiplied by 1.25 plus 12 inches. The piping shall be bedded in 4 inches of granular fill and then backfilled compacting the side fill in 6-inch layers on each side of the piping. The compaction shall be to minimum of 85 percent standard proctor density and extend to a minimum of 6 inches above the top of the pipe.

(Reason: To follow manufacturer backfill requirements and to be clear to Inspectors out in the field.)

**** Section P2801; change to read as follows:**

P2801.6 Required pan.

Where a storage tank-type water heater or a hot water storage tank is installed in a location where water leakage from the tank will cause damage, the tank shall be installed in a pan constructed of one of the following:

1. Galvanized steel or aluminum of not less than 0.0236 inch (0.6010 mm) in thickness.
2. Plastic not less than 0.036 inch (0.9 mm) in thickness.
3. Other *approved* materials.

~~A plastic pan beneath a gas-fired water heater shall be constructed of material having a flame spread index of 25 or less and a smoke-developed index of 450 or less when tested in accordance with ASTM E84 or UL 723~~.

(Reason: Plastic burns degrading material over time on gas fired water heaters and to maintaining protection level.)

****Section P2801.6.1; change to read as follows:**

Section P2801.6.1 Pan size and drain. The pan shall be not less than 11/2 inches (38 mm) in depth and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a diameter of not less than 3/4 inch (19 mm). Piping for safety pan drains shall be of those materials listed in Table P2906.5.
Multiple pan drains may terminate to a single discharge piping system when *approved* by the administrative authority and permitted by the manufactures installation instructions and installed with those instructions. {*existing text unchanged}*

(Reason: Regionally accepted practice.)

****** Section P2804.6.1; change to read as follows:***

Section P2804.6.1 Requirements for discharge piping. The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an air gap ~~located in the same room as the water heater.~~
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.

   Exception: Multiple relief devices may be installed to a single T & P discharge piping system when approved by the administrative authority and permitted by the manufactures installation instructions and installed with those instructions.

5. Discharge to ~~the floor, to the pan serving the water heater or storage tank, to a waste receptor~~ an approved location or to the outdoors.

   [remainder unchanged]

(Reason: To ensure the T&P is ran to the exterior.)

*****Section P2902.5.3; change to read as follows:***

P2902.5.3 Lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed

downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

(Reason: To provide clarity.)

*****Section P3003.9; change to read as follows:**

P3003.9.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent cement joints shall be permitted above or below ground.

~~Exception: A primer is not required where both of the following conditions apply:~~

1. ~~The solvent cement used is third-party certified as conforming to ASTM D 2564~~
2. ~~The solvent cement is used only for joining PVC drain, waste, and vent pipe and fittings in not pressure applications in sizes up to and including 4 inches (102mm) in diameter.~~

(Reason: to keep the "process of joining PVC pipe".)

*****Section P3111Combination waste and vent systems; delete this section in its entirety.***

(Reason: A combination waste and vent system is not approved for use in residential construction.)

*****Section P3112.2 Vent Collection; delete and replace with the following:***

P3112.2 Installation. Traps for island sinks and similar equipment shall be roughed in above the floor and may be vented by extending the vent as high as possible, but not less than the drainboard height and then returning it downward and connecting it to the horizontal sink drain immediately downstream from the vertical fixture drain. The return vent shall be connected to the horizontal drain through a wye-branch fitting and shall, in addition, be provided with a foot vent taken off the vertical fixture vent by means of a wye-branch immediately below the floor and extending to the nearest partition and then through the roof to the open air or may be connected to other vents at a point not less than six (6) inches (152 mm) above the flood level rim of the fixtures served. Drainage fittings shall be used on all parts of the vent below the floor level and a minimum slope of one-quarter (1/4) inch per foot (20.9 mm/m) back to the drain shall be maintained. The return bend used under the drain-board shall be a one (1) piece fitting or an assembly of a forty-five (45) degree (0.79 radius), a ninety (90) degree (1.6 radius) and a forty-five (45) degree (0.79 radius) elbow in the order named. Pipe sizing shall be as elsewhere required in this Code. The island sink drain, upstream of the return vent, shall serve no other fixtures. An accessible cleanout shall be installed in the vertical portion of the foot vent.

(Reason: To clarify the installation of island venting and to provide a regional guideline on a standard installation method for this region.)

END

RESIDENTIAL CODE

RED-LINED VERSION OF AMENDMENTS

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- **ARTICLE III. - RESIDENTIAL CODE**[2]
- **Sec. 103-44. - Adopted.**

(a) The Rresidential Ccode of the Ccity is hereby revised and amended to conform to the 2018 ~~2012~~ edition of the International Residential ~~Building~~ Code of the International Code Council (ICC), and the same, as amended, is hereby adopted as the Ccity's Rresidential Ccode.

(b) The Ccity incorporates into the 2018 ~~2012~~ edition of the International Residential Code the recommended amendments to the 2018 ~~2012~~ International Residential Code from the North Central Texas Council of Governments Dated September 2018 ~~March 2013~~ with the exception of comments, editorials, and notes contained on the face of that document.

(c) The provisions of the Bbuilding Ccode, Eelectrical Ccode, and Mmechanical Ccode as adopted elsewhere in the Ccity's Code of Ordinances shall be used to provide the Ccode for any provision, requirement, or method not provided for within this Ssection.

(d) One copy of the 2018 ~~2012~~ edition of the International Residential Code and the recommended amendments to the 2018 ~~2012~~ International Residential Code from the North Central Texas Council of Governments are incorporated herein by reference and shall remain on file in the offices of both the Ccity Ssecretary and the Bbuilding Oofficial for permanent record and inspection.

(Code 2001, art. 3.1400; Code 2010, § 3.02.101; Ord. No. 1598, § I, 6-22-2015)

State Law reference— International Residential Code as state standard, V.T.C.A., Local Government Code § 214.216.

- **Secs. 103-45—103-61. - Reserved.**

AGENDA MEMORANDUM

DATE: April 22, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

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

BACKGROUND/INFORMATION:

In 2015, the City Council adopted the 2012 edition of the International Energy Conservation Code (IECC) with NCTCOG Region Amendments as the official reference regarding construction within the corporate limits.

All Editions of the International Codes are revised every three (3) years to keep pace with new trends in the construction fields. Adoption of the 2018 Edition of the International Energy Conservation Code with NCTCOG Region Amendments would ensure that the most current information will be available to assist the Building and Fire Code Officials as they evaluate structures within the city.

The additions to the 2018 IECC are shown in the NCTCOG Amendments (Attached). The changes to the Code of Ordinances , Section 103-62 are attached and shown in red.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

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

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Attorney Letter
2. 2018 Proposed IECC Ordinance
3. 2018 NCTCOG Amendments to IECC
4. Red-Lined changes to existing IECC ordinance

REVIEWED BY:

AGENDA MEMORANDUM

Randy Richards, Building Official	Approved - 4/26/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/6/2019
Andrea Gardner, City Manager	Approved - 5/6/2019
Terri Johnson, City Secretary	Final Approval - 5/6/2019

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL
BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

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(817) 332-3822
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OF COUNSEL:
TIM EVANS
TIM MOORE
LANCE T. EVANS
WILLIAM R. BIGGS
ANDREW J. DECKER

March 1, 2019

Mr. Randy Richards
City of Watauga
7800 Virgil Anthony Sr. Blvd.
Watauga, Texas 76148

VIA E-MAIL

Re: Amendments to the City of Watauga Building Code, Residential Code, Energy Conservation Code, Electrical Code, Plumbing Code, Fuel Gas Code, Mechanical Code, Swimming Pool and Spa Code and Housing Code

Dear Mr. Richards:

Please find enclosed Ordinances amending and repealing the following Sections of Chapter 103 of the Watauga Code of Ordinances:

(1) Article II, Sections 103-19 and 103-20 (Building Code)

(2) Article III, Section 103-44 (Residential Code)

(3) Article IV, Section 103-62 (Energy Conservation Code)

(4) Article V, Section 103-83 and 103-84 (Electrical Code)

(5) Article VI, Section 103-140 (Plumbing Code)

(6) Article VII, Section 103-223 (Fuel Gas Code)

(7) Article VIII, Section 103-276, 103-277 and 103-278 (Mechanical Code)

(8) Article IX, Sections 103-305 through 103-330 (Housing Code)

(9) Article XI, Section 103-353 and 103-354 (Swimming Pool and Spa Code)

Please note, each Ordinance has attached to it a "red-lined version of amendments." This will allow City Council members the opportunity to view what minor changes were made to each code.

These updated versions include the minor revisions (capitalization, spelling mistakes and the like) you requested our office incorporate on February 28, 2019.

These nine Ordinances may be submitted for consideration at the next City Council meeting.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv

cc: Ms. Zolaina Parker, City Secretary
Ms. Andrea Gardner, City Manager
Mr. David Griffin, Mayor Pro Tem

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

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

WHEREAS, the 2018 International Energy Conservation Code is generally considered to provide standard energy conservation regulations for municipalities throughout the State of Texas; and

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

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

I.

Chapter 103, Article IV, Section 103-62 of the City of Watauga Code of Ordinances constituting the Energy Conservation Code for the City of Watauga shall be amended to read as follows:

Sec. 103-62. - Adopted.

(a) The Energy Conservation Code of the City is hereby revised and amended to conform to the 2018 edition of the International Energy Conservation Code of the International Code Council (ICC), and the same, as amended, is hereby adopted as the City's Energy Conservation Code.

(b) The City incorporates into the 2018 edition of the International Energy Conservation Code the Recommended Amendments to the 2018 International Energy Conservation Code from the North Central Texas Council of Governments dated September 2018 with the exception of comments, editorials, and notes contained on the face of that document.

(c) The provisions of the Building Code, Electrical Code, and Mechanical Code as adopted elsewhere in the City's Code of Ordinances shall be used to provide the Code for any provision, requirement, or method not provided for within this Section.

(d) One copy of the 2018 edition of the International Energy Conservation Code and the Recommended Amendments to the 2018 International Energy Conservation Code from the North Central Texas Council of Governments are incorporated herein by

reference and shall remain on file in the offices of both the City Secretary and the Building Official for permanent record and inspection.

II.

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

III.

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

IV.

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

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

APPROVED:

_____

DAVID GRIFFIN, Mayor Pro Tem

ATTEST:

_____

ZOLAINA R. PARKER, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____

MARK G. DANIEL, City Attorney

North Central Texas
Council of Governments

Recommended Amendments to the 2018 International Energy Conservation Code And the energy provisions of the 2018 International Residential Code

North Central Texas Council of Governments Region
(Climate Zone 3 of the IECC)

The following sections, paragraphs, and sentences of the *2018 International Energy Conservation Code* (IECC) are hereby amended as follows: Standard type is text from the IECC. Underlined type is text inserted. ~~Lined through type is deleted text from IECC.~~ A double (**) asterisk at the beginning of a section identifies an amendment carried over from the 2015 edition of the code and a triple (***) asterisk identifies a new or revised amendment with the 2018 code. Section numbers in parenthesis represent the corresponding numbers of the energy provisions of the 2018 *International Residential Code* for parallel amendments.

2018 IECC (Energy Provisions of the 2018 IRC)

Section C102/R102 General; add Section C102.1.2 and R102.1.2 (N1101.4.1) to read as follows:

C102.1.2 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.

R102.1.2 (N1101.4.1) Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance. Regardless of the program or the path to compliance, each 1- and 2-family dwelling shall be tested for air and duct leakage as prescribed in Section R402.4.1.2 (N1102.4.1.2) and R403.3.3 (N1103.3.3) respectively.

(Reason: This amendment is added to allow alternative compliance in accordance with Texas HB 1365, 78th Legislature. Codified in Chapter 388 Texas Building Energy Performance Standards: §388.003(i). The last sentence to Section R102.1.2 (N1101.4.1) was added to insure that every house is tested in accordance with the mandatory provisions of the code.)

Section R202 (N1101.6) Definitions; *add the following definition:*

****PROJECTION FACTOR.** The ratio of the horizontal depth of the overhang, eave or permanently attached shading device, divided by the distance measured vertically from the bottom of the fenestration glazing to the underside of the overhang, eave or permanently attached shading device.

*(Reason: The amendment to **Section 402.3.2 (N1102.3.2) Glazed fenestration SHGC** was proposed by the TAB. ESL determined the proposal to be not less restrictive than the 2015 IECC. This added definition is necessary as part of that amendment. The amendment will provide additional options for SHGC selection.)*

Section R202 (N1101.6) Definitions; *add the following definition:*

****DYNAMIC GLAZING.** Any fenestration product that has the fully reversible ability to change it performance properties, including *U*-factor, solar heat gain coefficient (SHGC), or visible transmittance (VT).

(Reason: This term is referenced in Section R402.3.2. This definition of DYMANIC GLAZING is also found in the Commercial provisions of the code.)

******Table 402.1.2 (N1102.1.2) INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT; the Fenestration U-factor for Climate Zone 3 is amended as follows:***

CLIMATE ZONE	FENESTRATION *U*-FACTOR
3	~~0.32~~ 0.35

(Reason: Carries forward the value in the 2015 IECC/IRC.)

******Table 402.1.4 (N1102.1.4) EQUIVALENT U-FACTORS; the Fenestration U-factor for Climate Zone 3 is amended as follows:***

CLIMATE ZONE	FENESTRATION *U*-FACTOR
3	~~0.32~~ 0.35

(Reason: Carries forward the value in the 2015 IECC/IRC.)

*****Section R402.3.2 (N1102.3.2) Glazed fenestration SHGC; amend by adding a paragraph and table following the exception to read as follows:***

Where vertical fenestration is shaded by an overhang, eave, or permanently attached shading device, the SHGC required in Table R402.1.2 shall be reduced by using the multipliers in Table R402.3.2 SHGC Multipliers for Permanent Projections.

Table R402.3.2 SHGC Multipliers for Permanent Projections [a]

Projection Factor	SHGC Multiplier (all Other Orientation)	SHGC Multiplier (North Oriented)
0 - 0.10	1.00	1.00
>0.10 – 0.20	0.91	0.95
>0.20 – 0.30	0.82	0.91
>0.30 – 0.40	0.74	0.87
>0.40 – 0.50	0.67	0.84
>0.50 – 0.60	0.61	0.81
>0.60 – 0.70	0.56	0.78
>0.70 – 0.80	0.51	0.76
>0.80 – 0.90	0.47	0.75
>0.90 – 1.00	0.44	0.73

[a] North oriented means within 45 degrees of true north.

*(Reason: The amendment to **Section 402.3.2 Glazed fenestration SHGC** was proposed by the TAB and ESL determined the proposal to be not less restrictive than the 2015 IECC. This added definition is necessary as part of that amendment. The amendment will provide additional options for SHGC selection.)*

***R402.4.1.2 (N1102.4.1.2) Testing; add a last paragraph to read as follows:**

Mandatory testing shall only be performed by individuals that are certified to perform air infiltration testing certified by national or state organizations as approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure.

(Reason: The 2018 International Residential Code (IRC) and International Energy Conservation Code (IECC) includes enhanced emphasis on envelope infiltration and duct leakage. Significant changes in the residential energy requirements include more frequent requirement of performance testing for leakage. Residential Duct systems must be tested unless all ducts and equipment are located within the conditioned space. Envelope testing is required to demonstrate compliance with maximum allowable leakage rate. This language puts the regulatory authority on notice that the testing requires specialized credentials and establishes a conflict of interest baseline.)

****Section R402.4 (N1102.4) Air leakage (Mandatory); add a new section and table to read as follows:**

R402.4.1.3 (N1102.4.1.3) Testing option – ACH tradeoff. As an option to the air leakage rate set out in Section R402.4.1.2 (N1102.4.1.2), 1- and 2-family homes meeting all of the listed criteria below and the *thermal envelope* requirements in Table R402.4.1.3 (N1102.4.1.3) will be considered compliant when tested and verified as having an air leakage rate to not less than or equal to four air changes per hour when tested and reported in accordance with the testing standards and reporting criteria listed in Section R402.4.1.2 (N1102.4.1.2).

The compliance equivalency is limited as follows:

1. Limited to a conditioned floor area between 1,000 and 6,000 square feet,
2. Limited to between 2 to 6 bedrooms,
3. Assumes all ductwork and mechanical equipment is located in the unconditioned attic,
4. Assumes typical wood framing in the walls and roof, and
5. Assumes one of the following heating/cooling systems:
    a. All electric system with a heat pump for heating, or
    b. A system with electric cooling and natural gas heating.

Dwellings using electric resistance strip heating do not qualify for this tradeoff.

TABLE R402.4.1.3 (N1102.4.1.3)[a]

Envelope Component	Option #1	Option #2
R402.4 Air Leakage	≤ 4 ACH50	≤ 4 ACH50
Wall Insulation *R*-value	R13 + R3[b]	R13 + R3 [b]
Fenestration *U*-factor	≤ 0.32	≤ 0.32
Fenestration SHGC	≤ 0.25	≤ 0.25
Ceiling *R*-value	≥ R49	≥ R49
Duct Insulation *R*-value	R8	R6
Radiant Barrier Required	No	Yes

[a] Except for the values listed in the table, all other mandatory code provisions are applicable.

[b] The first value listed is the *R*-value of cavity insulation, the second value is the *R*-value of the continuous insulation or insulated siding.

(Reason: This provides a viable option to the single-family residential builder. The Energy Systems Laboratory determined that this tradeoff option to be not less stringent than the residential provisions of the 2015 IECC and the energy provisions of the 2015 IRC.)

****** Section R402.4 Air leakage (Mandatory); add a new section to read as follows:***

R402.4.1.4 Testing options for R2 multifamily dwelling units. As an option to the air leakage rate set out in Section R402.4.1.2, multifamily dwelling units will be considered compliant when tested and verified as having an air leakage rate to the air leakage rate set out in either Section R402.4.1.4.1 or Section R402.4.1.4.2 when tested and reported in accordance with the testing standards and reporting criteria listed in Section R402.4.1.2

R402.4.1.4.1 Total air leakage rate for interior multifamily dwelling units. Interior multifamily dwelling units with a measured, "unguarded" total air leakage result of 5.3 ACH50 or less shall be considered compliant.

R402.4.1.4.2 Total air leakage rate for corner multifamily dwelling units. Corner multifamily units with a measured, "unguarded" total leakage result of less than 5.0 ACH50 shall be considered compliant.

(Reason: The Mandatory Section R402.4 Air Leakage of the 2015 IECC requires that the building thermal envelope be tested and verified in accordance with R402.4.1.2. Measuring air leakage for multifamily buildings or dwelling units using an air leakage to outside test (i.e. guarded) can be costly and time prohibitive. This is because in order to isolate leakage only through the building thermal envelope, all leakage to adjacent units through adiabatic surfaces must be pressure neutralized. The methodology below therefore allows for the use of total air leakage testing for multifamily dwelling units that includes air leakage to the exterior and to adjacent units (i.e. unguarded) to show compliance with R402.4.1.2. This increases the flexibility of the code without affecting stringency. This methodology has been approved for use by ESL, and the methodology applies only to jurisdictions in the NCTCOG area.)

****** Section R402.4 Air leakage (Mandatory); add a new section to read as follows:***

R402.4.1.5 Sampling options for R2 multifamily dwelling units. For buildings having three or more

dwelling units, a minimum of 15% of the dwelling units in each building must be tested as required by Section R402.4.1.2. Prior to beginning sampling for testing, "Initial Testing" is required for each multifamily property. "Initial Testing" shall consist of the 3rd party testing contractor performing the required tests on at least three consecutive dwelling units. Test results from the "Initial Testing" must satisfy minimum code requirements before sampling is permitted. Dwelling units selected for the "Initial Testing" must be within the same building. Dwelling units selected for "Initial Testing" shall not be included in a "sample group" or counted toward the minimum 15% of dwelling units tested. The building official shall randomly select the three dwelling units for "Initial Testing." The building official may delegate the random selection to the designated 3rd party testing contractor.

R402.4.1.5.1 Sample group Identification and Sampling. The builder shall identify a "sample group" which may be a building, floor, fire area or portion thereof. All of the dwelling units within the "sample group" must be at the same stage of construction and must be ready for testing. The building official shall randomly select at least 15% of dwelling units from each "sample group" for testing. The building official may delegate the random selection to the designated 3rd party testing contractor.

If each tested dwelling unit within a "sample group" meets the minimum code requirements, then all dwelling units in the "sample group" are considered to meet the minimum code requirements.

Before a building may be deemed compliant with the testing as required, each "sample group" must be deemed compliant with the minimum code requirements. The sum total of all of the tested dwelling units across all "sample groups" shall not be less than a minimum of 15% of the dwelling units in a building.

R402.4.1.5.2 Failure to Meet Code Requirement(s). If any dwelling units within the identified "sample group" fail to meet a code requirement as determined by testing, the builder will be directed to correct the cause(s) of failure, and 30% of the remaining dwelling units in the "sample group" will be randomly selected for testing by the building official, or third-party testing contractor, regarding the specific cause(s) of failure.

If any failures occur in the additional dwelling units, all remaining dwelling units in the sample group must be individually tested for code compliance.

A multifamily property with three failures within a 90-day period is no longer eligible to use the sampling protocol in that community or project until successfully repeating "Initial Testing." Sampling may be reinstated after at least three consecutive dwelling units are individually verified to meet all code requirements.

A Certificate of Occupancy may not may be issued for any building until testing has been performed and deemed to satisfy the minimum code requirements on the dwelling unit(s) identified for testing.

(Reason: For many multifamily (R2 classifications) projects, it is very costly and time consuming to test each dwelling unit for projects where there may be dozens of dwelling units in each building. Considering that the same tradesman generally constructs a building, it is reasonable to deem that construction practices are consistent and that if a reasonable sampling of units tested pass then all units would pass. These amendments are very similar to other ordinances/policies from Austin and San Antonio.)

**** R403.3.3 (N1103.3.3) Duct Testing (Mandatory); add a last paragraph to read as follows:***

Mandatory testing shall only be performed by individuals that are certified to perform duct testing leakage testing certified by national or state organizations as approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure.

(Reason: The 2015 International Residential Code (IRC) and International Energy Conservation Code (IECC) includes enhanced emphasis on envelope infiltration and duct leakage. Significant changes in the residential energy requirements include more frequent requirement of performance testing for leakage. Residential Duct systems must be tested unless all ducts and equipment are located within the conditioned space. Envelope testing is required to demonstrate compliance with maximum allowable leakage rate. This language puts the regulatory authority on notice that the testing requires specialized credentials and establishes a conflict of interest baseline).

****** Section R403.3 Ducts; add a new section to read as follows:***

R403.3.4.1 Sampling options for R2 multifamily dwelling units. For buildings having three or more dwelling units, a minimum of 15% of the dwelling units in each building must be tested as required by Section R403.3.3. Prior to beginning sampling for testing, "Initial Testing" is required for each multifamily property. "Initial Testing" shall consist of the 3rd party testing contractor performing the required tests on at least three consecutive dwelling units. Test results from the "Initial Testing" must satisfy minimum code requirements before sampling is permitted. Dwelling units selected for the "Initial Testing" must be within the same building. Dwelling units selected for "Initial Testing" shall not be included in a "sample group" or counted toward the minimum 15% of dwelling units tested. The building official shall randomly select the three dwelling units for "Initial Testing." The building official may delegate the random selection to the designated 3rd party testing contractor.

R403.3.4.1.1 Sample group Identification and Sampling. The builder shall identify a "sample group" which may be a building, floor, fire area or portion thereof. All of the dwelling units within the "sample group" must be at the same stage of construction and must be ready for testing. The building official shall randomly select at least 15% of dwelling units from each "sample group" for testing. The building official may delegate the random selection to the designated 3rd party testing contractor.

If each tested dwelling unit within a "sample group" meets the minimum code requirements, then all dwelling units in the "sample group" are considered to meet the minimum code requirements.

Before a building may be deemed compliant with the testing as required, each "sample group" must be deemed compliant with the minimum code requirements. The sum total of all of the tested dwelling units across all "sample groups" shall not be less than a minimum of 15% of the dwelling units in a building.

R403.3.4.1.2 Failure to Meet Code Requirement(s). If any dwelling units within the identified "sample group" fail to meet a code requirement as determined by testing, the builder will be directed to correct the cause(s) of failure, and 30% of the remaining dwelling units in the "sample group" will be randomly selected for testing by the building official, or third-party testing contractor, regarding the specific cause(s) of failure.

If any failures occur in the additional dwelling units, all remaining dwelling units in the sample group must be individually tested for code compliance.

A multifamily property with three failures within a 90-day period is no longer eligible to use the sampling protocol in that community or project until successfully repeating "Initial Testing." Sampling may be reinstated after at least three consecutive dwelling units are individually verified to meet all code requirements.

A Certificate of Occupancy may not may be issued for any building until testing has been performed and deemed to satisfy the minimum code requirements on the dwelling unit(s) identified for testing.

(Reason: For many multifamily (R2 classifications) projects, it is very costly and time consuming to test each dwelling unit for projects where there may be dozens of dwelling units in each building. Considering that the same tradesman generally constructs a building, it is reasonable to deem that construction practices are consistent and that if a reasonable sampling of units tested pass then all units would pass. These amendments are very similar to other ordinances/policies from Austin and San Antonio.)

Section C402.2/R402.2 (N1102.2) Specific insulation requirements (Prescriptive); add Section C402.2.8 and R402.2.14 (N1102.2.14) to read as follows:

Section C402.2.8/R402.2.14 (N1102.2.14) Insulation installed in walls. Insulation installed in walls shall be totally enclosed on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing or other equivalent material approved by the building official.

(Reason: This will increase the performance of the insulation.)

****Section C403.7.4 Energy recovery ventilation systems (Mandatory); add exception #12 to read as follows:***

12. Individual ventilation systems that serve an individual dwelling unit or sleeping unit.

(Reason: This will clarify the intent of the section without requiring the user or the code official to analyze the numbers in the table. So a ventilation system that serves only an individual dwelling unit or sleeping unit does not require an energy recovery system.)

****Section C403.11.1 Duct and Plenum Insulation and Sealing (Mandatory); is amended by adding a second paragraph to read as follows:***

Environmental ducts and plenums installed in vertical chases, both supply and exhaust, where the ducts or plenums will not be accessible after construction completion, shall be leak tested in accordance with the SMACNA HVAC Air Leakage Test Manual to the installed ductwork class and pressure requirements.

Documentation shall be furnished demonstrating that representative sections totaling not less than 25 percent of the duct area have been tested and that all tested sections comply with the requirements of this section.

(Reason: Ductwork installed in chases is not accessible after construction completion. Leakage in these ducts will increase the energy use of the buildings and systems for the life of the building and reduce the system performance. Since the leakage in the chase enclosed ductwork would be difficult if not impossible to locate and correct, testing at the time of installation would assure that the ducts are properly installed and efficient.)

***Section R404.1 (N1104.1); revised in its entirety to read as follows:*

Section R404.1 (N1104.1) Lighting equipment (Mandatory). Not less than 75 percent of the lamps in permanently installed lighting fixtures or not less than 75 percent of the permanently installed lighting fixtures shall contain only high-efficacy lamps.

(Reason: This retains the 2015 language will allows for more flexibility.)

Section 405.2 (N1105.2); add the exception to read as follows:

Section 405.2 (N1105.2) Mandatory requirements. Compliance with the section requires that the mandatory provisions identified in Section 401.2 be met. Supply and return ducts not completely inside the building thermal envelope shall be insulated to an R-value of not less than R-6.

Exceptions:

1. For one and two family dwellings the maximum envelope leakage of 4 ACH50 is permitted provided the envelope leakage in the Standard Reference Design is 3 ACH50 and all other requirements of Section R405 are met, including all other mandatory measures. The annual energy cost or source energy usage of the Proposed Design must be equal to or less than that of the Standard Reference Design.

2. For multifamily or townhomes and buildings classified as Group R2 and Group R4 of three stories or less the maximum envelope leakage of less than 5 ACH50 is permitted provided the envelope leakage in the Standard Reference Design is 3 ACH50 and all other requirements of Section R405 are met, including all other mandatory measures. The annual energy cost or source energy usage of the Proposed Design must be equal to or less than that of the Standard Reference Design.

(Reason: This ACH tradeoff is approved by ESL and will require additional energy efficiencies to be implemented. This tradeoff is incorporated in ESL's IC3 Code Compliance Calculator as the 2015 NCTCOG path in the code drop down menu. Builders using IC3 will receive a code compliant notification if their designs meet the requirements of this tradeoff and all other energy code requirements.
Other compliance software products have not incorporated this tradeoff into their compliance reports. Building Officials receiving Section R405 submittals from software other than IC3 may approve a R405 compliance report that designates the building as not in compliance due to noncompliance with the 3 ACH50 envelope leakage mandatory measure, provided the report also states that the envelope leakage is no greater than 4 ACH50 for single family homes. REScheck™ does not have the flexibility to accommodate this tradeoff.)

***Section R405.6.2 (N1105.6.2); add the following sentence to the end of paragraph:*

Acceptable performance software simulation tools may include, but are not limited to, REM Rate™; Energy Gauge®; ICF International Beacon Residential; Ekotrope, HERS Module; Right-Energy HERS and IC3. Other performance software programs as listed by RESNET® and having the ability to provide a report as outlined in R405.4.2 may also be deemed acceptable performance simulation programs and may be considered by the building official.

(Reason: These performance software tools are listed by RESNET at the time of recommendation.)

****Section C405.9. Voltage drop in feeders; deleted in its entirety.***

(Reason: There are similar provisions in the NEC where this type of requirement is best managed.)

***TABLE R406.4 (N1106.4) MAXIMUM ENERGY RATING INDEX;* amend to read as follows:**

TABLE R406.4 *(N1106.4)* [1]
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	65

[1] This table is effective until August 31, 2019.

TABLE R406.4 *(N1106.4)* [2]
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	63

[2] The table is effective from September 1, 2019 to August 31, 2022.

TABLE R406.4 *(N1106.4)* [3]
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	59

[3] This table is effective on or after September 1, 2022.

(Reason: The tables reflect the values and time table set forth in HB1736, 84th Regular Session Codified in Chapter 388 Texas Building Energy Performance Standards: §388.003.)

***Section C408.3.1 Functional Testing; amend to read as follows:**

C408.3.1 Functional Testing. Prior to passing final inspection, the *registered design professional* or *approved agency* shall provide evidence that the lighting control systems have been tested to ensure that control hardware and software are calibrated, adjusted, programmed, and in proper working condition in accordance with the *construction documents* and manufacturer's instructions. Functional testing shall be in accordance with Sections C408.3.1.1 through C408.3.1.3 for the applicable control type.

(Reason: The addition of 'or approved agency' will make the lighting systems requirements match the mechanical system requirements in C 408.2.1. This will facilitate and add flexibility to the enforcement of the commissioning requirements.)

END

ENERGY CONSERVATION CODE
RED-LINED VERSION OF AMENDMENTS

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ARTICLE IV. - ENERGY CONSERVATION CODE[3]

Sec. 103-62. - Adopted.

(a) The Energy Conservation Code of the City is hereby revised and amended to conform to the 2018 ~~2012~~ edition of the International Energy Conservation Code of the International Code Council (ICC), and the same, as amended, is hereby adopted as the City's Energy Conservation Code.

(b) The City incorporates into the 2018 ~~2012~~ edition of the International Energy Conservation Code the recommended amendments to the 2018 ~~2012~~ International Energy Conservation Code from the North Central Texas Council of Governments dated September 2018 ~~March 2013~~ with the exception of comments, editorials, and notes contained on the face of that document.

(c) The provisions of the Building Code, Electrical Code, and Mechanical Code as adopted elsewhere in the City's Code of Ordinances shall be used to provide the Code for any provision, requirement, or method not provided for within this Section.

(d) One copy of the 2018 ~~2012~~ edition of the International Energy Conservation Code and the recommended amendments to the 2018 ~~2012~~ International Energy Conservation Code from the North Central Texas Council of Governments are incorporated herein by reference and shall remain on file in the offices of both the City Secretary and the Building Official for permanent record and inspection.

(Code 2001, art. 3.1500; Code 2010, § 3.02.151; Ord. No. 1594, § I, 6-22-2015)

State Law reference— Adoption of building energy efficiency performance standards, V.T.C.A., Health and Safety Code § 388.003.

Secs. 103-63—103-82. - Reserved.

AGENDA MEMORANDUM

DATE: April 22, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

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

BACKGROUND/INFORMATION:

In 2015, the City Council adopted the 2014 edition of the National Electrical Code (NEC) with NCTCOG Region Amendments as the official reference regarding electrical construction within the corporate limits.

The National Electrical Code is revised every three (3) years to keep pace with new trends in the construction fields. Adoption of the 2017 Edition of the National Electrical Code with NCTCOG Region Amendments would ensure that the most current information would be available to assist the Building and Fire Code Officials as they evaluate structures within the city.

The additions to the 2017 NEC are shown in the NCTCOG Amendments (Attached). The changes to the Code of Ordinances, Sections 103-83 and 103-84 are attached and shown in red.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

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

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Attorney Letter
2. 2017 Proposed NEC Ordinance
3. 2017 NCTCOG Amendments to NEC
4. Red-Lined changes to existing NEC ordinance

REVIEWED BY:

AGENDA MEMORANDUM

Randy Richards, Building Official	Approved - 4/26/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/6/2019
Andrea Gardner, City Manager	Approved - 5/6/2019
Terri Johnson, City Secretary	Final Approval - 5/6/2019

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL
BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

March 1, 2019

Mr. Randy Richards
City of Watauga
7800 Virgil Anthony Sr. Blvd.
Watauga, Texas 76148

VIA E-MAIL

Re: Amendments to the City of Watauga Building Code, Residential Code, Energy Conservation Code, Electrical Code, Plumbing Code, Fuel Gas Code, Mechanical Code, Swimming Pool and Spa Code and Housing Code

Dear Mr. Richards:

Please find enclosed Ordinances amending and repealing the following Sections of Chapter 103 of the Watauga Code of Ordinances:

(1) Article II, Sections 103-19 and 103-20 (Building Code)

(2) Article III, Section 103-44 (Residential Code)

(3) Article IV, Section 103-62 (Energy Conservation Code)

(4) Article V, Section 103-83 and 103-84 (Electrical Code)

(5) Article VI, Section 103-140 (Plumbing Code)

(6) Article VII, Section 103-223 (Fuel Gas Code)

(7) Article VIII, Section 103-276, 103-277 and 103-278 (Mechanical Code)

(8) Article IX, Sections 103-305 through 103-330 (Housing Code)

(9) Article XI, Section 103-353 and 103-354 (Swimming Pool and Spa Code)

Please note, each Ordinance has attached to it a "red-lined version of amendments." This will allow City Council members the opportunity to view what minor changes were made to each code.

These updated versions include the minor revisions (capitalization, spelling mistakes and the like) you requested our office incorporate on February 28, 2019.

These nine Ordinances may be submitted for consideration at the next City Council meeting.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv

cc: Ms. Zolaina Parker, City Secretary
Ms. Andrea Gardner, City Manager
Mr. David Griffin, Mayor Pro Tem

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

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

WHEREAS, the 2017 National Electrical Code is generally considered to provide standard electrical regulations for municipalities throughout the State of Texas; and

WHEREAS, the City of Watauga is a member of the North Central Texas Council of Governments (hereinafter referred to as "NCTOG"). The adoption of the recommended amendments by NCTCOG to the 2017 National Electrical Code will provide the City a more consistent standard with other local communities in the North Texas area; and

WHEREAS, along with the adoption of the 2017 National Electrical Code and the recommended amendments by NCTCOG, Section 103-84 should be amended to incorporate local amendments concerning the type of electrical outlets required for use near water sources.

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

I.

Chapter 103, Article V, Sections 103-83 and Section 103-84 of the City of Watauga Code of Ordinances constituting the Electrical Code for the City of Watauga shall be amended to read as follows:

Sec. 103-83. - Adopted.

(a) The Electrical Code of the City is hereby revised and amended to conform to the 2017 edition of the National Electrical Code, and the same, as amended, is hereby adopted as the City's Electrical Code.

(b) The City incorporates into the 2017 edition of the National Electrical Code the Recommended Amendments to the 2017 National Electrical Code from the North Central Texas Council of Governments designated as 2017 NEC Regional Amendments with the exception of comments, editorials, and notes contained on the face of that document.

(c) One copy of the 2017 edition of the National Electrical Code and the Recommended Amendments to the 2017 National Electrical Code from the North Central Texas Council of Governments are incorporated herein by reference and shall remain on file

in the offices of both the City Secretary and the Building Official for permanent record and inspection.

Sec. 103-84. – Additional requirements.

Notwithstanding any provisions in the National Electrical Code, the following requirements shall apply:

(1) All electrical outlets within 6' (six feet) of any water source shall be a GFCI type.

II.

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

III.

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

IV.

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

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

APPROVED:

_____
DAVID GRIFFIN, Mayor pro tem

ATTEST:

_____
ZOLAINA R. PARKER, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, City Attorney

Recommended Amendments to the
2017 National Electrical Code
North Central Texas Council of Governments

The following articles, paragraphs, and sentences of the *2017 National Electrical Code (NEC)* are hereby amended as follows: Standard type is text from the NEC. Highlighted with gray shading is text inserted. ~~Lined through type is deleted text from NEC.~~ A double asterisk (**) at the beginning of an article identifies an amendment carried over from the 2014 edition of the code and a triple asterisk (***) identifies a new or revised amendment with the 2017 code.

***Article 100; add the following to definitions:**

Engineering Supervision. Supervision by a Qualified State of Texas Licensed Professional Engineer engaged primarily in the design or maintenance of electrical installations.

(REASON FOR CHANGE: To better define the qualifications for engineering supervision. This term is used twenty four times in the 2017 National Electrical Code.*)*

****Article 100; remove the amendment to the following definition:**

Intersystem Bonding Termination. A device that provides a means for connecting intersystem bonding conductors for communication systems ~~and other systems such as metallic gas piping systems~~ to the grounding electrode system. ~~Bonding conductors for other systems shall not be larger than 6 AWG.~~

(REASON FOR CHANGE: Remove the above amendment. Updates to the 2017 National Electrical Code *Article 250.94(A) only accommodate connecting communication systems to an intersystem bonding termination device, but Article 250.94(B) provides an alternative or other means. ~~To allow for a termination point for other bonding conductors in addition to communication systems that are required by the various model codes. 6 AWG was chosen to coincide with the minimum size of bonding conductor required to the intersystem bonding jumper.~~)*

***Article 110.2; change the following to read as follows:**

110.2 Approval. The conductors and equipment required or permitted by this *Code* shall be acceptable only if approved. Approval of equipment may be evident by listing and labeling of equipment by a Nationally Recognized Testing Lab (NRTL) with a certification mark of that laboratory or a qualified third party inspection agency approved by the AHJ.

Exception: Unlisted equipment that is relocated to another location within a jurisdiction or is field modified is subject to the approval by the AHJ. This approval may be by a field evaluation by a NRTL or qualified third party inspection agency approved by the AHJ.

~~Manufacturer's self-certification of any equipment shall not be used as a basis for approval by the AHJ.~~

Informational Note No. 1: See 90.7, Examination of Equipment for Safety, and 110.3, Examination, Identification, Installation, and Use of Equipment. See definitions of *Approved*, *Identified*, *Labeled*, and *Listed*.

Informational Note No. 2: Manufacturer's self-certification of equipment may not necessarily comply with U.S. product safety standards as certified by an NRTL.

Informational Note No. 3: National Fire Protection Association (NFPA) 790 and 791 provide an example of an approved method for qualifying a third party inspection agency.

(REASON FOR CHANGE: To add clarity and provide more positive options for enforcement and approval of unlisted equipment.)

******Article 210.52(G) (1) Garages:* remove the amendment that deleted the following:**

(1) Garages. In each attached garage and in each detached garage with electric power. ~~The branch circuit supplying this receptacle(s) shall not supply outlets outside of the garage.~~ At least one receptacle outlet shall be installed for each car space.

~~*(REASON FOR CHANGE: Installations in compliance with this Code are not necessarily efficient, convenient, or adequate for good service or future expansion of electrical use.)*~~

(REASON FOR CHANGE: Updates to this section in the 2017 National Electrical Code *provided relief by removing "shall not supply outlets outside of the garage.")*

*****Article 230.71(A); remove the amendment that added the following exception:**

~~Exception: Multi-occupant buildings. Individual service disconnecting means is limited to six for each occupant. The number of individual disconnects at one location may exceed six.~~

~~*(REASON FOR CHANGE: This is currently the accepted installation practice of the region. No noteworthy complaints have surfaced. It is more reasonable than the current NEC requirements. It allows more than six disconnects grouped at one location. This also allows designers more flexibility in the placement of electrical meters and main service disconnects.)*~~

(REASON FOR CHANGE: This is below the minimum standard of the 2017 National Electrical Code *adopted by the State of Texas.)*

***Article 300.11; remove the amendment that added the following exception:**
~~Exception: Ceiling grid support wires may be used for structural supports when the associated wiring is located in that area, not more than two raceways or cables supported per wire, with a maximum nominal metric designation 16 (trade size 1/2").~~

~~*(REASON FOR CHANGE: To provide limited support of raceways and cables by ceiling grid support wire.)*~~

(REASON FOR CHANGE: This is below the minimum standard of the 2017 National Electrical Code *adopted by the State of Texas.)*

***Article 310.15(B) (7); remove the amendment that changed the following to read as follows:**

~~(7) This Article shall not be used in conjunction with 220.82.~~

~~*(REASON FOR CHANGE: 310.15(B) (7) has been revised and the table has been deleted.)*~~

(REASON FOR CHANGE: Upon review of the 2014 and 2017 code-making panel 6 and in conjunction with the wire manufacturing industry, based on the diversification of loads in modern construction, this amendment becomes irrelevant.)

***Article 500.8 (A) (3); change to read as follows:**

500.8 Equipment.
Articles 500 through 504 require equipment construction and installation that ensure safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care with regard to installation and maintenance.

Informational Note No. 2: Since there is no consistent relationship between explosion properties and ignition temperature, the two are independent requirements.

Informational Note No. 3: Low ambient conditions require special consideration. Explosion proof or dust-ignition proof equipment may not be suitable for use at temperatures lower than -25°C (-13°F) unless they are identified for low-temperature service. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified as Class I, Division 1 at normal ambient temperature.

(A) Suitability. Suitability of identified equipment shall be determined by one of the following:

(1) Equipment listing or labeling;
(2) Evidence of equipment evaluation from a qualified testing laboratory or inspection agency concerned with product evaluation; or,
(3) Evidence acceptable to the authority having jurisdiction such as a manufacturer's self-evaluation or ~~an owner's engineering judgment.~~ an engineering judgment signed and sealed by a qualified ~~Registered~~ licensed Professional Engineer in the State of Texas.

Informational Note: Additional documentation for equipment may include certificates demonstrating compliance with applicable equipment standards, indicating special conditions of use, and other pertinent information.

(REASON FOR CHANGE: Carry over from previous amendment with change to better define the qualifications for an engineering judgment.)

***Article 505.7 (A) changed to read as follows:**

505.7 Special Precaution.
Article 505 requires equipment construction and installation that ensures safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care with regard to the installation and maintenance of electrical equipment in hazardous (classified) locations.

Informational Note No. 2: Low ambient conditions require special consideration. Electrical equipment depending on the protection techniques described by 505.8(A) may not be suitable for use at temperatures lower than -20°C (-4°F) unless they are identified for use at lower temperatures. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified Class I, Zones 0, 1, or 2 at normal ambient temperature.

(A) Implementation of Zone Classification System. Classification of areas, engineering and design, selection of equipment and wiring methods, installation, and inspection shall be performed by a qualified ~~persons~~ ~~Registered~~ licensed Professional Engineer in the State of Texas.

(REASON FOR CHANGE: Carry over from previous amendment with change to better define the qualifications for an engineering judgment.)

****Article 517.30 Essential Electrical Systems for Hospitals; remove the amendment that created a new (H) and added the following language:**

(G) Coordination. Overcurrent protective devices serving the ~~equipment branch of the~~ essential electrical system shall be coordinated for the period of time that a fault's duration extends beyond 0.1 second.

Exception No. 1: Between transformer primary and secondary overcurrent protective devices, where only one overcurrent protective device or set of overcurrent protective devices exists on the transformer secondary.

Exception No. 2: Between overcurrent protective devices of the same size (ampere rating) in series.

Informational Note: The terms coordination and coordinated as used in this section do not cover the full range of overcurrent conditions.

~~**(H) Selective Coordination.** Overcurrent protective devices serving the life safety, and critical branches of the essential electrical system shall be selectively coordinated with all supply-side overcurrent protective devices.~~

~~Exception No. 1: Between transformer primary and secondary overcurrent protective devices, where only one overcurrent protective device or set of overcurrent protective devices exists on the transformer secondary.~~

~~Exception No. 2: Between overcurrent protective devices of the same size (ampere rating) in series.~~

~~Informational Note: The terms coordination and coordinated as used in this section do not cover the full range of overcurrent conditions.~~

~~*(REASON FOR CHANGE: Changes made by deleting the definition of emergency systems in Article 517 Health Care Facilities and removing emergency systems as "Essential Electrical Systems for Hospitals in 517.30(B) (2), plus the new addition of section 517.30(G) for "Coordination" instead of using selective coordination, has diminished the reliability of the "Life Safety and Critical Branches of the Essential Electrical System" to deliver power to vital loads. By providing only "coordination," the instantaneous portion of the time-current curve has been eliminated from the overcurrent device settings.)*~~

(REASON FOR CHANGE: Due to no action by the 2017 code-making panel 15 and NFPA 99, this amendment is not applicable.)

*****Article 600.6(A) (1) At Point of Entry to a Sign; Exception 1 changed to read as follows:**

Exception No.1: A disconnect shall not be required for branch circuits(s) or feeder conductor(s) passing through the sign where enclosed in a Chapter 3 listed raceway or metal-jacketed cable identified for the location. The conductor(s) shall not serve the sign body or sign enclosure where passing through.

*****Article 600.6(A) (1) At Point of Entry to a Sign; create a new Exception No. 2 to add the following language:**

Exception No. 2. A disconnect shall not be required at the point of entry to a sign body, sign enclosure, or pole for branch circuit conductor(s). The conductors shall be enclosed in a Chapter 3 listed raceway or metal-jacketed cable identified for the location. The conductor(s)

shall be routed to a device box which contains the disconnect. A field-applied permanent warning label that is visible during servicing shall be applied to the raceway at or near the point of entry into the sign enclosure or sign body. The warning label shall comply with 110.21(B) and state the following: "Danger. This raceway contains energized conductors." The marking shall include the location of the disconnecting means for the energized conductor(s). The disconnecting means shall be capable of being locked in the open position in accordance with 110.25.

*****Article 600.6(A) (1) At Point of Entry to a Sign; move the original Exception 2 to create a new Exception No. 3 and add the following language:**

Exception No. 3: A disconnect shall not be required at the point of entry to a sign enclosure or sign body for branch circuit(s) or feeder conductor(s) that supply an internal panelboard(s) in a sign enclosure or sign body. The conductors shall be enclosed in a Chapter 3 listed raceway or metal-jacketed cable identified for the location. A field-applied permanent warning label that is visible during servicing shall be applied to the raceway at or near the point of entry into the sign enclosure or sign body. The warning label shall comply with 110.21(B) and state the following: "Danger. This raceway contains energized conductors." The marking shall include the location of the disconnecting means for the energized conductor(s). The disconnecting means shall be capable of being locked in the open position in accordance with 110.25.

(2017 Code) Informational Note: The location of the disconnect is intended to allow service or maintenance personnel complete and local control of the disconnecting means.

(REASON FOR CHANGE: This is a modification of the nationwide sign manufacturing practice that was standard before the 2014 Code revision. It is more reasonable but not less than the current Code requirements. It provides local control of the disconnect by service personnel as the informational note suggests, while requiring a sign disconnect to be at or within sight of the sign. This also allows sign designers more flexibility in the placement of the disconnecting means in relation to the location of the sign.)

*****Article 680.25(A) remove the amendment that added the following language and exception:**

680.25 Feeders.
These provisions shall apply to any feeder on the supply side of panelboards supplying branch circuits for pool equipment covered in Part II of this article and on the load side of the service equipment or the source of a separately derived system.

(A) Wiring Methods.

(1) Feeders. Feeders shall be installed in rigid metal conduit, intermediate metal conduit. The following wiring methods shall be permitted if not subject to physical damage:

(1) Liquidtight flexible nonmetallic conduit
(2) Rigid polyvinyl chloride conduit
(3) Reinforced thermosetting resin conduit
(4) Electrical metallic tubing where installed on or in a building
(5) Electrical nonmetallic tubing where installed within a building
(6) Type MC Cable where installed within a building and if not subject to corrosive environment
~~(7) Nonmetallic-sheathed cable~~

~~(8) Type SE cable~~

~~Exception: A feeder within a one-family dwelling or two-family dwelling unit between remote panelboard and service equipment shall be permitted to run in flexible metal conduit or an approved cable assembly that includes an insulated equipment grounding conductor within its outer sheath. The equipment grounding conductor shall comply with 250.24(A) (5).~~

~~*(REASON FOR CHANGE: Carry over from previous amendments. Text changed to reflect 2014 National Electrical Code. Exception deleted per Errata No.70-14-2)*~~

(REASON FOR CHANGE: Updates to this section in the 2017 National Electrical Code *provided relief by recognizing these wiring methods.)*

END

ELECTRICAL CODE
RED-LINED VERSION OF AMENDMENTS

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ARTICLE V. - ELECTRICAL CODE[4]

- **Sec. 103-83. - Adopted.**

(a) The electrical code of the Ceity is hereby revised and amended to conform to the 2017 ~~2014~~ edition of the National Electrical Code, and the same, as amended, is hereby adopted as the Ceity's Eelectrical Ccode.

(b) The Ceity incorporates into the 2017 ~~2014~~ edition of the National Electrical Code the recommended amendments to the 2017 ~~2014~~ National Electrical Code from the North Central Texas Council of Governments designated as 2017 ~~2014~~ NEC Regional Amendments with the exception of comments, editorials, and notes contained on the face of that document

(c) One copy of the 2017 ~~2014~~ edition of the National Electrical Code and the recommended amendments to the 2017 ~~2014~~ National Electrical Code from the North Central Texas Council of Governments are incorporated herein by reference and shall remain on file in the offices of both the Ceity Ssecretary and the Bbuilding Oofficial for permanent record and inspection.

(Code 2001, § 3.1001; Code 2010, § 3.02.301; Ord. No. 1593, § I, 6-22-2015)

- **Sec. 103-84. ~~—~~ Additional requirements ~~Reserved~~.**
- **(1) All electrical outlets within 6' (six feet) of any water ~~solurce~~source shall be a GFCI type.**

~~**Editor's note—** Ord. No. 1593, § I, adopted June 22, 2015, repealed § 103-84, which pertained to amendments and derived from Code 2001, § 3.1002 and Code 2010, § 3.02.302.~~ Remove as 103-84 will once again be used for amendments.

- **Secs. 103-85—103-111. - Reserved.**

AGENDA MEMORANDUM

DATE: April 22, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

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

BACKGROUND/INFORMATION:

In 2015, the City Council adopted the 2012 edition of the International Plumbing Code (IPC) with NCTCOG Region Amendments as the official reference regarding plumbing construction within the corporate limits.

All Editions of the International Codes are revised every three (3) years to keep pace with new trends in the construction fields. Adoption of the 2018 Edition of the International Plumbing Code with NCTCOG Region Amendments would ensure that the most current information will be available to assist the Building and Fire Code Officials as they evaluate structures within the city.

The additions to the 2018 IPC are shown in the NCTCOG Amendments (Attached). The changes to the Code of Ordinance, Section 103-140 is attached and shown in red.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

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

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Attorney Letter
2. 2018 Proposed IPC Ordinance
3. 2018 NCTCOG Amendments to IPC
4. Red-Lined changes to existing IPC ordinance

REVIEWED BY:

Randy Richards, Building Official — Approved - 4/26/2019

AGENDA MEMORANDUM

Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/6/2019
Andrea Gardner, City Manager	Approved - 5/6/2019
Terri Johnson, City Secretary	Final Approval - 5/6/2019

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL
BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
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OF COUNSEL:
TIM EVANS
TIM MOORE
LANCE T. EVANS
WILLIAM R. BIGGS
ANDREW J. DECKER

March 1, 2019

Mr. Randy Richards
City of Watauga
7800 Virgil Anthony Sr. Blvd.
Watauga, Texas 76148

VIA E-MAIL

Re: Amendments to the City of Watauga Building Code, Residential Code, Energy Conservation Code, Electrical Code, Plumbing Code, Fuel Gas Code, Mechanical Code, Swimming Pool and Spa Code and Housing Code

Dear Mr. Richards:

Please find enclosed Ordinances amending and repealing the following Sections of Chapter 103 of the Watauga Code of Ordinances:

(1) Article II, Sections 103-19 and 103-20 (Building Code)

(2) Article III, Section 103-44 (Residential Code)

(3) Article IV, Section 103-62 (Energy Conservation Code)

(4) Article V, Section 103-83 and 103-84 (Electrical Code)

(5) Article VI, Section 103-140 (Plumbing Code)

(6) Article VII, Section 103-223 (Fuel Gas Code)

(7) Article VIII, Section 103-276, 103-277 and 103-278 (Mechanical Code)

(8) Article IX, Sections 103-305 through 103-330 (Housing Code)

(9) Article XI, Section 103-353 and 103-354 (Swimming Pool and Spa Code)

Please note, each Ordinance has attached to it a "red-lined version of amendments." This will allow City Council members the opportunity to view what minor changes were made to each code.

These updated versions include the minor revisions (capitalization, spelling mistakes and the like) you requested our office incorporate on February 28, 2019.

These nine Ordinances may be submitted for consideration at the next City Council meeting.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv

cc: Ms. Zolaina Parker, City Secretary
Ms. Andrea Gardner, City Manager
Mr. David Griffin, Mayor Pro Tem

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

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

WHEREAS, the 2018 International Plumbing Code is generally considered to provide standard plumbing regulations for municipalities throughout the State of Texas; and

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

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

I.

Chapter 103, Article VI, Division 2, Section 103-140 of the City of Watauga Code of Ordinances constituting the Plumbing Code of the City of Watauga shall be amended to read as follows:

Sec. 103-140. - Adopted.

(a) The Plumbing Code of the City is hereby revised and amended to conform to the 2018 edition of the International Plumbing Code of the International Code Council (ICC), and the same, as amended, is hereby adopted as the City's Plumbing Code.

(b) The City incorporates into the 2018 edition of the International Plumbing Code the Recommended Amendments to the 2018 International Plumbing Code from the North Central Texas Council of Governments dated September 2018 with the exception of comments, editorials, and notes contained on the face of that document.

(c) One copy of the 2018 edition of the International Plumbing Code and the Recommended Amendments to the 2018 International Plumbing Code from the North Central Texas Council of Governments are incorporated herein by reference and shall remain on file in the offices of both the City Secretary and the Building Official for permanent record and inspection.

II.

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

III.

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

IV.

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

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

APPROVED:

_____
DAVID GRIFFIN, Mayor Pro Tem

ATTEST:

_____
ZOLAINA R. PARKER, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, City Attorney

North Central Texas
Council of Governments

Recommended Amendments to the 2018 International Plumbing Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2018 International Plumbing Code* are hereby amended as follows: Standard type is text from the IPC. Underlined type is text inserted. ~~Lined through type is deleted text from the IPC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2015 edition of the code and a triple asterisk identifies a new or revised amendment with the 2018 edition of the code.

Note: Historically NCTCOG has limited Chapter 1 amendments in order to allow each city to insert their local policies and procedures. We now have suggested certain items to be brought to the attention of cities considering adoption of the code that may be of concern to several jurisdictions. **It is still intended to be discretionary to each city to determine which Chapter 1 amendments to include.**

***Table of Contents, Chapter 7, Section 714; change to read as follows:**

714 Engineered ~~Computerized~~ Drainage Design 69

(Reason: Editorial change to make compatible with amendment to Section 714.1.)

****Section 102.8; change to read as follows:**

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 shall mean the Electrical Code as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

***Sections 106.6.2 and 106.6.3; change to read as follows:**

106.6.2 Fee schedule. The fees for all plumbing work shall be as ~~indicated in the following schedule: (JURISDICTION TO INSERT APPROPRIATE SCHEDULE)~~ adopted by resolution of the governing body of the jurisdiction.

106.6.3 Fee Refunds. The code official shall establish a policy for ~~authorize~~ authorizing the refunding of fees ~~as follows~~. *{Delete balance of section}*

(Reason: This calls to attention of local jurisdictions considering adoption that they need a fee schedule and a refund policy.)

****Section 109; delete entire section and insert the following:**

SECTION 109
MEANS OF APPEAL

109.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

(Reason: Most jurisdictions already have an ordinance establishing and governing an appeals board for this code. This also calls to the attention of jurisdictions not having such a board that it needs to be established.)

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

305.1 Protection against contact. Metallic piping, except for cast iron, ductile iron and galvanized steel, shall not be placed in direct contact with steel framing members, concrete or cinder walls and floors or other masonry. Metallic piping shall not be placed in direct contact with corrosive soil. Where sheathing is used to prevent direct contact, the sheathing shall have a thickness of not less than 0.008 inch (8 mil) (0.203 mm) and the sheathing shall be made of approved material ~~plastic~~. Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows movement of the piping within the sheathing.

(Reason: Allows for other materials to be accepted.)

305.4.1 Sewer depth. ~~Building sewers that connect to private sewage disposal systems shall be a minimum of [number] inches (mm) below finished grade at the point of septic tank connection.~~ Building sewers shall be a minimum of 12 inches (304 mm) below grade.

(Reason: Provides sewer depth that is common in this region. Deleted reference to private sewage disposal because a private sewage disposal code is not typically adopted in this region.)

*****Section 305.7; change to read as follows:***

305.7 Protection of components of plumbing system. Components of a plumbing system installed within 3 feet along alleyways, driveways, parking garages or other locations in a manner in which they could be exposed to damage shall be recessed into the wall or otherwise protected in an *approved* manner.

(Reason: Provide a common cutoff point to designate a general separation distance at which plumbing systems should be safe for consistency in enforcement.)

******Section 306; change to read as follows:***

*****306.2.4 Plastic sewer and DWV piping installation.** Plastic sewer and DWV piping installed underground shall be installed in accordance with the manufacturer's installation instructions. Trench width shall be controlled to not exceed the outside the pipe diameter plus 16 inches or in a trench which has a controlled width equal to the nominal diameter of the diameter of the piping multiplied by 1.25 plus 12 inches. The piping shall be bedded in 4 inches of granular fill and then backfilled compacting the side fill in 6-inch layers on each side of the piping. The compaction shall be to minimum of 85 percent standard proctor density and extend to a minimum of 6 inches above the top of the pipe.

(Reason: To follow manufacturer backfill requirements and to be clear to Inspectors out in the field)

*****Section 314.2.1; change to read as follows:***

314.2.1 Condensate disposal. Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an *approved* place of disposal. ... {text unchanged} **...** Condensate shall not discharge into a street, alley, sidewalk, rooftop, or other areas so as to cause a nuisance.

(Reason: Greater specificity in prohibited locations for condensate discharge. It is the intent of this amendment to send condensate discharge into a sanitary sewer drain. Consistent with regional amendment to IMC 307.2.1.)

***Section 409.2; change to read as follows:**

409.2 Water connection. The water supply to a commercial dishwashing machine shall be protected against backflow by an air gap or backflow preventer in accordance with Section 608. (Remainder of section unchanged).

(Reason: Domestic dishwashing machines would be difficult to enforce and should already come equipped with backflow preventers. Consistent with regional amendments in IPC Section 608.)

***Section 413.4; change to read as follows:**

413.4 Required location for floor drains ~~Public laundries and central washing facilities.~~ Floor drains shall be installed in the following areas:

1. In public laundries and in the central washing facilities of multiple family dwellings, the rooms containing automatic clothes washers shall be provided with floor drains located to readily drain the entire floor area. Such drains shall have a minimum outlet of not less than 3 inches (76 mm) in diameter.

2. Commercial kitchens. In lieu of floor drains in commercial kitchens, the Code Official may accept floor sinks.

3. Public restrooms.

(Reason: To make more compatible with local health code practices.)

****Section 502.3; change to read as follows:**

502.3 Water heaters installed in attics. Attics containing a water heater shall be provided . . . {bulk of paragraph unchanged} . . . side of the water heater. The clear access opening dimensions shall be not less than 20 inches by 30 inches (508 mm by 762 mm) where such dimensions are large enough to allow removal of the water heater. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.

2. A pull-down stair with a minimum 300 lb (136 kg) capacity.

3. An access door from an upper floor level.

4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the Code Official due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed… {remainder of text unchanged}

(Reason: To provide a safe means of accessibility to appliances in attics and to allow for different types of construction limitations. Consistent with regional amendment to IMC and IFGC)

***Section 502.6; add Section 502.6 to read as follows:**

502.6 Water heaters above ground or floor. When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A max 10-gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

(Reason: To provide safe access to water heaters. (Consistent with regional amendments to IFGC 306.7 and IMC 306.3. Note reference to amendment above.)

****Section 504.6; change to read as follows:**

504.6 Requirements for discharge piping. The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an air gap. ~~located in the same room as the water heater~~.
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.

   Exception: Multiple relief devices may be installed to a single T & P discharge piping system when *approved* by the administrative authority and permitted by the manufacture's installation instructions and installed with those instructions.

5. Discharge to ~~the floor, to the pan serving the water heater or storage tank, to a waste receptor~~ an approved location or to the outdoors.
6. Discharge in a manner that does not cause personal injury or structural damage.
7. Discharge to a termination point that is readily observable by the building occupants.
8. Not be trapped.
9. Be installed so as to flow by gravity.
10. Terminate not more than 6 inches above and not less than two times the discharge pipe diameter above the floor or flood level rim of the waste receptor.

11. Not have a threaded connection at the end of such piping.

12. Not have valves or tee fittings.

13. Be constructed of those materials listed in Section 605.4 or materials tested, rated and *approved* for such use in accordance with ASME A112.4.1.

14. Be one nominal size larger than the size of the relief valve outlet, where the relief valve discharge piping is installed with insert fittings. The outlet end of such tubing shall be fastened in place

(Reason: To provide a higher degree of safety.)

***Section 504.7.1; change to read as follows:**

Section 504.7.1 Pan size and drain to read as follows: The pan shall be not less than 11/2 inches (38 mm) in depth and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a diameter of not less than 3/4 inch (19 mm). Piping for safety pan drains shall be of those materials listed in Table 605.4. Multiple pan drains may terminate to a single discharge piping system when *approved* by the administrative authority and permitted by the manufactures installation instructions and installed with those instructions.

***Section 608.1; change to read as follows:**

608.1 General. A potable water supply system shall be designed, installed and maintained in such a manner so as to prevent contamination from non-potable liquids, solids or gases being introduced into the potable water supply through cross-connections or any other piping connections to the system. Backflow preventer applications shall conform to applicable local regulations, Table 608.1, ~~except~~ and as specifically stated in Sections 608.2 through 608.16.10.

(Reason: To recognize local requirements.)

***Section 608.17.5; change to read as follows:**

608.17.5 Connections to lawn irrigation systems.
The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

(Reason: To recognize regional practices.)

***Section 608.18; change to read as follows:**

608.18 Protection of individual water supplies. An individual water supply shall be located and constructed so as to be safeguarded against contamination in accordance with applicable local regulations. Installation shall be in accordance with Sections 608.17.1 through 608.17.8.

(Reason: To allow local requirements to govern.)

Section 703.6; Delete

(Reason: not a standard practice in this region)

Section 704.5; added to read as follows:

***704.5* Single stack fittings.** Single stack fittings with internal baffle, PVC schedule 40 or cast iron single stack shall be designed by a registered engineer and comply to a national recognized standard.

(Reason: to allow owners, installers, inspectors, and design professionals to ready identify product markers to determine they meet all required standards.)

Section 712.5; add Section 712.5 to read as follows:

712.5 Dual Pump System. All sumps shall be automatically discharged and, when in any "public use" occupancy where the sump serves more than 10 fixture units, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. For storm drainage sumps and pumping systems, see Section 1113.

(Reason: To address dual pump system. To provide reference for storm drainage systems.)

Section 713, 713.1; change to read as follows:

SECTION 713
ENGINEERED ~~COMPUTERIZED~~ DRAINAGE DESIGN

713.1 Design of drainage system. The sizing, design and layout of the drainage system shall be ~~permitted to be~~ designed by a registered engineer using *approved* ~~computer~~ design methods.

(Reason: Code was too restrictive.)

Section 803.3; added to read as follows:

803.3 Special waste pipe, fittings, and components. Pipes, fittings, and components receiving or intended to receive the discharge of any fixture into which acid or corrosive chemicals are placed shall be constructed of CPVC, high silicone iron, PP, PVDF, chemical resistant glass, or glazed ceramic materials.

(Reason: To clarify the allowable materials which are specifically listed for chemical drainage applications.)

Section 903.1; change to read as follows:

903.1 Roof extension. Open vent pipes that extend through a roof shall terminate not less than six (6) inches (152 mm) above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.

(Reason: To provide regional guideline on standard installation method for this area and address reference number correction.)

****Section 918.8; change to read as follows.***

918.8 **Where permitted.** Individual, branch and circuit vents shall be permitted to terminate with a connection to an individual or branch-type air admittance valve in accordance with Section 918.3.1. Stack vents and vent stacks shall be permitted to terminate to stack-type air admittance valves in accordance with Section 918.3.2. Air admittance valves shall only be installed with the prior approval of the building official.

(Reason: Mechanical Device that is subject to fail and not installed per manufacturer)

***Section 1003; see note below:**

{Until the Health and Water Departments of the area can coordinate a uniform grease interceptor section, each city will have to modify this section individually.}

***Section 1106.1; change to read as follows:**

1106.1 General. The size of the vertical conductors and leaders, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on six (6) inches per hour ~~the 100-year hourly~~ rainfall rate ~~indicated in Figure 1106.1 or on other rainfall rates determined from *approved* local weather data~~.

(Reason: Specify the roof drain size normally used in the area.)

***Section 1108.3; change to read as follows:**

1108.3 Sizing of secondary drains. Secondary (emergency) roof drain systems shall be sized in accordance with Section 1106 ~~based on the rainfall rate for which the primary system is sized in Figure 1106.1 or on other rainfall rates determined from *approved* local weather data.~~ Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1101.7. Scuppers shall not have an opening dimension of less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system.

(Reason: Specify that overflow drainage is to be the same size as the normal roof drains.)

Section 1109; delete this section.

****Section 1202.1; delete Exceptions 1 and 2.**

(Reason: State law already specifies that Med Gas systems must comply with NFPA 99.)

END

PLUMBING CODE

RED-LINED VERSION OF AMENDMENTS

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- **DIVISION 2. - PLUMBING CODE**

- **Sec. 103-140. - Adopted.**

(a) The Pplumbing Ccode of the Ccity is hereby revised and amended to conform to the 2018 ~~2012~~ edition of the International Plumbing Code of the International Code Council (ICC), and the same, as amended, is hereby adopted as the Ccity's Pplumbing Ccode.

(b) The Ccity incorporates into the 2018 ~~2012~~ edition of the International Plumbing Code the recommended amendments to the 2018 ~~2012~~ International Plumbing Code from the North Central Texas Council of Governments dated September 2018 ~~March 2013~~ with the exception of comments, editorials, and notes contained on the face of that document.

(c) One copy of the 2018 ~~2012~~ edition of the International Plumbing Code and the recommended amendments to the 2018 ~~2012~~ International Plumbing Code from the North Central Texas Council of Governments are incorporated herein by reference and shall remain on file in the offices of both the Ccity Ssecretary and the Bbuilding Oofficial for permanent record and inspection.

(Code 2001, § 3.1101; Code 2010, § 3.02.381; Ord. No. 1597, § I, 6-22-2015)

State Law reference— State plumbing standards, V.T.C.A., Occupations Code § 1301.255.

- **Secs. 103-141—103-163. - Reserved.**

AGENDA MEMORANDUM

DATE: April 22, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

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

BACKGROUND/INFORMATION:

In 2015, the City Council adopted the 2012 edition of the International Fuel Gas Code (IFGC) with NCTCOG Region Amendments as the official reference regarding fuel gas construction within the corporate limits.

All Editions of the International Codes are revised every three (3) years to keep pace with new trends in the construction fields. Adoption of the 2018 Edition of the International Fuel Gas Code with NCTCOG Region Amendments would ensure that the most current information will be available to assist the Building and Fire Code Officials as they evaluate structures within the city.

The additions to the 2018 IFGC are shown in the NCTCOG Amendments (Attached). The changes to the Code of Ordinances, Section 103-223 is attached and shown in red.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

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

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Attorney Letter
2. 2018 Proposed IFGC Ordinance
3. 2018 NCTCOG Amendments to IFGC
4. Red-Lined changes to existing IFGC ordinance

REVIEWED BY:

AGENDA MEMORANDUM

Randy Richards, Building Official	Approved - 4/26/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/6/2019
Andrea Gardner, City Manager	Approved - 5/6/2019
Terri Johnson, City Secretary	Final Approval - 5/6/2019

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL
BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

SUNDANCE SQUARE
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FORT WORTH, TEXAS 76102

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

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

March 1, 2019

Mr. Randy Richards
City of Watauga
7800 Virgil Anthony Sr. Blvd.
Watauga, Texas 76148

VIA E-MAIL

Re: Amendments to the City of Watauga Building Code, Residential Code, Energy Conservation Code, Electrical Code, Plumbing Code, Fuel Gas Code, Mechanical Code, Swimming Pool and Spa Code and Housing Code

Dear Mr. Richards:

Please find enclosed Ordinances amending and repealing the following Sections of Chapter 103 of the Watauga Code of Ordinances:

(1) Article II, Sections 103-19 and 103-20 (Building Code)

(2) Article III, Section 103-44 (Residential Code)

(3) Article IV, Section 103-62 (Energy Conservation Code)

(4) Article V, Section 103-83 and 103-84 (Electrical Code)

(5) Article VI, Section 103-140 (Plumbing Code)

(6) Article VII, Section 103-223 (Fuel Gas Code)

(7) Article VIII, Section 103-276, 103-277 and 103-278 (Mechanical Code)

(8) Article IX, Sections 103-305 through 103-330 (Housing Code)

(9) Article XI, Section 103-353 and 103-354 (Swimming Pool and Spa Code)

Please note, each Ordinance has attached to it a "red-lined version of amendments." This will allow City Council members the opportunity to view what minor changes were made to each code.

These updated versions include the minor revisions (capitalization, spelling mistakes and the like) you requested our office incorporate on February 28, 2019.

These nine Ordinances may be submitted for consideration at the next City Council meeting.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv

cc: Ms. Zolaina Parker, City Secretary
Ms. Andrea Gardner, City Manager
Mr. David Griffin, Mayor Pro Tem

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

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

WHEREAS, the 2018 International Fuel Gas Code is generally considered to provide standard fuel gas regulations for municipalities throughout the State of Texas; and

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

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

I.

Chapter 103, Article VII, Section 103-223 of the City of Watauga Code of Ordinances constituting the Fuel Gas Code for the City of Watauga shall be amended to read as follows:

Sec. 103-223. - Adopted.

(a) The Fuel Gas Code of the City is hereby revised and amended to conform to the 2018 edition of the International Fuel Gas Code of the International Code Council (ICC), and the same, as amended, is hereby adopted as the City's Fuel Gas Code.

(b) The City incorporates into the 2018 edition of the International Fuel Gas Code the Recommended Amendments to the 2018 International Fuel Gas Code from the North Central Texas Council of Governments dated September 2018 with the exception of comments, editorials, and notes contained on the face of that document.

(c) One copy of the 2018 edition of the International Fuel Gas Code and the Recommended Amendments to the 2018 International Fuel Gas Code from the North Central Texas Council of Governments are incorporated herein by reference and shall remain on file in the offices of both the City Secretary and the Building Official for permanent record and inspection.

II.

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

Ordinance, in which event, such conflicting provisions, if any, in such Ordinance or Ordinances are hereby repealed.

III.

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

IV.

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

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

APPROVED:

_____
DAVID GRIFFIN, Mayor Pro Tem

ATTEST:

_____
ZOLAINA R. PARKER, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, City Attorney

North Central Texas
Council of Governments

Recommended Amendments to the 2018 International Fuel Gas Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2018 International Fuel Gas Code* are hereby amended as follows: Standard type is text from the IFGC. Underlined type is text inserted. ~~Lined through type is deleted text from IFGC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2015 edition of the code and a triple asterisk identifies a new or revised amendment with the 2018 code.

Section 101.2
{Local amendments to Section 101.2 may be necessary to correspond with the State Plumbing Licensing Law.}

Section 102.2; add an exception to read as follows:

Exception: Existing dwelling units shall comply with Section 621.2.

(Reason: Previous code provisions made unvented heater provisions retroactive except as provided for in local amendment. This amendment and amendment to IFGC 621.2 better clarify what the code already states: existing systems may stay unless considered unsafe.)

Section 102.8; change to read as follows:

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the Electrical Code as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

****Section 306.3; change to read as follows:***

[M] 306.3 Appliances in attics. Attics containing appliances shall be provided . . . *{bulk of paragraph unchanged}* . . . side of the *appliance.* The clear *access* opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), and large enough to allow removal of the largest *appliance.* As a minimum, for *access* to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An *access* door from an upper floor level.
4. *Access* Panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the *appliance* is capable of being serviced and removed through the required opening.

2. Where the passageway is not less than ... *{bulk of section to read the same}*.

(Reason: To provide a safe means of accessibility to appliances in attics and to allow for different types of construction limitations. Consistent with regional amendment to IMC 306.3.)

***Section 306.5; change to read as follows:**

[M] 306.5 Equipment and Appliances on Roofs or Elevated Structures. Where *equipment* requiring *access* or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, an interior or exterior means of access shall be provided. Exterior ladders providing roof *access* need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the *equipment* and appliances' level service space. Such *access* shall . . . *{bulk of section to read the same}* . . . on roofs having a slope greater than four units vertical in 12 units horizontal (33-percent slope). ... *{remainder of text unchanged}*.

(Reason: To assure safe access to roof appliances. Consistent with IMC amendments.)

Section 306.5.1; change to read as follows:

[M] 306.5.1 Sloped roofs. Where appliances, *equipment*, fans or other components that require service are installed on a roof having a slope of 3 units vertical in 12 units horizontal (25-percent slope) or greater and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof *access* to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which *access* is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code*.

(Reason: To assure safe access to roof appliances. Consistent with IMC amendments.)

Section 401.5; add a second paragraph to read as follows:

Both ends of each section of medium pressure gas piping shall identify its operating gas pressure with an *approved* tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING
1/2 to 5 psi gas pressure
Do Not Remove"

(Reason: To protect homeowners and plumbers.)

Section 404.12; change to read as follows:

404.12 Minimum burial depth. Underground piping systems shall be installed a minimum depth of ~~12~~ 18 inches (~~305~~ 458 mm) top of pipe below grade, ~~except as provided for in Section 404.12.1~~.

404.12.1 Delete in its entirety

(Reason: To provide increased protection to piping systems and address reference number change.)

Section 406.4; change to read as follows:

406.4 Test pressure measurement. Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. ~~Mechanical gauges used to measure test pressures shall have a range such that the highest end of the scale is not greater than five times the test pressure.~~

(Reason: To require the use of more accurate diaphragm gauges. Spring gauges do not provide accurate measurement below approximately 17 psig.)

***Section 406.4.1; change to read as follows:**

406.4.1 Test pressure. The test pressure to be used shall be no less than ~~1 1/2 times the proposed maximum working pressure, but no less than 3~~ 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge, ~~irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.~~ For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 ½"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 ½"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

Diaphragm gauges used for testing must display a current calibration and be in good working condition. The appropriate test must be applied to the diaphragm gauge used for testing.

(Reason: To provide for lesser pressures to coordinate with the use of more accurate diaphragm gauges.)

***Section 409.1; add Section 409.1.4 to read as follows:**

409.1.4 Valves in CSST installations. Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an *approved* termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

(Reason: To provide proper security to CSST valves. These standards were established in this region in 1999 when CSST was an emerging technology.)

***Section 410.1; add a second paragraph and exception to read as follows:**

Access to regulators shall comply with the requirements for *access* to appliances as specified in Section 306.

Exception: A passageway or level service space is not required when the regulator is capable of being serviced and removed through the required attic opening.

(Reason: To require adequate access to regulators.)

***Section 621.2; add exception as follows:**

621.2 Prohibited use. One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.

Exception: Existing *approved* unvented heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when *approved* by the Code Official unless an unsafe condition is determined to exist as described in Section 108.7.

(Reason: Gives code official discretion.)

END

FUEL GAS CODE

RED-LINED VERSION OF AMENDMENTS

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- **ARTICLE VII. - FUEL GAS CODE**

- **Sec. 103-223. - Adopted.**

(a) The Ffuel Ggas Ccode of the Ccity is hereby revised and amended to conform to the 2018 ~~2012~~ edition of the International Fuel Gas Code of the International Code Council (ICC), and the same, as amended, is hereby adopted as the Ccity's ~~plumbing code.~~Fuel Gas Code.

(b) The Ccity incorporates into the 2018 ~~2012~~ edition of the International Fuel Gas Code the recommended amendments to the 2018 ~~2012~~ International Fuel Gas Code from the North Central Texas Council of Governments dated September 2018 ~~March 2013~~ with the exception of comments, editorials, and notes contained on the face of that document.

(c) One copy of the 2018 ~~2012~~ edition of the International Fuel Gas Code and the recommended amendments to the 2018 ~~2012~~ International Fuel Gas Code from the North Central Texas Council of Governments are incorporated herein by reference and shall remain on file in the offices of both the Ccity Ssecretary and the Bbuilding Oofficial for permanent record and inspection.

(Code 2001, § 3.1700; Code 2010, § 3.02.481; Ord. No. 1595, § I, 6-22-2015)

- **Secs. 103-224—103-254. - Reserved.**

AGENDA MEMORANDUM

DATE: April 22, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

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

BACKGROUND/INFORMATION:

In 2015, the City Council adopted the 2012 edition of the International Mechanical Code (IMC) with NCTCOG Region Amendments as the official references regarding mechanical construction within the corporate limits.

All Editions of the International Codes are revised every three (3) years to keep pace with new trends in the construction fields. Adoption of the 2018 Edition of the International Mechanical Code with NCTCOG Region Amendments would ensure that the most current information will be available to assist the Building and Fire Code Officials as they evaluate structures within the city.

The additions to the 2018 IMC are shown in the NCTCOG Amendments (Attached). The changes to the Code of Ordinances, Sections 103-+276, 103-277 and 103-278 are attached and shown in red.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

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

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Attorney Letter
2. 2018 Proposed IMC Ordinance
3. 2018 NCTCOG Amendments to IMC
4. Red-Lined changes to existing IMC ordinance

REVIEWED BY:

AGENDA MEMORANDUM

Randy Richards, Building Official	Approved - 4/26/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/6/2019
Andrea Gardner, City Manager	Approved - 5/6/2019
Terri Johnson, City Secretary	Final Approval - 5/6/2019

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL
BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
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FACSIMILE (817) 332-2763

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

March 1, 2019

Mr. Randy Richards
City of Watauga
7800 Virgil Anthony Sr. Blvd.
Watauga, Texas 76148

VIA E-MAIL

Re: Amendments to the City of Watauga Building Code, Residential Code, Energy Conservation Code, Electrical Code, Plumbing Code, Fuel Gas Code, Mechanical Code, Swimming Pool and Spa Code and Housing Code

Dear Mr. Richards:

Please find enclosed Ordinances amending and repealing the following Sections of Chapter 103 of the Watauga Code of Ordinances:

(1) Article II, Sections 103-19 and 103-20 (Building Code)

(2) Article III, Section 103-44 (Residential Code)

(3) Article IV, Section 103-62 (Energy Conservation Code)

(4) Article V, Section 103-83 and 103-84 (Electrical Code)

(5) Article VI, Section 103-140 (Plumbing Code)

(6) Article VII, Section 103-223 (Fuel Gas Code)

(7) Article VIII, Section 103-276, 103-277 and 103-278 (Mechanical Code)

(8) Article IX, Sections 103-305 through 103-330 (Housing Code)

(9) Article XI, Section 103-353 and 103-354 (Swimming Pool and Spa Code)

Please note, each Ordinance has attached to it a "red-lined version of amendments." This will allow City Council members the opportunity to view what minor changes were made to each code.

These updated versions include the minor revisions (capitalization, spelling mistakes and the like) you requested our office incorporate on February 28, 2019.

These nine Ordinances may be submitted for consideration at the next City Council meeting.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv

cc: Ms. Zolaina Parker, City Secretary
Ms. Andrea Gardner, City Manager
Mr. David Griffin, Mayor Pro Tem

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

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

WHEREAS, the 2018 International Mechanical Code is generally considered to provide standard mechanical regulations for municipalities throughout the State of Texas; and

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

WHEREAS, the amendment to Section 103-278 includes the removal of the "Appeals" Section, formerly Section 103-278, and now stipulates Sections 103-278 through 103-304 are reserved for future utilization.

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

I.

Chapter 103, Article VIII, Division 2, Sections 103-276, 103-277 and 103-278 of the City of Watauga Code of Ordinances constituting the Mechanical Code for the City of Watauga shall be amended to read as follows:

Sec. 103-276. - Adopted.

(a) The Mechanical Code of the City is hereby revised and amended to conform to the 2018 edition of the International Mechanical Code of the International Code Council (ICC), and the same, as amended, is hereby adopted as the City's Mechanical Code.

(b) The City incorporates into the 2018 edition of the International Mechanical Code the Recommended Amendments to the 2018 International Mechanical Code from the North Central Texas Council of Governments dated September 2018 with the exception of comments, editorials, and notes contained on the face of that document.

(c) One copy of the 2018 edition of the International Mechanical Code and the Recommended Amendments to the 2018 International Mechanical Code from the North Central Texas Council of Government are incorporated herein by reference and shall remain on file in the offices of both the City Secretary and the Building Official for permanent record and inspection.

Sec. 103-277. – Amendments.

The 2018 edition of the International Mechanical Code is modified and amended as follows:

108.4 Violation penalties.

Any person who violates a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair mechanical work in violation of approved construction documents, directive of the Code Official, or of a permit or certificate issued under the provisions of this Code shall be guilty of a misdemeanor. Upon conviction thereof that person shall be punished by a fine in accordance with the general penalty provision set forth in Section 1-7 of the Code of Ordinances for the City of Watauga. Each separate day and any portion thereof during which any violation of this Code occurs or continues shall be deemed to constitute a separate offense.

Sec. 103-278. – 103-304. Reserved.

II.

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

III.

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

IV.

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

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

APPROVED:

_____
DAVID GRIFFIN, Mayor Pro Tem

ATTEST:

_____
ZOLAINA R. PARKER, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, City Attorney

North Central Texas
Council of Governments

Recommended Amendments to the 2018 International Mechanical Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2018 International Mechanical Code* (IMC) are hereby amended as follows: Standard type is text from the IMC. Underlined type is text inserted. ~~Lined through type is deleted text from the IMC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2015 edition of the code and a triple asterisk identifies a new or revised amendment of the 2018 edition of the code.

Note: Historically the North Central Texas Council of Governments (NCTCOG) has limited Chapter 1 amendments in order to allow each city to insert their local policies and procedures. We now have suggested certain items to be brought to the attention of cities considering adoption of the code that may be of concern to several jurisdictions. **It is still intended to be discretionary to each city to determine which Chapter 1 amendments to include.**

******Section 102.8; change to read as follows:***

102.8 Referenced Codes and Standards. The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 shall mean the Electrical Code as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

******Section 306.3; change to read as follows:***

306.3 Appliances in Attics. Attics containing appliances shall be provided . . . *{bulk of paragraph unchanged}* . . . side of the appliance. The clear *access* opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), and large enough to allow removal of the largest appliance. As a minimum, for *access* to the attic space, provide one of the following:

1. A permanent stair.
2. A pull-down stair with a minimum 300 lb. (136 kg) capacity.
3. An *access* door from an upper floor level.
4. *Access* Panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed... *{remainder of section unchanged}*

(Reason: To provide a safe means of accessibility to appliances in attics and to allow for different types of construction limitations. Consistent with regional amendment to International Fuel and gas Code (IFGC) 306.3.)

***Section 306.5; change to read as follows:**

306.5 Equipment and Appliances on Roofs or Elevated Structures. Where *equipment* requiring *access* or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, an interior or exterior means of access shall be provided. Exterior ladders providing roof *access* need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the *equipment* and appliances' level service space. Such *access* shall . . . *{bulk of section to read the same}* . . . on roofs having a slope greater than four units vertical in 12 units horizontal (33-percent slope). ... *{remainder of text unchanged}*.

(Reason: To assure access to roof appliances and provide options to not extend exterior ladders to grade. Consistent with IFGC amendments.)

Section 306.5.1; change to read as follows:

306.5.1 Sloped Roofs. Where appliances, *equipment*, fans or other components that require service are installed on a roof having a slope of three units vertical in 12 units horizontal (25-percent slope) or greater and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof *access* to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which *access* is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code*...*{remainder of text unchanged}*.

(Reason: To assure safe access to roof appliances. Consistent with IFGC amendments.)

Section 306; add Section 306.6 to read as follows:

306.6 Water Heaters Above Ground or Floor. When the mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

> **Exception:** A maximum 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and the water heater installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

(Reason: To provide safe access to water heaters and to provide lighting and receptacle for maintenance of equipment. Consistent with regional amendments to IFGC 306.7 and International Plumbing Code (IPC) 502.5.)

Section 307.2.3; amend item 2 to read as follows:

2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection. However, the conspicuous point shall not create a hazard such as dripping over a walking surface or other areas so as to create a nuisance.

(Reason: Greater specificity in prohibited locations for condensate discharge. Consistent with regional amendment to IPC 314.2.1.)

Section 403.2.1; add an item 5 to read as follows:

5. Toilet rooms within private dwellings that contain only a water closet, lavatory, or combination thereof may be ventilated with an *approved* mechanical recirculating fan or similar device designed to remove odors from the air.

(Reason: Consistent with common regional practice. Consistent with regional amendment to International Residential Code (IRC) R303.3.)

Section 501.3; add an exception to read as follows:

501.3 Exhaust Discharge. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a public nuisance and not less than the distances specified in Section 501.3.1. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic, crawl space, or be directed onto walkways.

Exceptions:

1. Whole-house ventilation-type attic fans shall be permitted to discharge into the attic space of dwelling units having private attics.

2. Commercial cooking recirculating systems.

3. Where installed in accordance with the manufacturer's instructions and where mechanical or natural ventilation is otherwise provided in accordance with Chapter 4, listed and labeled domestic ductless range hoods shall not be required to discharge to the outdoors.

4. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

(Reason: Provide a reasonable alternative in areas where a large volume of outside air is present.)

Section 607.5.1; change to read as follows:

607.5.1 Fire Walls. Ducts and air transfer openings permitted in fire walls in accordance with Section 705.11 of the International Building Code shall be protected with listed fire dampers installed in accordance with their listing. For hazardous exhaust systems see Section 510.1-510.9 IMC.

(Reason: Correspond with un-amended IBC 710.7.)

END

MECHANICAL CODE
RED-LINED VERSION OF AMENDMENTS

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DIVISION 2. - MECHANICAL CODE

Sec. 103-276. - Adopted.

(a) The Mmechanical Ccode of the CCity is hereby revised and amended to conform to the 2018 2012 edition of the International Mechanical Code of the International Code Council (ICC), and the same, as amended, is hereby adopted as the Ccity's Mmechanical Ccode.

(b) The Ccity incorporates into the 2018 2012 edition of the International Mechanical Code the recommended amendments to the 2018 2012 International Mechanical Code from the North Central Texas Council of Governments dated September 2018 March 2013 with the exception of comments, editorials, and notes contained on the face of that document.

(c) One copy of the 2018 2012 edition of the International Mechanical Code and the recommended amendments to the 2018 2012 International Mechanical Code from the North Central Texas Council of Government are incorporated herein by reference and shall remain on file in the offices of both the Ccity Ssecretary and the Bbuilding Oofficial for permanent record and inspection.

(Code 2001, § 3.601; Code 2010, § 3.02.551; Ord. No. 1596, § I, 6-22-2015)

Sec. 103-277. - Amendments.

The 2018 2012 edition of the International Mechanical Code is modified and amended as follows:

108.4 Violation penalties.

Any person who violates a provision of this Ccode or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair mechanical work in violation of approved construction documents, directive of the Ccode Oofficial, or of a permit or certificate issued under the provisions of this Ccode shall be guilty of a misdemeanor. Upon conviction thereof that person shall be punished by a fine in accordance with the general penalty provision set forth in Ssection 1-7 of the Code of Ordinances for the City of Watauga. Each separate day and any portion thereof during which any violation of this Ccode occurs or continues shall be deemed to constitute a separate offense.

(Code 2001, § 3.605; Code 2010, § 3.02.552; Ord. No. 1596, § I, 6-22-2015)

Sec. 103-278. - Appeals. Remove

Commented [C1]: Remove per Building Official: City has an appeals board, which is outlined within the new Code itself

~~All references to "board of appeals" shall be construed, interpreted and applied to mean the zoning board of adjustments of the city. Remove as the City of Watauga now has an appeals board and use of such board is outlined within the new code.~~

(Code 2001, § 3.604; Code 2010, § 3.02.553)

Secs. 103-278 ~~103-279~~—103-304. - Reserved.

AGENDA MEMORANDUM

DATE: April 22, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consideration of an ordinance repealing Chapter 103, Article IX, Sections 103-305 through 103-330 (Housing Code) of the City of Watauga Code of Ordinances providing the Housing Code is no longer relevant or necessary given the adoption of both the 2018 edition of the International Building Code (IBC) and 2018 edition of the International Residential Code (IRC) with local amendments {CAPTION}

BACKGROUND/INFORMATION:

The repeal of the Housing Code is required as such Housing Code is no longer relevant or necessary given the adoption of the 2018 International Building Code and the 2018 International Residential Code, which together provide current housing regulations and standards.

The changes to the Code of Ordinances, Sections 103-305 through 103-330 are attached and shown in red.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

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

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Attorney Letter
2. HC Repeal Ordinance
3. Red-Lined changes to existing Housing ordinance

REVIEWED BY:

Randy Richards, Building Official	Approved - 4/26/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/6/2019

AGENDA MEMORANDUM

Andrea Gardner, City Manager
Terri Johnson, City Secretary
Approved as to form for inclusion on Agenda

Approved - 5/6/2019
Final Approval - 5/6/2019

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL
BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

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

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

March 1, 2019

Mr. Randy Richards
City of Watauga
7800 Virgil Anthony Sr. Blvd.
Watauga, Texas 76148

VIA E-MAIL

Re: Amendments to the City of Watauga Building Code, Residential Code, Energy Conservation Code, Electrical Code, Plumbing Code, Fuel Gas Code, Mechanical Code, Swimming Pool and Spa Code and Housing Code

Dear Mr. Richards:

Please find enclosed Ordinances amending and repealing the following Sections of Chapter 103 of the Watauga Code of Ordinances:

(1) Article II, Sections 103-19 and 103-20 (Building Code)

(2) Article III, Section 103-44 (Residential Code)

(3) Article IV, Section 103-62 (Energy Conservation Code)

(4) Article V, Section 103-83 and 103-84 (Electrical Code)

(5) Article VI, Section 103-140 (Plumbing Code)

(6) Article VII, Section 103-223 (Fuel Gas Code)

(7) Article VIII, Section 103-276, 103-277 and 103-278 (Mechanical Code)

(8) Article IX, Sections 103-305 through 103-330 (Housing Code)

(9) Article XI, Section 103-353 and 103-354 (Swimming Pool and Spa Code)

Please note, each Ordinance has attached to it a "red-lined version of amendments." This will allow City Council members the opportunity to view what minor changes were made to each code.

These updated versions include the minor revisions (capitalization, spelling mistakes and the like) you requested our office incorporate on February 28, 2019.

These nine Ordinances may be submitted for consideration at the next City Council meeting.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv

cc: Ms. Zolaina Parker, City Secretary
Ms. Andrea Gardner, City Manager
Mr. David Griffin, Mayor Pro Tem

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

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

WHEREAS, the 2018 International Building Code and the 2018 International Residential Code are generally considered to provide standard housing regulations for municipalities throughout the State of Texas; and

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

WHEREAS, the repeal of Chapter 103, Article IX, Sections 103-305 through 103-330 ("Housing Code") of the City of Watauga Code of Ordinances is required as such Housing Code is no longer relevant or necessary given the adoption of both the 2018 International Building Code and 2018 International Residential Code, which together provide current housing regulations and standards.

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

I.

Chapter 103, Article IX, Sections 103-305 through 103-330 of the City of Watauga Code of Ordinances constituting the "Housing Code" for the City of Watauga shall be repealed and deleted in its entirety.

II.

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

III.

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

IV.

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

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

APPROVED:

_____
DAVID GRIFFIN, Mayor Pro Tem

ATTEST:

_____
ZOLAINA R. PARKER, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, City Attorney

HOUSING CODE

RED-LINED VERSION OF AMENDMENTS

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CHAPTER 103. BUILDINGS AND BUILDING REGULATIONS

~~ARTICLE IX. - HOUSING CODE~~

~~Sec. 103-305. - Adopted.~~

~~The Uniform Housing Code, 1994 edition, as adopted by the International Conference of Building Officials, one copy of which shall remain on file in the office of the city secretary, is hereby adopted by reference and designated as the housing code of the city, the same as though such code were copied at length herein.~~

~~Sec. 103-306. - Amendments.~~

~~The adoption by reference of the Uniform Housing Code as provided in section 103-305 is made subject to and is modified and amended as follows:~~

~~(1) All references to "building official" contained in said Uniform Housing Code shall be construed, interpreted and applied to mean the director of public works for the city or his duly authorized designee.~~

~~(2) All references to "housing advisory and appeals board," "appeal board" or "board of appeals" contained in said Uniform Housing Code shall be construed, interpreted and applied to mean the board of adjustment for the city.~~

~~(3) Chapters 12 and 13 of said Uniform Housing Code, 1994 edition, specifying procedures for appeal and conduct of hearing appeals, shall be deleted and are not to be adopted by the city.~~

~~Secs. 103-307—103-330. - Reserved.~~

AGENDA MEMORANDUM

DATE: April 27, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

SUBJECT: Approval of the Quarterly Investment Report for the period ending March 31, 2019

BACKGROUND/INFORMATION:

The Quarterly Investment Report for the period ending March 31, 2019 is attached for Council review and approval.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

Approval of the Quarterly Investment Report for the period ending March 31, 2019.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. QUARTER 2 INVESTMENT REPORT 2019

REVIEWED BY:

Andrea Gardner, City Manager — Approved - 5/8/2019
Terri Johnson, City Secretary — Final Approval - 5/8/2019
Approved as to form for inclusion on Agenda

WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

QUARTERLY INVESTMENT REPORT

For the Quarter Ended

March 31, 2019

Prepared by

Valley View Consulting, L.L.C.

The investment portfolio of the City of Watauga is in compliance with the Public Funds Investment Act and the City of Watauga Investment Policy.

Andrea Gardner

City Manager

Sandra Gibson

Director of Finance

Debby Woodard

Assistant Director of Finance

Disclaimer: These reports were compiled using information provided by the City of Watauga. No procedures were performed to test the accuracy or completeness of this information. The market values included in these reports were obtained by Valley View Consulting, L.L.C. from sources believed to be accurate and represent proprietary valuation. Due to market fluctuations these levels are not necessarily reflective of current liquidation values. Yield calculations are not determined using standard performance formulas, are not representative of total return yields and do not account for investment adviser fees.

Summary

Quarter End Results by Investment Category:

Asset Type	December 31, 2018 Book Value	December 31, 2018 Market Value	March 31, 2019 Book Value	March 31, 2019 Market Value	Ave. Yield
DDA/MMA/NOW	$ 12,449,231	$ 12,449,231	$ 12,419,990	$ 12,419,990	2.66%
Pools	6,993,647	6,993,647	7,439,321	7,439,321	2.44%
CD/Security	17,163,435	17,163,435	15,224,354	15,224,354	2.61%
Totals	**$ 36,606,313**	**$ 36,606,313**	**$ 35,083,665**	**$ 35,083,665**	

Current Quarter Portfolio Performance

Average Quarterly Yield	2.59%
Rolling Three Month Treasury	2.44%
Rolling Six Month Treasury	2.51%

Fiscal Year-to-Date Portfolio Performance

Average Quarter End Yield	2.54%
Rolling Three Month Treasury	2.41%
Rolling Six Month Treasury	2.45%
TexPool	2.35%

Interest Earnings (Unaudited)

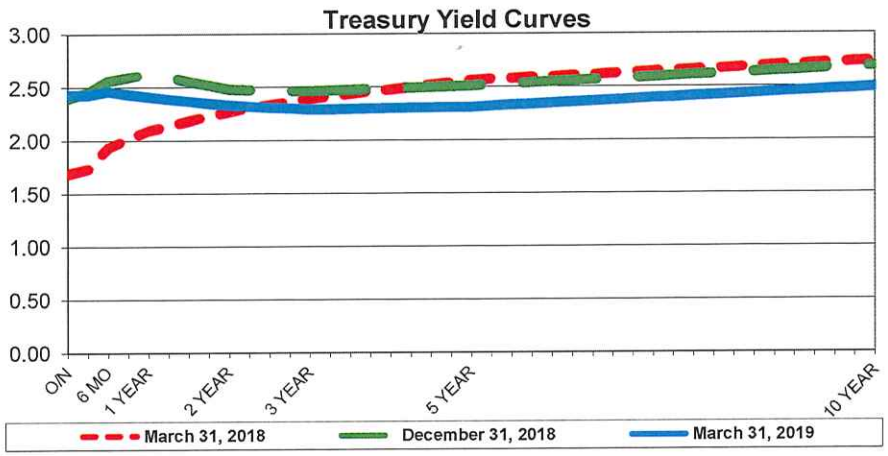
Quarterly Interest Earnings	$ 225,785
Fiscal YTD Interest Earnings	$ 434,637

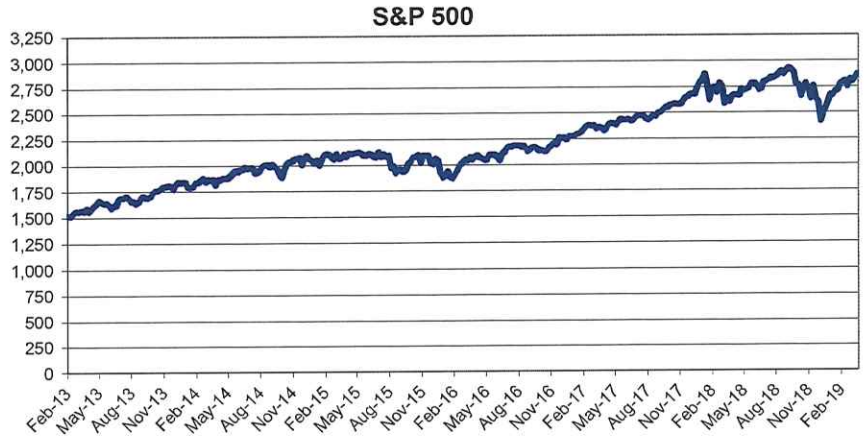
Note: Average yields calculated using quarter end report average yield and Book Value, but do not include adviser fees and realized and unrealized gains or losses.

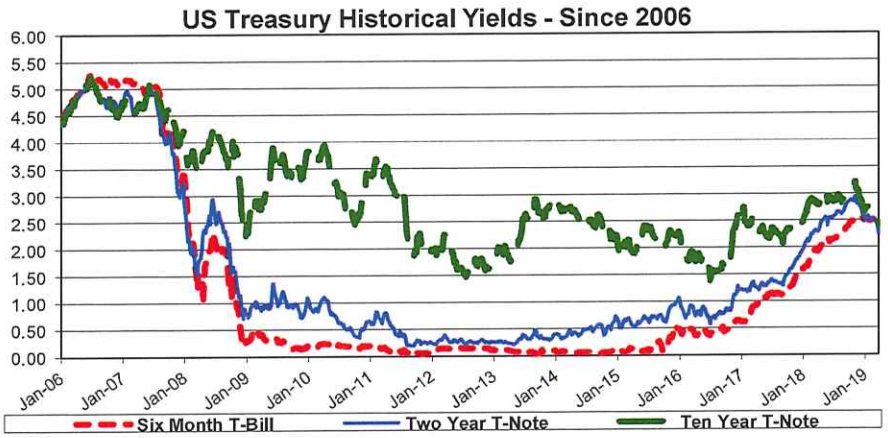
Economic Overview

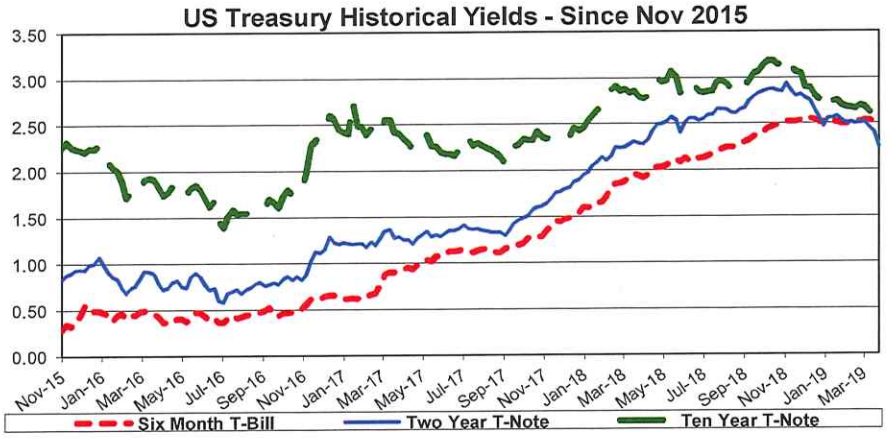
3/31/2019

The Federal Open Market Committee (FOMC) maintained the Fed Funds target range to 2.25% - 2.50% (Effective Fed Funds are trading +/-2.40%). The market projections now lean towards decreases late 2019 or early 2020. Gradual FRB portfolio reduction continues by limiting reinvestment of maturing holdings, but that strategy will end this summer. February Non Farm Payroll plunged to only 20,000 new jobs (although Dec and Jan were revised up slightly). Fourth quarter GDP registered 2.2% (final). Crude oil remained +/-$55. The Stock Markets continued higher from December lows. Housing mostly mixed. The mid-maturity yield curve is lower and still sway-backed.









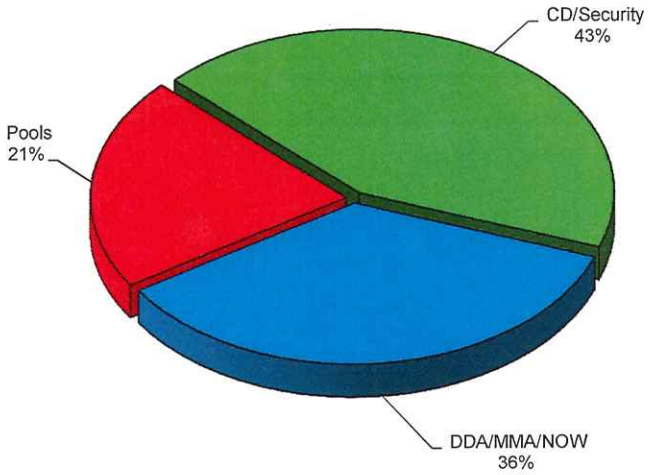
Investment Holdings
March 31, 2019

Description	Rating	Coupon/ Discount	Maturity Date	Settlement Date	Original Face\ Par Value	Book Value	Market Price	Market Value	Life (Days)	Yield
Southside Bank MMA		2.66%	04/01/19	03/31/19	$ 12,419,990	$ 12,419,990	1.00	$ 12,419,990	1	2.66%
Texas Term Daily	AAAm	2.41%	04/01/19	03/31/19	461,477	461,477	1.00	461,477	1	2.41%
LOGIC	AAAm	2.60%	04/01/19	03/31/19	301,466	301,466	1.00	301,466	1	2.60%
TexPool	AAAm	2.42%	04/01/19	03/31/19	6,154,071	6,154,071	1.00	6,154,071	1	2.42%
TexPool Prime	AAAm	2.59%	04/01/19	03/31/19	522,307	522,307	1.00	522,307	1	2.59%
East West Bank CD		2.24%	04/17/19	04/17/18	1,000,000	1,000,000	100.00	1,000,000	17	2.27%
LegacyTexas Bank CD		2.65%	04/19/19	10/19/18	1,000,000	1,011,011	100.00	1,011,011	19	2.68%
Lubbock National Bank CD		2.60%	06/19/19	06/19/18	1,000,000	1,019,615	100.00	1,019,615	80	2.63%
Landmark Bank CD		1.62%	06/27/19	09/27/17	1,000,000	1,024,479	100.00	1,024,479	88	1.63%
LegacyTexas Bank CD		2.72%	07/19/19	10/19/18	1,000,000	1,011,303	100.00	1,011,303	110	2.75%
LegacyTexas Bank CD		2.75%	08/19/19	10/19/18	1,000,000	1,011,429	100.00	1,011,429	141	2.78%
Texas Security Bank CD		1.75%	09/06/19	09/06/17	1,018,861	1,018,861	100.00	1,018,861	159	1.75%
LegacyTexas Bank CD		2.40%	10/17/19	04/17/18	1,000,000	1,022,182	100.00	1,022,182	200	2.43%
LegacyTexas Bank CD		2.84%	10/21/19	10/19/18	1,000,000	1,011,804	100.00	1,011,804	204	2.88%
LegacyTexas Bank CD		2.86%	11/19/19	10/19/18	1,000,000	1,011,888	100.00	1,011,888	233	2.90%
BTH Bank CD		2.72%	12/19/19	06/19/18	1,000,000	1,020,529	100.00	1,020,529	263	2.75%
LegacyTexas Bank CD		2.55%	04/17/20	04/17/18	1,000,000	1,023,583	100.00	1,023,583	383	2.58%
LegacyTexas Bank CD		3.00%	07/20/20	10/19/18	1,500,000	1,518,709	100.00	1,518,709	477	3.04%
LegacyTexas Bank CD		3.04%	10/19/20	10/19/18	1,500,000	1,518,960	100.00	1,518,960	568	3.08%
					$ 34,878,172	**$ 35,083,665**		**$ 35,083,665**	**101**	**2.59%**
									(1)	**(2)**

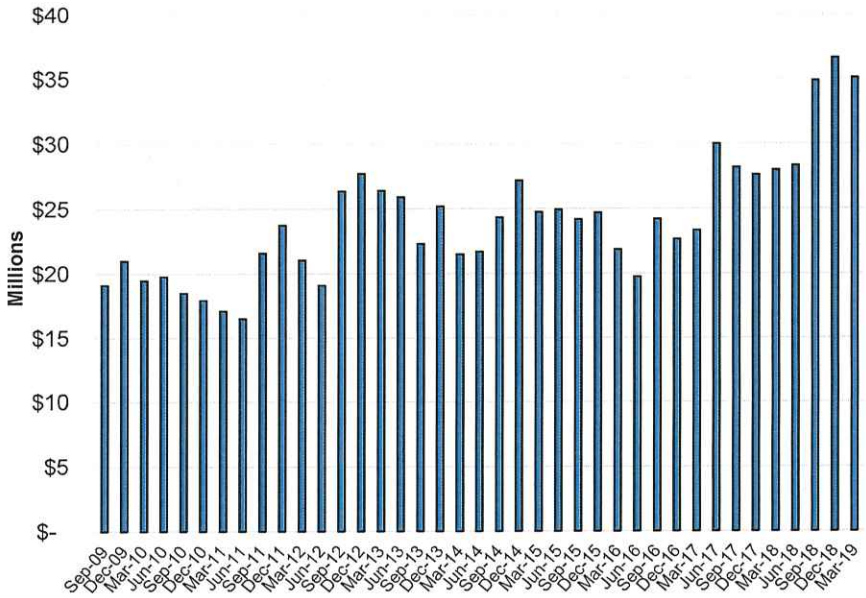
(1) Weighted average life - Pools, Money Market Funds, and Bank Deposits are assumed to have a one day maturity.

(2) Weighted average yield to maturity - The weighted average yield to maturity is based on Adjusted Book Value, adviser fees and realized and unrealized gains/losses are not considered. The pool and mutual fund yields are the average for the last month of the quarter. Bank deposit yields are estimated from the monthly allocated earnings.

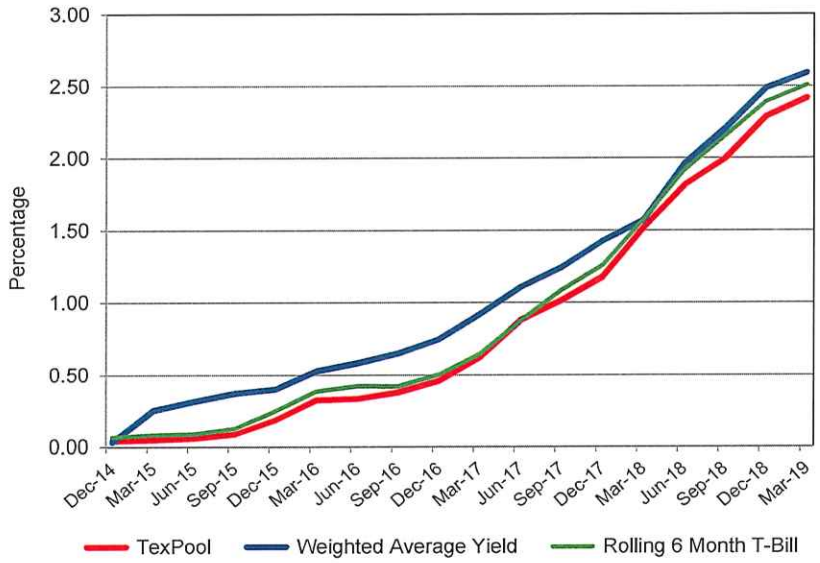
Portfolio Composition



Quarter End Book Value



Total Portfolio Performance



Book and Market Value Comparison

Description	Coupon/ Discount	Maturity Date	December 31, 2018 Original Face\ Par Value	December 31, 2018 Book Value	Purchases/ Adjustments	Sales/Adjust/ Maturities	March 31, 2019 Original Face\ Par Value	March 31, 2019 Book Value
Southside Bank MMA	2.66%	04/01/19	$ 12,449,231	$ 12,449,231	$ -	$ (29,241)	$ 12,419,990	$ 12,419,990
Texas Term Daily	2.41%	04/01/19	458,755	458,755	2,722	-	461,477	461,477
LOGIC	2.60%	04/01/19	299,540	299,540	1,926		301,466	301,466
TexPool	2.42%	04/01/19	5,716,375	5,716,375	437,696		6,154,071	6,154,071
TexPool Prime	2.59%	04/01/19	518,977	518,977	3,330		522,307	522,307
East West Bank CD	2.16%	01/17/19	1,000,000	1,000,000		(1,000,000)	–	–
Lubbock National Bank CD	1.45%	02/23/19	1,000,000	1,025,735		(1,025,735)	–	–
East West Bank CD	2.24%	04/17/19	1,000,000	1,000,000			1,000,000	1,000,000
LegacyTexas Bank CD	2.65%	04/19/19	1,000,000	1,004,434	6,578		1,000,000	1,011,011
Lubbock National Bank CD	2.60%	06/19/19	1,000,000	1,013,107	6,509		1,000,000	1,019,615
Landmark Bank CD	1.62%	06/27/19	1,000,000	1,020,403	4,076		1,000,000	1,024,479
LegacyTexas Bank CD	2.72%	07/19/19	1,000,000	1,004,551	6,752		1,000,000	1,011,303
LegacyTexas Bank CD	2.75%	08/19/19	1,000,000	1,004,601	6,827		1,000,000	1,011,429
Texas Security Bank CD	1.75%	09/06/19	1,018,861	1,018,861			1,018,861	1,018,861
LegacyTexas Bank CD	2.40%	10/17/19	1,000,000	1,016,157	6,025		1,000,000	1,022,182
LegacyTexas Bank CD	2.84%	10/21/19	1,000,000	1,004,752	7,052		1,000,000	1,011,804
LegacyTexas Bank CD	2.86%	11/19/19	1,000,000	1,004,785	7,102		1,000,000	1,011,888
BTH Bank CD	2.72%	12/19/19	1,000,000	1,013,715	6,814		1,000,000	1,020,529
LegacyTexas Bank CD	2.55%	04/17/20	1,000,000	1,017,174	6,409		1,000,000	1,023,583
LegacyTexas Bank CD	3.00%	07/20/20	1,500,000	1,507,530	11,179		1,500,000	1,518,709
LegacyTexas Bank CD	3.04%	10/19/20	1,500,000	1,507,631	11,329		1,500,000	1,518,960
TOTAL			**$ 36,461,739**	**$ 36,606,313**	**$ 532,328**	**$ (2,054,976)**	**$ 34,878,172**	**$ 35,083,665**

Allocation
March 31, 2019
Book & Market Value

	Total	Consolidated Cash	Construction	Crime Control District
Southside Bank MMA	$ 12,419,990	$ 1,395,223	$ 11,024,767	$ -
Texas Term Daily	461,477	461,477	-	-
LOGIC	301,466	301,466	–	–
TexPool	6,154,071	5,450,228	–	703,844
TexPool Prime	522,307	522,307	–	–
04/17/19–East West Bank CD	1,000,000	1,000,000	–	–
04/19/19–LegacyTexas Bank CD	1,011,011	–	1,011,011	–
06/19/19–Lubbock National Bank CD	1,019,615	1,019,615	–	–
06/27/19–Landmark Bank CD	1,024,479	–	1,024,479	–
07/19/19–LegacyTexas Bank CD	1,011,303	–	1,011,303	–
08/19/19–LegacyTexas Bank CD	1,011,429	1,011,429	–	–
09/06/19–Texas Security Bank CD	1,018,861	1,018,861	–	–
10/17/19–LegacyTexas Bank CD	1,022,182	–	1,022,182	–
10/21/19–LegacyTexas Bank CD	1,011,804	–	1,011,804	–
11/19/19–LegacyTexas Bank CD	1,011,888	–	1,011,888	–
12/19/19–BTH Bank CD	1,020,529	1,020,529	–	–
04/17/20–LegacyTexas Bank CD	1,023,583	–	1,023,583	–
07/20/20–LegacyTexas Bank CD	1,518,709	1,518,709	–	–
10/19/20–LegacyTexas Bank CD	1,518,960	1,518,960	–	–
Totals	**$ 35,083,665**	**$ 16,238,803**	**$ 18,141,018**	**$ 703,844**

Allocation
December 31, 2018
Book & Market Value

	Total	Consolidated Cash	Construction	Crime Control District
Southside Bank MMA	$ 12,449,231	$ 1,141,357	$ 11,307,874	$ -
Texas Term Daily	458,755	458,755	-	-
LOGIC	299,540	299,540	–	–
TexPool	5,716,375	5,016,682	–	699,693
TexPool Prime	518,977	518,977	–	–
01/17/19–East West Bank CD	1,000,000	1,000,000	–	–
02/23/19–Lubbock National Bank CD	1,025,735	1,025,735	–	–
04/17/19–East West Bank CD	1,000,000	1,000,000	–	–
04/19/19–LegacyTexas Bank CD	1,004,434	–	1,004,434	–
06/19/19–Lubbock National Bank CD	1,013,107	1,013,107	–	–
06/27/19–Landmark Bank CD	1,020,403	–	1,020,403	–
07/19/19–LegacyTexas Bank CD	1,004,551	–	1,004,551	–
08/19/19–LegacyTexas Bank CD	1,004,601	1,004,601	–	–
09/06/19–Texas Security Bank CD	1,018,861	1,018,861	–	–
10/17/19–LegacyTexas Bank CD	1,016,157	–	1,016,157	–
10/21/19–LegacyTexas Bank CD	1,004,752	–	1,004,752	–
11/19/19–LegacyTexas Bank CD	1,004,785	–	1,004,785	–
12/19/19–BTH Bank CD	1,013,715	1,013,715	–	–
04/17/20–LegacyTexas Bank CD	1,017,174	–	1,017,174	–
07/20/20–LegacyTexas Bank CD	1,507,530	1,507,530	–	–
10/19/20–LegacyTexas Bank CD	1,507,631	1,507,631	–	–
Totals	**$ 36,606,313**	**$ 17,526,490**	**$ 18,380,130**	**$ 699,693**

Dallas–Fort Worth Economic Indicators

Federal Reserve Bank of Dallas

March 27, 2019

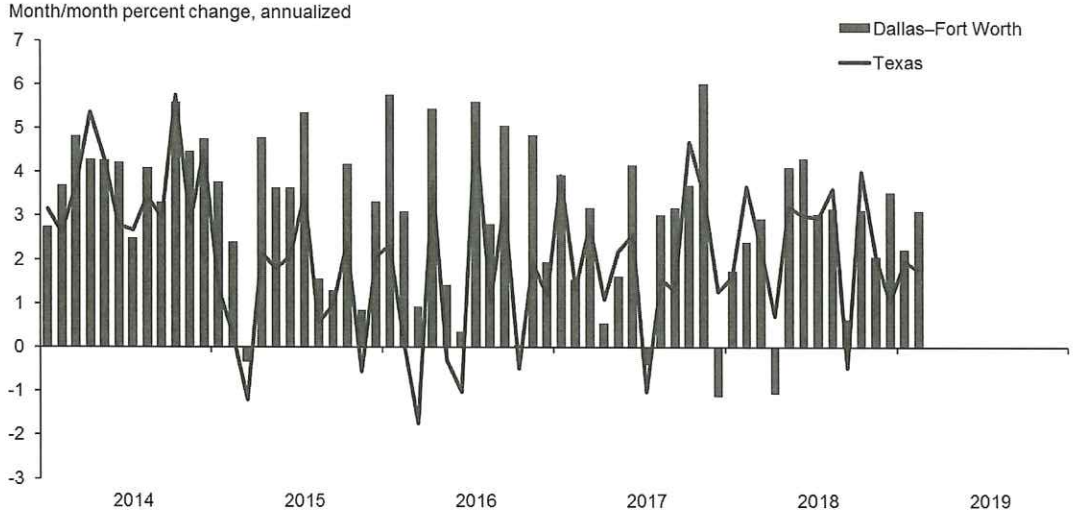
Dallas–Fort Worth economic growth continued in February, with payroll employment expanding and unemployment staying low. Looking at the two-month period, employment performance has been healthy—above the metro's long-run average. The Dallas Business-Cycle Index expanded, but the Fort Worth Business-Cycle Index fell for the second straight month. Home sales rose strongly and home inventories remained tight in February.

Labor Market

Payrolls Expand Solidly in Dallas, Decline in Fort Worth

DFW employment continued to post solid growth in February, expanding an annualized 3.1 percent (9,600 jobs) following an upwardly revised 2.2 percent increase (6,900 jobs) in January (*Chart 1*). Payrolls rose by nearly 12,400 jobs in Dallas but fell by 2,800 in Fort Worth last month. In the first two months of the year, payrolls in Dallas increased 4.8 percent, while Fort Worth shed jobs.

Chart 1
Employment Growth
Month/month percent change, annualized

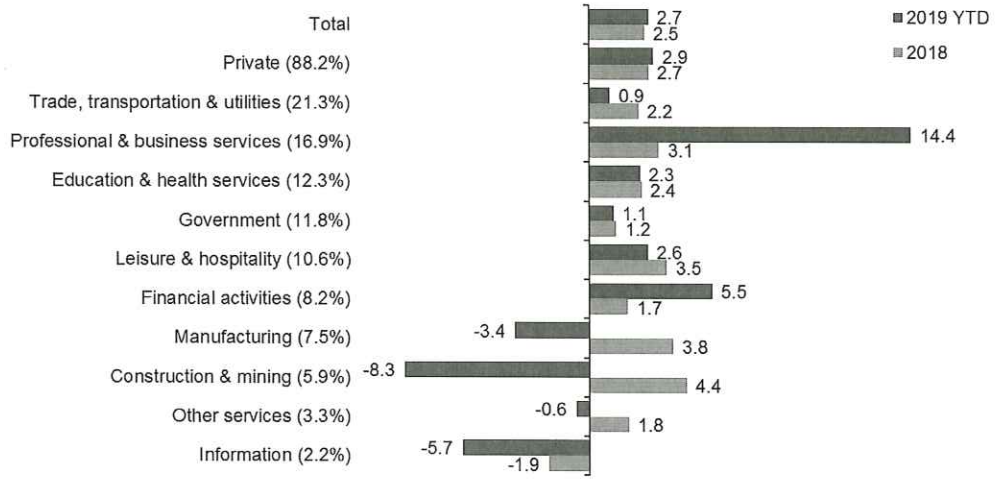


SOURCES: Bureau of Labor Statistics; Texas Workforce Commission; seasonal and other adjustments by the Dallas Fed.

Employment Recedes in Goods Sector, Expands in Services

DFW employment expanded an annualized 2.7 percent in the first two months of 2019 (*Chart 2*). Payrolls in the goods-producing sector contracted following a robust performance in 2018. Gains in the service-providing sector remained broad based, with growth led by professional and business services, which also added the most jobs (14,000) during the two-month period. The financial services, leisure and hospitality, and education and health services industries also experienced healthy gains. Job growth in trade, transportation and utilities—the metro's largest sector—moderated in the first two months of the year.

Chart 2
Employment Growth by Sector

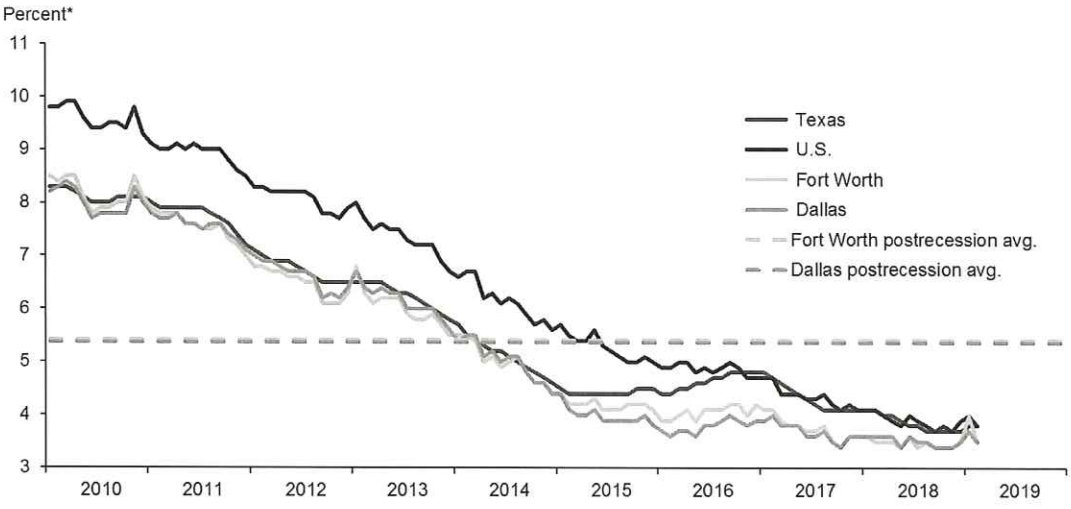


NOTES: Data show seasonally adjusted annualized percentage growth by sector for 2018 and year to date 2019 (December 2018–February 2019). Numbers in parentheses are shares of total Dallas–Fort Worth nonfarm employment in February 2019 and may not sum to 100 due to rounding.
SOURCES: Bureau of Labor Statistics; Texas Workforce Commission; seasonal and other adjustments by the Dallas Fed.

Unemployment Remains Low

The labor market remained tight, with unemployment close to multiyear lows. Unemployment in both Dallas and Fort Worth fell to 3.5 percent in February following an increase in January that was likely due to the partial government shutdown (*Chart 3*). The jobless rate in DFW remained below its postrecession average (January 2010–December 2018) as well as February's 3.8 percent rate in both the state and nation.

Chart 3
Unemployment Rate



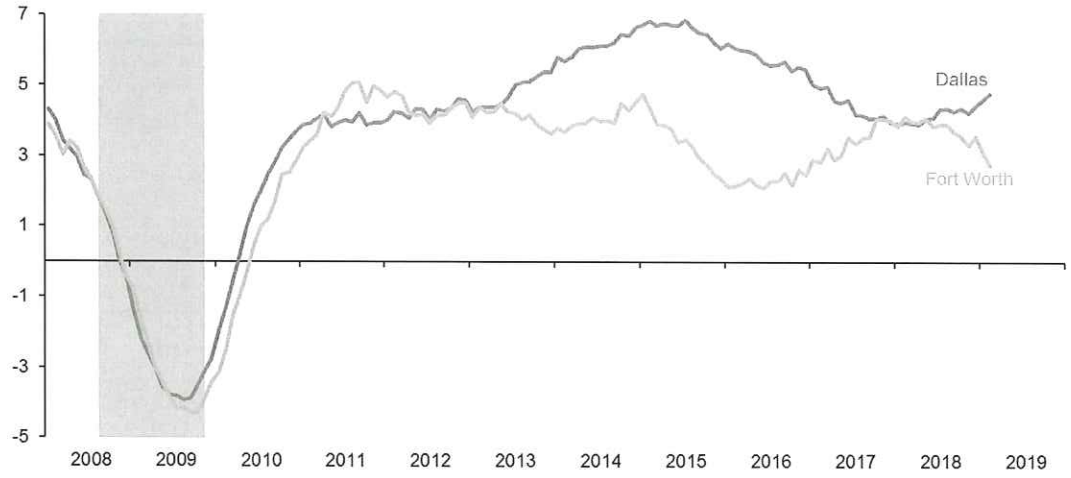
*Seasonally adjusted.
SOURCES: Bureau of Labor Statistics; Texas Workforce Commission; seasonal adjustments by the Dallas Fed.

Business-Cycle Indexes

The Dallas Business-Cycle Index strengthened in February as job growth improved and unemployment fell (*Chart 4*). The Dallas index rose an annualized 6.7 percent in February, quicker than January's 5.4 percent rate. Due to declining payrolls, the Fort Worth index dipped in February for the second straight month. Before diverging recently, the two metro indexes had tracked each other closely from late 2017 to mid-2018.

Chart 4
Business-Cycle Indexes

Percent, year/year



NOTE: Shaded bar indicates Texas recession.
SOURCE: Dallas Fed.

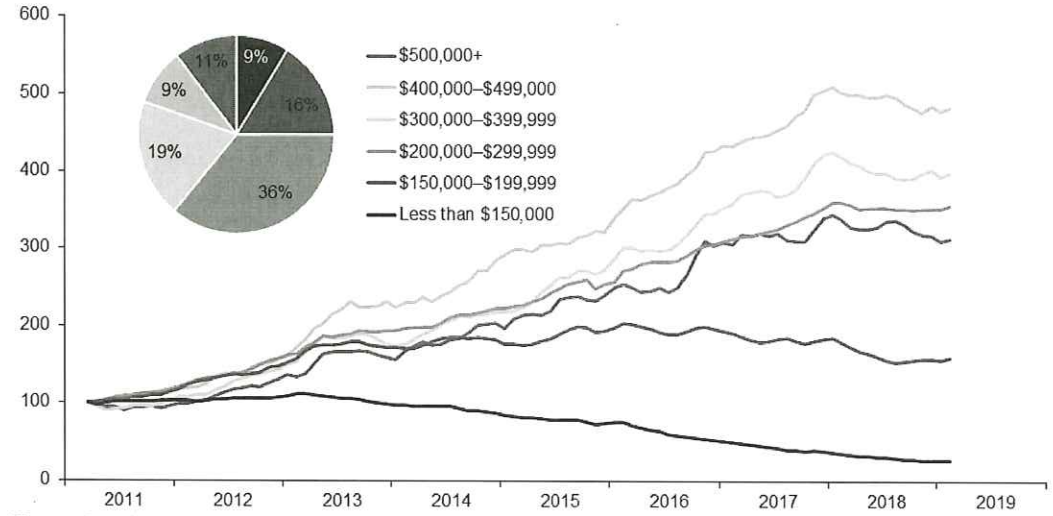
Housing

Home Sales Improve in February

DFW existing-home sales climbed in February following a decline the previous month. The three-month moving averages show broad-based increases across various price categories (*Chart 5*). Business contacts responding to the February Dallas Beige Book also noted an uptick in new-home sales since the start of the year relative to the end of 2018. Through February, total existing-home sales are trailing sales made over the same period in 2018. Sales of homes priced $200,000-plus softened last year after posting double-digit growth in 2012–17. Sales of homes priced below $150,000 have been sliding since mid-2013, and sales of homes priced $150,000–$199,999 dipped during 2017–18 due to lack of inventory.

Chart 5
Existing-Home Sales by Price Point

Index, March 2011 = 100*

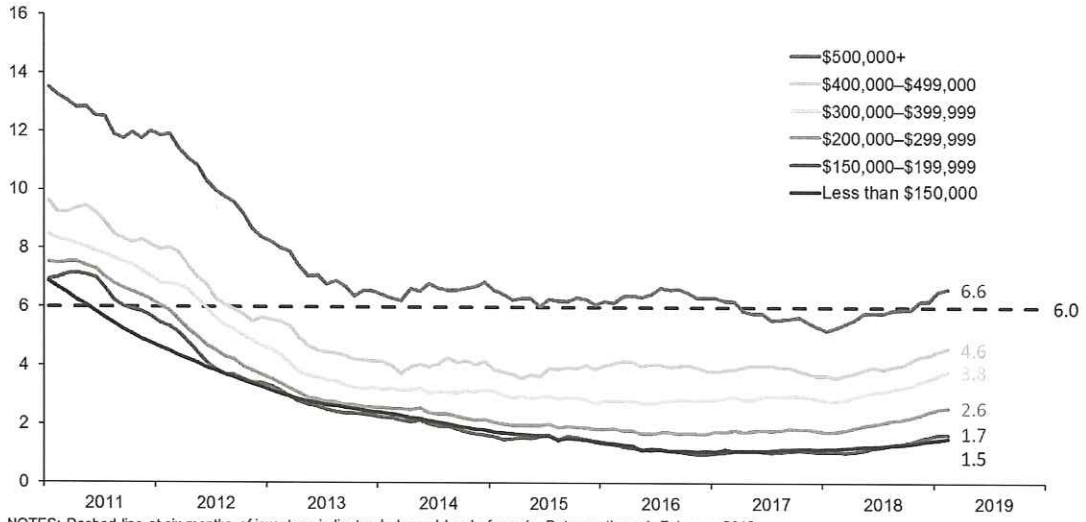


* Three-month moving average, seasonally adjusted.
NOTES: Data are through February 2019. Pie chart data are year to date 2019 and are not seasonally adjusted.
SOURCES: Multiple Listing Service; seasonal and other adjustments by the Dallas Fed.

Inventories Tight at Lower End

DFW existing-home inventories remained tight and well below the six months' supply typically associated with a balanced market. In February, overall inventories were at 3.5 months in Dallas and 2.7 months in Fort Worth. Inventories of entry-level homes (priced below $200,000) were the tightest at just over one month of supply, a level that has changed little over the past three years (*Chart 6*). Inventories of homes priced above $200,000 have been steadily rising since early 2018 and are above the six-month mark for homes priced $500,000 or more.

Chart 6
Existing-Home Inventories
Months of inventory, seasonally adjusted



NOTES: Dashed line at six months of inventory indicates balanced level of supply. Data are through February 2019.
SOURCES: Multiple Listing Service; seasonal and other adjustments by the Dallas Fed.

NOTE: Data may not match previously published numbers due to revisions.

About Dallas–Fort Worth Economic Indicators

Questions can be addressed to Laila Assanie at laila.assanie@dal.frb.org. *Dallas–Fort Worth Economic Indicators* is published every month on the Tuesday after state and metro employment data are released.

AGENDA MEMORANDUM

DATE: April 27, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

SUBJECT: Approval of the Monthly Financial Report for the period ending March 31, 2019

BACKGROUND/INFORMATION:

The monthly financial report for the period ending March 31, 2019 is attached for Council review and approval.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

Approval of the Monthly Financial Report for the period ending March 31, 2019.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Council Report - 201905(MAR.2019)

REVIEWED BY:

Andrea Gardner, City Manager — Approved - 5/8/2019
Terri Johnson, City Secretary — Final Approval - 5/8/2019
Approved as to form for inclusion on Agenda

Monthly Financial Report
March, 2019

Sales Tax

The City's sales tax receipts from the State Comptroller received in the month of April 2019 (reflecting February 2019 sales receipts) increased by .81%, or $2,404 from the same time last year. The Crime Control Prevention District's sales tax received increased by .73% or $719.

The State Comptroller's office reports that net sales tax payments for cities statewide are up 5.17% in comparison with prior year. Watauga's fiscal year-to-date net sales tax receipts are up 5.21% in comparison with last year.

A comparison of February 2019 sales tax receipts for Watauga and surrounding cities are shown below:

SALES TAX RECEIPTS COMPARISONS FEBRUARY 2018 vs. FEBRUARY 2019
RECEIVED FROM COMPTROLLER - APRIL
FISCAL YEAR 2018-19

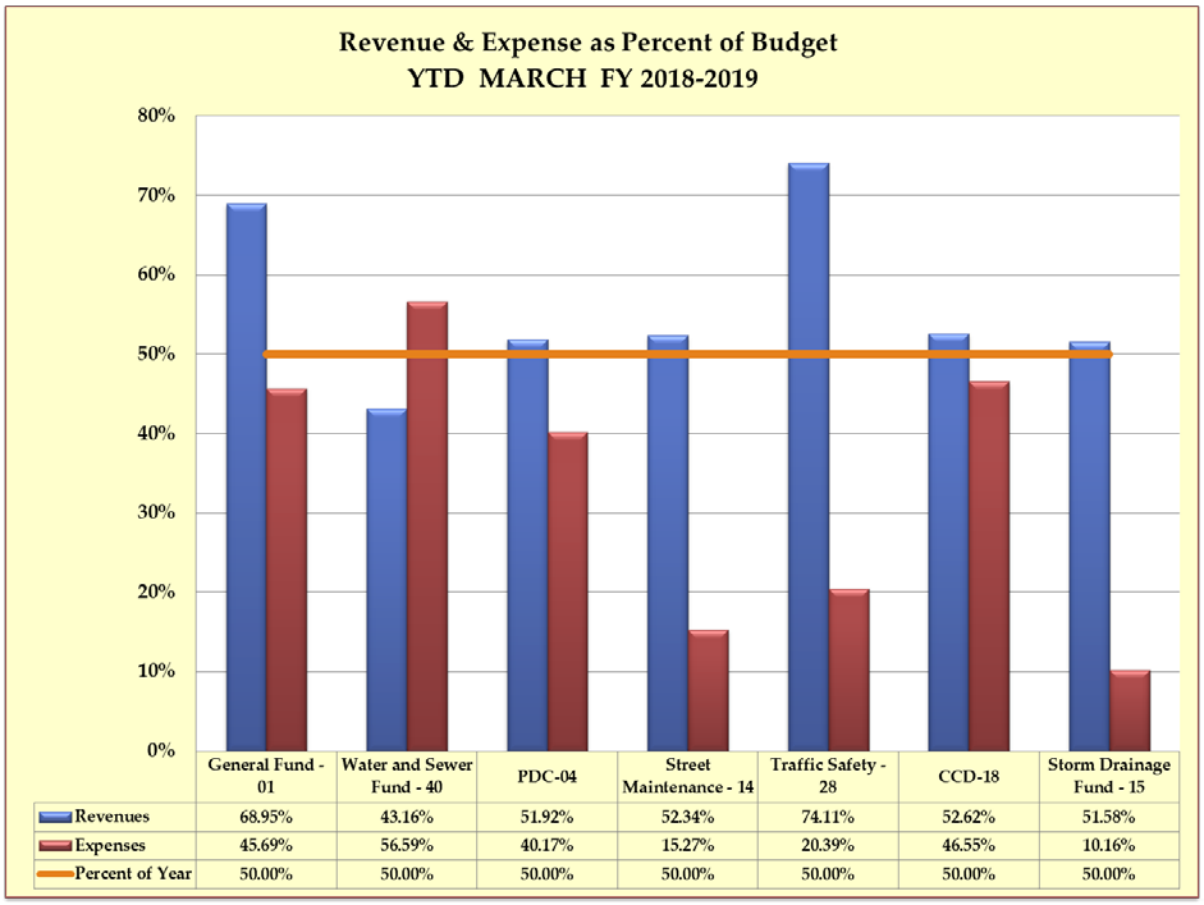
Sales Tax Receipts for the Month:

City	FEBRUARY 2019 Sales	FEBRUARY 2018 Sales	$ Change	% Change
Euless	$ 1,250,571.23	$ 1,001,488.55	$ 249,082.68	24.87%
Grapevine	$ 3,490,795.94	$ 2,880,215.26	$ 610,580.68	21.20%
Richland Hills	$ 300,856.67	$ 248,402.62	$ 52,454.05	21.12%
Fort Worth	$ 11,838,554.26	$ 10,905,365.54	$ 933,188.72	8.56%
Saginaw	$ 386,853.62	$ 361,360.46	$ 25,493.16	7.05%
Haltom City	$ 941,415.16	$ 899,676.98	$ 41,738.18	4.64%
Colleyville	$ 393,053.79	$ 375,910.02	$ 17,143.77	4.56%
Southlake	$ 2,064,817.87	$ 1,991,321.07	$ 73,496.80	3.69%
Bedford	$ 793,534.46	$ 769,495.93	$ 24,038.53	3.12%
Keller	$ 742,320.30	$ 723,616.55	$ 18,703.75	2.58%
Hurst	$ 1,094,125.60	$ 1,081,876.08	$ 12,249.52	1.13%
Watauga	$ 300,513.04	$ 298,109.50	$ 2,403.54	0.81%
N. Richland Hills	$ 1,030,388.05	$ 1,070,500.94	$ (40,112.89)	-3.75%
Roanoke	$ 1,261,537.64	$ 1,668,069.10	$ (406,531.46)	-24.37%

Source: State Comptroller

Financial Highlights

Through March, 2019, the City is 50% through the fiscal year. All revenue and expenses are reflected in the chart below and details of each fund's revenues and expenditures are attached.

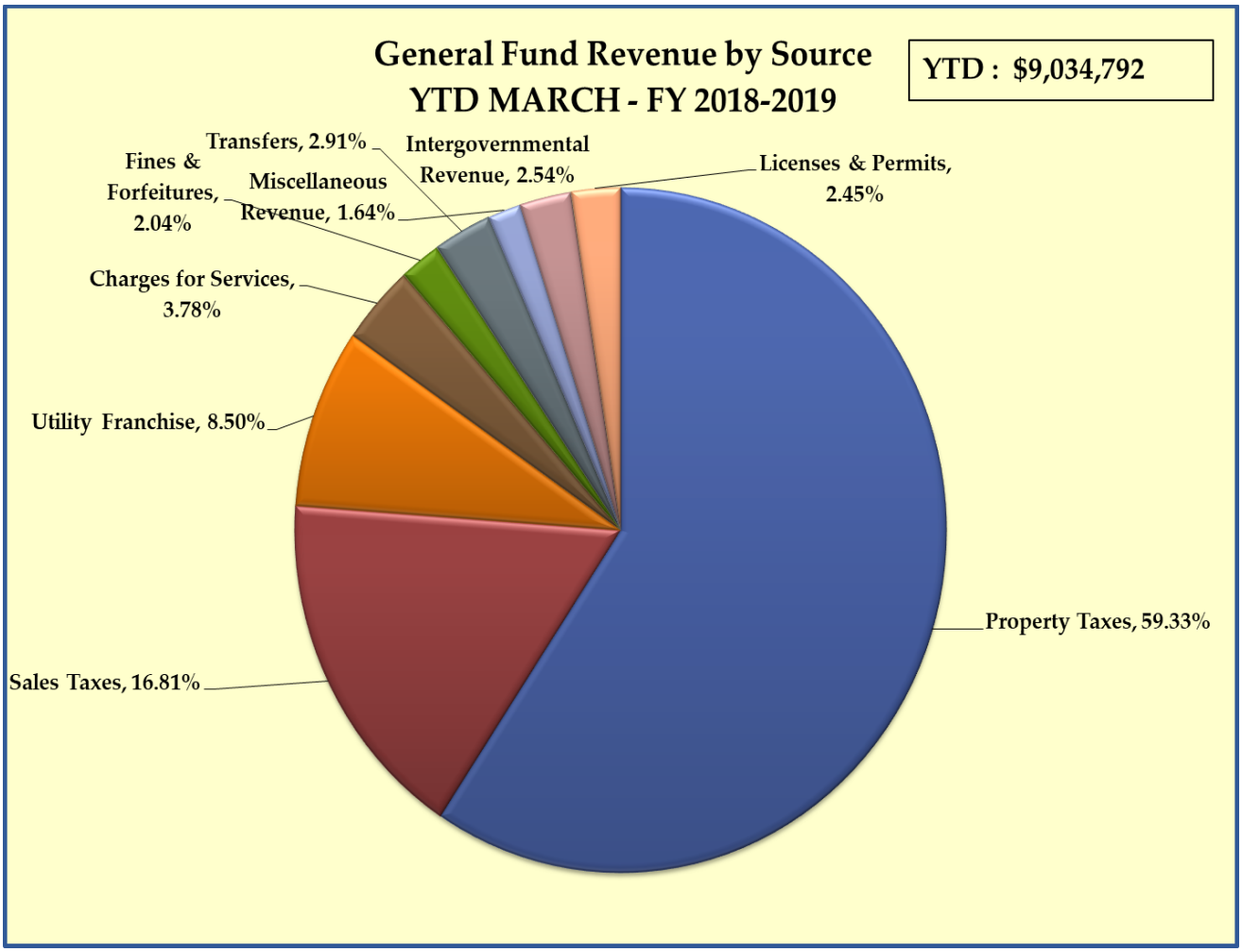


	General Fund - 01	Water and Sewer Fund - 40	PDC-04	Street Maintenance - 14	Traffic Safety - 28	CCD-18	Storm Drainage Fund - 15
Revenues	68.95%	43.16%	51.92%	52.34%	74.11%	52.62%	51.58%
Expenses	45.69%	56.59%	40.17%	15.27%	20.39%	46.55%	10.16%
Percent of Year	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%

General Fund

Revenues – Year-to-date revenues are in line with expectations representing 68.95% of budget collected.

Property Tax - Year-to-date, the City has received 95.39% of budgeted property taxes. Receipts are in line with expectations at this time. The majority of the City's ad valorem tax receipts are received in the month of December and January.



Utility Franchise Revenue - The majority of franchise receipts are received on a quarterly basis. The City has received 75.51% of budgeted franchise fee revenues through March, 2019. First quarter receipts for FY 2018-2019 were received in March, 2019. First quarter receipts included the electric and gas franchise fees that are paid to the City on an annual basis.

Licenses and Permits - License and permit fees are at 41.85% of budget collected, a decrease of $108,850 over prior year, primarily due to the Parkview subdivision being completed last fiscal year.

Charges for Services - Charges for Services revenues are at 44.88% of budget collected. Charges for services include recreation fees, ambulance services, garbage collection fees and animal adoption fees.

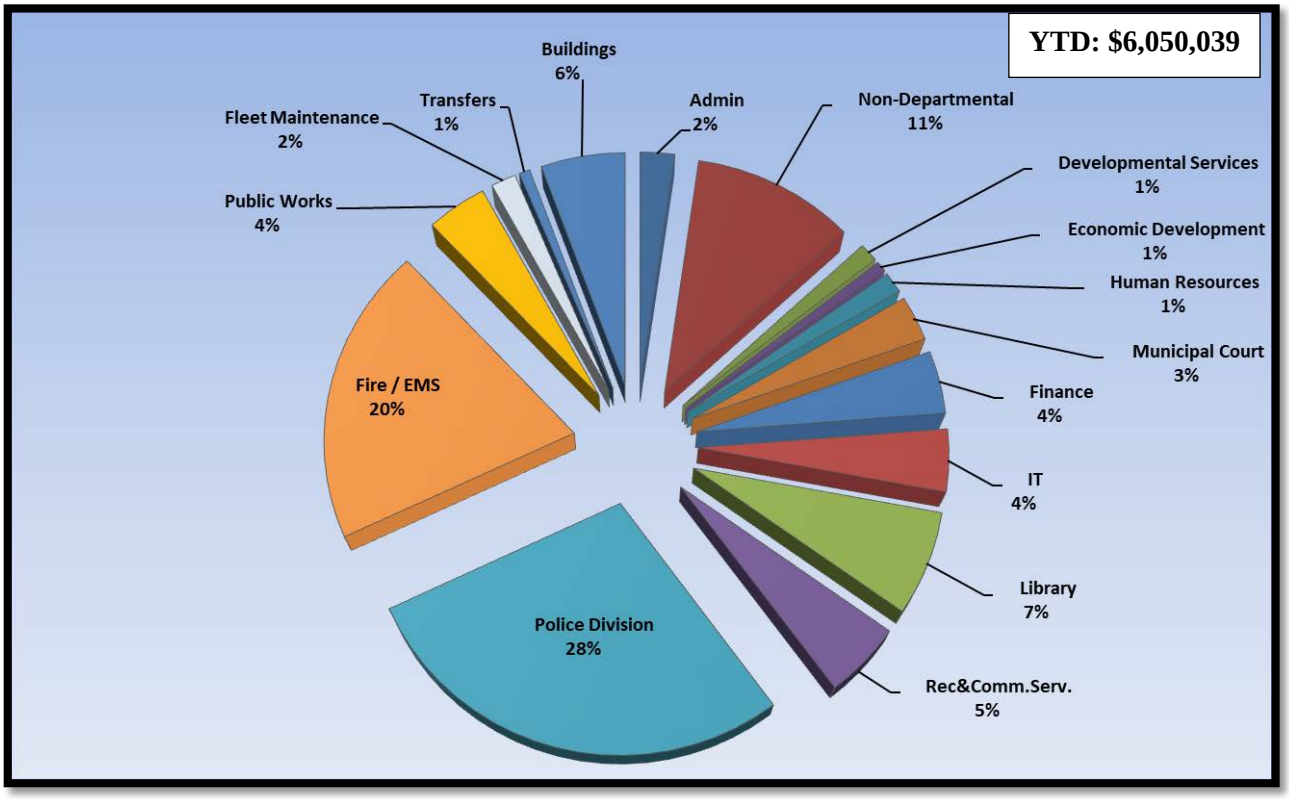
Fines and Forfeitures - Fines and Forfeitures are at 24.78% of budget which is $40,579, or 18.01% lower than last year's collections. The City continues to experience a decline in overall citations.

Miscellaneous Revenue - Miscellaneous revenues include Interest earnings, rental of recreational facilities, and other revenue. These receipts total $147,994 which is 39.13% of budgeted revenues.

Intergovernmental Revenue and Transfers - Intergovernmental Revenue is 45.64% of budget and Transfers are at 46.35% of budget.

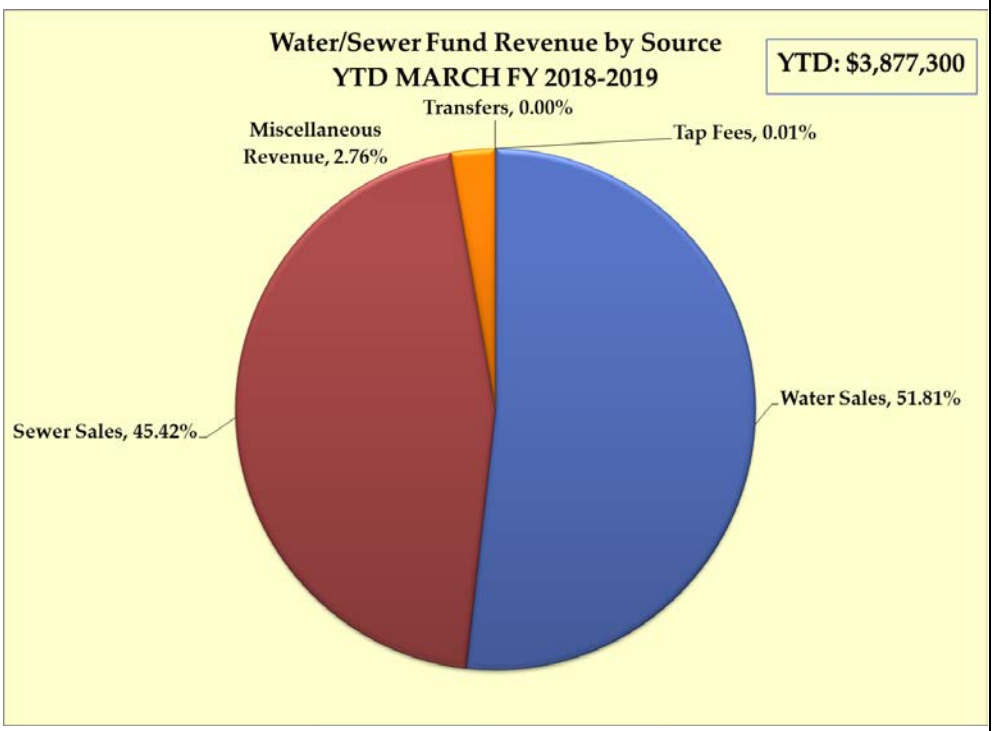
Expenses - General fund expenses in total are in line with budget expectations at 45.69% of budget expended. Expenditures are 2.79% lower in comparison to prior year.

GENERAL FUND EXPENDITURES BY DEPARTMENT



Water and Sewer Fund

Water and sewer revenues are currently at 43.16% of budgeted revenues through March, 2019. Water revenues have decreased by 6.80% in comparison to last year due to lower consumption this year.

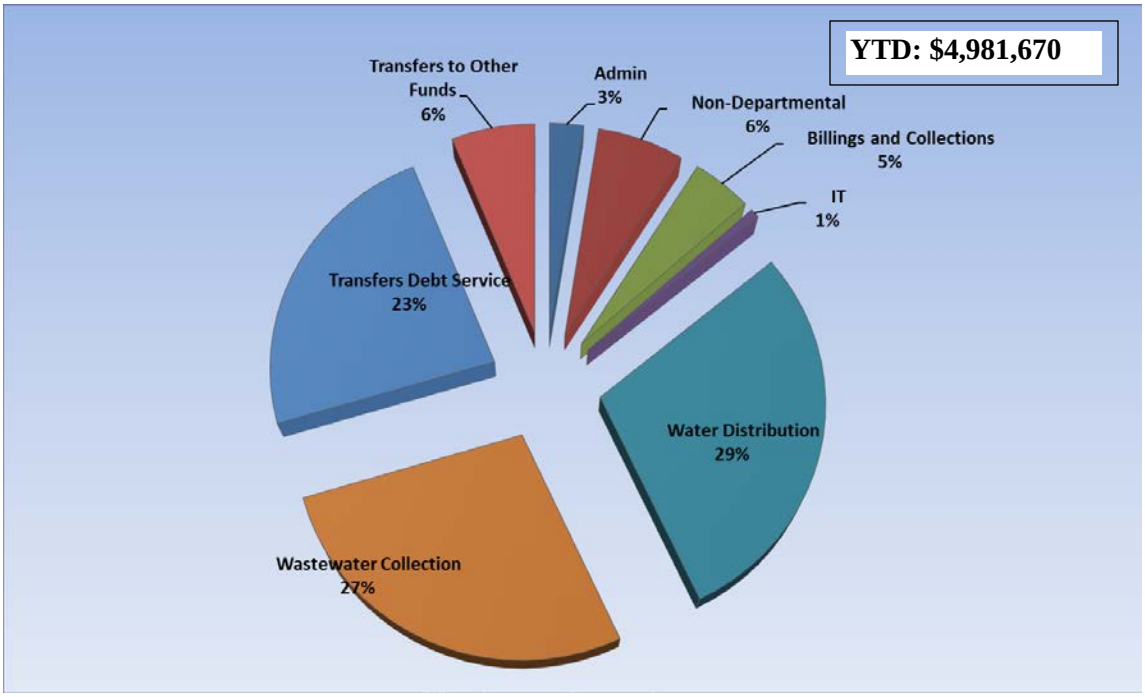


Miscellaneous Sales - Miscellaneous sales include penalty revenue, EPA revenue, service charges, returned check fees, and

damaged/tampering fees. This category of revenue is at 49.78% of budget collected.

Expenses – Year-to-date expenses in the Water/Sewer fund are higher than budget expectations and are currently at 56.59%. This is primarily due to increased wastewater and water volume billed coupled with an increase in water rates and sewer treatment rates from the City of Ft. Worth. The breakdown of expenses by department is shown below:

WATER AND SEWER FUND EXPENDITURES BY DEPARTMENT



Storm Drain Fund – Revenues have increased 3.39% when compared with FY2017-18 and represent 51.58% of budget collected. Expenses are at 10.16% of budget in this fund through March 2019. The capital improvement projects budgeted in this fund total $2.4 million.

Special Revenue Funds - In the Street Maintenance Fund, revenues are on target with 52.01% of budget collected and expenses are at 15.27% of budget. The Crime Control and Prevention District has collected 52.62% of total revenues and is at 46.55% of budget expended. The Economic Development Corporation Fund has collected 51.92% of sales tax revenues and is at 40.17% of budget expended through March, 2019. The Traffic Safety Fund (Red Light ticket program) has collected $594,317 of fines or 74.29% of budget year-to-date and expenditures are at 20.39% of budget at this time.



SPOTLIGHT ON A FUND SERIES

The Spotlight on a Fund Series has been included in the monthly financial report. This series is designed to highlight a fund and provide information on the history of the fund, revenues and appropriate expenditures, and other useful information. Fund accounting is used primarily by government and non-profit organizations

to emphasize accountability, not profitability. Funds allow for revenues and expenditures to be segregated in accordance with laws and regulations or special restrictions and limitations. The City has twenty-seven funds in total.

Municipal Court Technology Fund

Municipal Court Technology fund is a **Governmental Fund type** and is a **Special Revenue Fund** due to its proceeds of a specific revenue source and legal restriction on expenditures for specific purposes.

The Municipal Court Technology Fund was established in the 1997 Texas Legislative Session to allow for a $4.00 assessment on all court fines paid. The assessment allows for municipalities to purchase and maintain technology equipment for Municipal Court areas. The Municipal Court Technology Fees were assessed beginning in October, 1999. The historical summary of the fund is listed below:

MUNICIPAL COURT TECHNOLOGY FUND BUDGET SUMMARY

	HISTORY		PROJECTED YEAR		BUDGET
	2015-16 Actual	2016-17 Actual	2017-18 Budget	2017-18 Estimate	2018-19 Budget
Fund Balance, October 1	**$ 106,304**	**$ 115,188**	**$126,788**	**$126,233**	**$107,533**
Revenues:					
Municipal Court Technology Fee	22,206	15,095	19,000	11,000	19,000
Interest Earnings	774	757	300	600	300
Operating Revenues	**$ 22,980**	**$ 15,852**	**$ 19,300**	**$ 11,600**	**$ 19,300**
Total Available Resources	**$ 129,284**	**$ 131,040**	**$ 146,088**	**$ 137,833**	**$ 126,833**
Expenditures:					
Supplies	0	0	0	0	0.00
Contractual/Sundry	4,237	4,807	14,300	10,300	10,300
Capital	9,859	0	0	0	0
Operating Expenditures	14,096	4,807	14,300	10,300	10,300
Transfer to Internal Service (Equipme	0	0	20,000	20,000	0
TOTAL OPERATING & TRANSFERS	$ 14,096	$ 4,807	$ 34,300	$ 30,300	$ 10,300
Fund Balance, September 30	$115,188	$126,233	$111,788	$107,533	$116,533
CHANGE IN FUND BALANCE	$8,884	$11,045	($15,000)	($18,700)	$9,000

Quarterly Reports

2nd Quarter Report on Certificates of Obligation Expenditures

Attached is an expenditure and project listing of 2012, 2016, 2017 and 2018 Certificates of Obligation proceeds through 3/31/2019. The 2011 and 2014 Certificates of Obligation proceeds have not been 100% expended.

- The majority of the **2012** Certificates of Obligation water and sewer projects are completed. The remaining funds will be applied to other water and sewer projects in progress.

- The **2016** Certificates of Obligation proceeds were received in September, 2016 in the amount of $6.0 million. Expenditures to date include the engineering design and construction expenditures for Bursey Road, Phase II, the Whitley Road Phase I,II,III engineering and construction, and the community center parking lot. Whitley Road Phase III is budgeted in FY2018-2019 along with partial funding for the splashpad and pavestone wall repair at Capp Smith Park.

- The $7.5 million **2017** Certificates of Obligation proceeds were received in June, 2017. These proceeds are used to fund water and wastewater infrastructure improvements as identified in the 5-year Capital Improvement Plan. These include Whitley Road Phase I,II,III and Whitley Road 4 water and sewer projects, Starnes Road Water Main, and Meadowlark East.

- The $7.0 million **2018** Certificates of Obligation proceeds were received in September, 2018. Estimates for vehicles and equipment and capital projects planned are included in the attached listing.

4th Quarter Investment Report

As of March 31, 2019 the City's investments total $36,606,313. Of this amount, $18,141,018 is funding for capital improvement projects and/or equipment. The 2018 Certificate of Obligation proceeds in the amount of $7.0 million were received in September, 2018 and were placed in a Money Market account. The City investment officers are focusing on placing funds in the Money Market interest bearing accounts and Certificates of Deposit when possible. As of March 31, 2019, the City's investment portfolio consisted of the following:

$12,449,231, or 36% in Money Market accounts
$17,163,435, or 43% in Certificates of Deposit,
$ 6,993,647, or 21% in Investment Pools.

The average quarterly yield on investments is 2.54% and through March 31, 2019, the City has accrued/received $434,637 in interest earnings.

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending March 31, 2019 (2nd FY Qtr.)

GENERAL FUND - 01

REVENUE:	CURRENT BUDGET	3/31/2019 YTD ACTUAL	% USED	% REMAINING	3/31/2018 YTD ACTUAL	$ CHG 19 vs 18	% CHG 19 vs 18
TAXES							
AD VALOREM	5,583,000	5,325,626	95.39%	4.61%	4,840,471	485,154	10.02%
Delinquent	26,000	18,768	72.19%	27.81%	14,594	4,175	28.61%
Penalty & Interest	27,000	15,688	58.10%	41.90%	13,647	2,041	14.96%
SALES TAX	2,967,000	1,518,967	51.20%	48.80%	1,477,465	41,502	2.81%
UTILITY FRANCHISE	1,017,000	767,933	75.51%	24.49%	719,241	48,692	6.77%
LICENSES & PERMITS	529,000	221,367	41.85%	58.15%	330,218	(108,850)	-32.96%
INTERGOVERNMENTAL REVENUE	502,600	229,370	45.64%	54.36%	227,309	2,061	0.91%
CHARGES FOR SERVICES	760,000	341,089	44.88%	55.12%	365,784	(24,695)	-6.75%
FINES & FORFEITURES	745,700	184,750	24.78%	75.22%	225,329	(40,579)	-18.01%
MISCELLANEOUS INCOME	378,200	147,994	39.13%	60.87%	130,334	17,661	13.55%
OPERATING TRANSFERS IN	568,000	263,240	46.35%	53.65%	259,163	4,077	1.57%
TOTAL REVENUE	**$13,103,500**	**$9,034,792**	**68.95%**	**31.05%**	**$8,603,555**	**$431,238**	**5.01%**
ADMINISTRATION	293,800	138,485	47.14%	52.86%	116,258	22,227	19.12%
HUMAN RESOURCES	168,250	85,148	50.61%	49.39%	75,640	9,508	12.57%
BUILDINGS - PW	819,000	339,320	41.43%	58.57%	353,359	(14,038)	-3.97%
FINANCE	459,850	254,272	55.29%	44.71%	233,548	20,724	8.87%
MUNICIPAL COURT - FIN	410,450	183,849	44.79%	55.21%	179,528	4,321	2.41%
DEVELOPMENTAL SERVICES - PW	176,018	75,706	43.01%	56.99%	136,170	(60,464)	-44.40%
LIBRARY	985,700	419,264	42.53%	57.47%	434,380	(15,116)	-3.48%
RECREATION	706,082	302,367	42.82%	57.18%	300,630	1,737	0.58%
POLICE	4,074,650	1,703,960	41.82%	58.18%	1,583,231	120,729	7.63%
FIRE/EMS	2,576,350	1,206,689	46.84%	53.16%	1,113,415	93,274	8.38%
PUBLIC WORKS - STREETS	618,950	244,272	39.47%	60.53%	237,104	7,168	3.02%
FLEET MANAGEMENT - PW	203,800	100,686	49.40%	50.60%	92,922	7,764	8.36%
NON-DEPARTMENTAL	1,211,700	656,684	54.20%	45.80%	818,437	(161,753)	-19.76%
INFORMATION TECHNOLOGY	395,050	251,890	63.76%	36.24%	199,101	52,789	26.51%
ECONOMIC DEVELOPMENT	93,580	43,381	46.36%	53.64%	105,671	(62,291)	-58.95%
TRANSFERS TO OTHER FUNDS	47,500	44,063	92.76%	7.24%	244,560	(200,497)	-81.98%
TOTAL EXPENDITURES	**$13,240,730**	**$6,050,039**	**45.69%**	**54.31%**	**$6,223,956**	**($173,917)**	**-2.79%**
EXCESS REVENUE OVER (UNDER) EXPENDITURES	**($137,230)**	**$2,984,754**			**$2,379,599**	**$605,154.74**	

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending March 31, 2019 (2nd FY Qtr.)

DEBT SERVICE FUND - 03

REVENUE:	CURRENT BUDGET	3/31/2019 YTD ACTUAL	% USED	% REMAINING	3/31/2018 YTD ACTUAL	$ CHG 19 vs 18	% CHG 19 vs 18
TAXES							
AD VALOREM	2,420,000	2,293,690	94.78%	5.22%	2,235,842	$57,849	2.59%
Delinquent	12,000	8,146	67.88%	32.12%	5,920	$2,226	37.61%
Penalty & Interest	10,000	5,696	56.96%	43.04%	5,229	$467	8.93%
INTEREST EARNINGS	800	10,321	1290.12%	-1190.12%	5,586	$4,735	84.77%
OTHER FINANCING SOURCES	-	0	-	-	0	$0	-
OPERATING TRANSFERS IN	-	0	-	-	0	$0	-
TOTAL REVENUE	**$2,442,800**	**$2,317,853**	**94.89%**	**5.11%**	**$2,252,577**	$65,277	**2.90%**
Contractual & Sundry	2,496,122	**332,123**	13.31%	86.69%	**327,904**	$4,219	0.00%
TOTAL EXPENDITURES	**$2,496,122**	**2,190,883**	**87.77%**	**12.23%**	**1,891,850**	**$299,033**	**0.00%**
EXCESS REVENUE OVER (UNDER) EXPENDITURES	**($53,321.58)**	**$126,970**			**$360,726**	**-$233,756**	

100.00%

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending March 31, 2019 (2nd FY Qtr.)

WATER & SEWER - 40

REVENUE:	CURRENT BUDGET	3/31/2019 YTD ACTUAL	% USED	% REMAINING	3/31/2018 YTD ACTUAL	$ CHG 19 vs 18	% CHG 19 vs 18
WATER SALES	4,800,000	1,953,469	40.70%	59.30%	2,095,976	(142,507)	-6.80%
SEWER SALES	3,750,000	1,712,603	45.67%	54.33%	1,532,412	180,191	11.76%
MISCELLANEOUS	209,000	104,036	49.78%	50.22%	105,711	(1,675)	-1.58%
PENALTY	205,000	87,502	42.68%	57.32%	89,671	(2,169)	-2.42%
INTEREST	20,000	19,341	96.70%	3.30%	7,834	11,507	146.89%
TRANSFERS	-	-	-	-	-	-	0.00%
TAP FEES	-	350	-	-	7,000	(6,650)	-95.00%
SALE OF ASSETS	-	-	-	-	-	-	-
TOTAL REVENUE	**$8,984,000**	**$3,877,300**	**43.16%**	**56.84%**	**$3,838,603**	**$38,697**	**1.01%**
ADMINISTRATIVE	271,300	125,275	46.18%	53.82%	134,540	(9,265)	-6.89%
NON-DEPARTMENTAL	655,180	320,953	48.99%	51.01%	365,857	(44,903)	-12.27%
BILLING & COLLECTIONS	507,800	222,598	43.84%	56.16%	210,174	12,424	5.91%
MGT. INFO SYSTEMS	75,900	34,843	45.91%	54.09%	34,945	(102)	-0.29%
WATER DISTRIBUTION	2,899,400	1,439,422	49.65%	50.35%	981,785	457,636	46.61%
WASTEWATER COLLECTION	2,407,700	1,364,111	56.66%	43.34%	886,252	477,859	53.92%
TRANSFERS	1,986,500	1,474,468	74.22%	25.78%	1,434,474	39,993	2.79%
TOTAL EXPENDITURES	**$8,803,780**	**$4,981,670**	**56.59%**	**43.41%**	**$4,048,027**	**$933,643**	**23.06%**
EXCESS REVENUE OVER (UNDER) EXPENDITURES	**$180,220**	**($1,104,370)**			**($209,424)**	**($894,946)**	

100.00%

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending March 31, 2019 (2nd FY Qtr.)

CRIME CONTROL DISTRICT - 18

REVENUE:	CURRENT BUDGET	3/31/2019 YTD ACTUAL	% USED	% REMAINING	3/31/2018 YTD ACTUAL	$ CHG 19 vs 18	% CHG 19 vs 18
SALES TAX	1,436,000	751,534	52.34%	47.66%	722,902	28,633	3.96%
INTEREST EARNING/OTHER	9,000	34,152	379.47%	-279.47%	7,862	26,290	334.40%
MIS GRANT PROCEEDS	48,000	-			-	-	-
			-	-		-	-
TOTAL REVENUE	**$1,493,000**	**$785,686**	**52.62%**	**47.38%**	**$730,764**	**$54,923**	**7.52%**
PERSONNEL SERVICES	994,000	440,311	44.30%	55.70%	$398,898	41,413	10.38%
SUPPLIES	147,500	49,118	33.30%	66.70%	$48,289	829	1.72%
MAINTENANCE	206,000	128,167	62.22%	37.78%	$136,412	(8,245)	-6.04%
CONTRACTUAL & SUNDRY	316,870	166,275	52.47%	47.53%	$143,994	22,281	15.47%
TRANSFERS	44,000	22,531	51.21%	48.79%	$198,092	(175,561)	-88.63%
CAPITAL OUTLAY	24,500	230	0.94%	99.06%	$0	230	0.00%
TOTAL EXPENDITURES	**1,732,870**	**806,632**	**46.55%**	**53.45%**	**$925,686**	**($119,054)**	**-12.86%**
EXCESS REVENUE OVER (UNDER) EXPENDITURES	**($239,870)**	**($20,945)**			**$ (194,922)**	**$173,977**	

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending March 31, 2019 (2nd FY Qtr.)

STORM DRAIN FUND - 15

REVENUE:	CURRENT BUDGET	3/31/2019 YTD ACTUAL	% USED	% REMAINING	3/31/2018 YTD ACTUAL	$ CHG 19 vs 18	% CHG 19 vs 18
USERS FEE	1,452,000	734,381	50.58%	49.42%	719,944	14,437	2.01%
OTHER REVENUE	-	-	-	-	-	-	-
INTEREST INCOME	25,000	27,388	109.55%	-9.55%	16,882	10,506	62.23%
			-	-		-	-
TOTAL REVENUE	**$1,477,000**	**$761,768**	**51.58%**	**48.42%**	**$736,826**	**$24,942**	**3.39%**
PERSONNEL	497,200	207,383	41.71%	58.29%	$210,446	(3,064)	-1.46%
SUPPLIES	38,600	7,220	18.70%	81.30%	$7,095	125	1.76%
MAINTENANCE	56,500	5,777	10.22%	89.78%	$2,866	2,911	101.56%
CONTRACTUAL & SUNDRY	203,230	65,058	32.01%	67.99%	$67,356	(2,297)	-3.41%
CAPITAL	2,483,000	5,816	0.23%	99.77%	$60,365	(54,550)	-90.37%
TRANSFERS TO OTHER FUNDS	103,600	52,219	50.40%	49.60%	$58,997	(6,778)	-11.49%
TOTAL EXPENDITURES	**$3,382,130**	**$343,472**	**10.16%**	**89.84%**	**$407,126**	**($63,653)**	**-15.63%**
EXCESS REVENUE OVER (UNDER) EXPENDITURES	**($1,905,130)**	**$418,296**			**$329,701**	**$88,596**	

100.00%

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending March 31, 2019 (2nd FY Qtr.)

STREET MAINTENANCE FUND - 14

REVENUE:	CURRENT BUDGET	3/31/2019 YTD ACTUAL	% USED	% REMAINING	3/31/2018 YTD ACTUAL	$ CHG 19 vs 18	% CHG 19 vs 18
SALES TAX	723,000	376,031	52.01%	47.99%	363,687	12,344	3.4%
INTEREST EARNINGS	9,000	7,108	-	-	3,474	3,634	104.6%
INTEREST/ESCROW	-	-	-	-	-	0	-
CONTRIBUTIONS/OTHER	-	-	-	-	-	0	-
TOTAL REVENUE	**$ 732,000**	**$383,139**	**52.01%**	**47.99%**	**367,161**	**$15,979**	**4.35%**
MAINTENANCE	100,000	52,694	52.69%	47.31%	46,838	5,856	12.5%
CONTRACTUAL & SUNDRY	8,000	530	6.63%	93.38%	1,865	(1,335)	-71.6%
CAPITAL OUTLAY	600,000	54,918	9.15%	90.85%	61,280	(6,362)	0.0%
TOTAL EXPENDITURES	**708,000**	**108,141**	**15.27%**	**84.73%**	**109,983**	**($1,842)**	
EXCESS REVENUE OVER (UNDER) EXPENDITURES	**$24,000**	**$274,998**			**$257,178**	**$17,820**	

100.00%

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending March 31, 2019 (2nd FY Qtr.)

ECONOMIC DEVELOPMENT CORP - 04

REVENUE:	CURRENT BUDGET	3/31/2019 YTD ACTUAL	% USED	% REMAINING	3/31/2018 YTD ACTUAL	$ CHG 19 vs 18	% CHG 19 vs 18
SALES TAX	728,000	376,786	51.76%	48.24%	367,760	9,027	2.45%
INTEREST EARNINGS	7,500	5,052	67.35%	32.65%	4,185	867	20.72%
INTEREST/ESCROW	-	-	-	-	-	-	-
CONTRIBUTIONS/OTHER	-	-	-	-	-	-	-
TOTAL REVENUE	**$735,500**	**$381,838**	**51.92%**	**48.08%**	**$371,945**	9,893	**2.66%**
PERSONNEL SERVICES	447,400	198,464	44.36%	55.64%	203,428	(4,964)	-2.44%
NON-DEPARTMENTAL	21,390	8,451	39.51%	60.49%	6,687	1,763	26.37%
SUPPLIES	63,100	9,995	15.84%	84.16%	9,166	829	9.04%
MAINTENANCE	62,200	21,351	34.33%	65.67%	22,525	(1,174)	-5.21%
CONTRACTUAL & SUNDRY	144,100	49,349	34.25%	65.75%	38,848	10,501	27.03%
TRANSFERS	50,900	26,089	51.26%	48.74%	17,762	8,327	46.88%
CAPITAL OUTLAY	5,500	5,500	100.00%	0.00%	6,200	(700)	0.00%
TOTAL EXPENDITURES	**794,590**	**319,198**	**40.17%**	**59.83%**	**$ 304,617**	**14,582**	**4.79%**
EXCESS REVENUE OVER (UNDER) EXPENDITURES	**($59,090)**	**$62,640**			**$67,328**	**-$4,688**	

100.00%

CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2019
For the period ending March 31, 2019 (2nd FY Qtr.)

Traffic Safety - 28

REVENUE:	CURRENT BUDGET	3/31/2019 YTD ACTUAL	% USED	% REMAINING	3/31/2018 YTD ACTUAL	$ CHG 19 vs 18	% CHG 19 vs 18
FINES & FORFEITURES	800,000	592,886	74.11%	25.89%	453,367	139,518	30.77%
INTEREST	-	1,431	-	-	540	891	-
		-	-	-	-	-	-
TOTAL REVENUE	**800,000**	**594,317**	**74.29%**	**25.89%**	**453,907**	**140,409**	**30.93%**
PERSONNEL SERVICES	263,200	72,222	27.44%	72.56%	67,403	4,819	7.15%
SUPPLIES	4,500	100	2.22%	97.78%	1,204	(1,104)	0.00%
CONTRACTUAL & SUNDRY	506,060	87,030	17.20%	82.80%	97,030	(10,000)	-10.31%
CAPITAL OUTLAY	7,600	-	0.00%	100.00%	-	-	0.00%
TOTAL EXPENDITURES	**781,360**	**159,352**	**20.39%**	**79.61%**	**165,637**	**(6,285)**	**-3.79%**
EXCESS REVENUE OVER (UNDER) EXPENDITURES	**$18,640**	**$434,965**			**$288,270**	**$146,694**	

100.00%

QUARTERLY REPORTS FY2018-2019

2nd Quarter

CERTIFICATES OF OBLIGATION FUNDS 2012

$8,000,000 PROCEEDS

AS OF MARCH 2019

PROJECT	FINAL COST OR ESTIMATE
COMPLETED:	
Emergency Sewer Repair - Plum Street	$39,754.00
Design of Wastewater Improvements	$602,255.00
Waterline Replacements	$780,858.93
Design - CDBG 40th Year (Saramac Dr. Phase I)	$16,000.00
Smoke Test (SSES) Wastewater Phase 2 - North	$197,909.28
Sewer Manhole Lids	$40,571.55
Easements Paid	$10,000.00
Wastewater Improvements (South)	$6,072,218.83
Water Tower	$151,938.41
PROJECTS TOTAL	**$7,911,506.00**
TOTAL FUNDS REMAINING	**$88,494.00**

CERTIFICATES OF OBLIGATION FUNDS 2016

$6,000,000 PROCEEDS

AS OF MARCH 2019

PROJECT	FINAL COST OR ESTIMATE
COMPLETED:	
Bursey Road Two (Willis Lane - Rufe Snow)	$2,117,400.00
Community Center Parking Lot Expansion	$105,984.00
Whitley Road One (Starnes - Oakhill)	$707,658.03
IN PROGRESS:	
Whitley Road Three (Chapman - Hightower)	**$2,276,922.00**
Splashpad	**$380,000.00**
Pavestone Wall - Capp Smith Park	**$274,000.00**
PROJECTS TOTAL	**$5,861,964.03**
TOTAL FUNDS REMAINING	**$138,035.97**

CERTIFICATES OF OBLIGATION FUNDS 2017

$7,500,000 PROCEEDS

AS OF MARCH 2019

PROJECT	FINAL COST OR ESTIMATE
COMPLETED:	
Whitley Road One (Starnes - Oakhill)	$190,448.21
IN PROGRESS:	
Whitley Road Two (Watauga Rd - Chapman)	**$3,141,978.00**
Whitley Road Three(Chapman - Hightower)	**$813,167.00**
Starnes Rd Water Main Engineering (Indian Springs - Rufe Snow)	**$995,000.00**
Whitley Road Four - water portion (Hightower to Oakhill)	**$519,116.00**
Meadowlark Lane East Water/Sewer Engineering	**$1,394,624.00**
PROJECTS TOTAL	**$7,054,333.21**
TOTAL FUNDS REMAINING	**$445,666.79**

CERTIFICATES OF OBLIGATION FUNDS 2018

$7,000,000 PROCEEDS

AS OF MARCH 2019

PROJECT	FINAL COST OR ESTIMATE
IN PROGRESS:	
Patrol Vehicles (5 units)	$300,000.00
K-9 Vehicle Unit	$65,000.00
Fire Marshal Vehicle	$55,000.00
Public Works - Streets Division Ford F150 Truck	$31,000.00
Public Works - Water Distribution Ford F150 Truck	$31,000.00
Public Works Fleet Shop Bay Doors	$24,000.00
Fire Engine	$589,000.00
Splashpad	$1,140,000.00
Lighting Replacement (Capp Smith Park)	$700,000.00
Needs Assessments	$160,000.00
Whites Branch Creek Trail @ Park Vista	$50,000.00
City Wide Trail Systems	$475,000.00
Playground/Equipment/Sidewalks	$170,000.00
Branding Signs	$250,000.00
Whitley Road Four (Hightower to Oakhill)	$2,423,122.00
Bowie Street	$400,000.00
Sidewalks	$100,000.00
Water Tower Fire Alarm Replacement	$35,000.00
PROJECTS TOTAL	**$6,998,122.00**
TOTAL FUNDS REMAINING	**$1,878.00**

WATAUGA
TEXAS
"A GREAT PLACE TO LIVE"

QUARTERLY INVESTMENT REPORT

For the Quarter Ended

March 31, 2019

Prepared by

Valley View Consulting, L.L.C.

The investment portfolio of the City of Watauga is in compliance with the Public Funds Investment Act and the City of Watauga Investment Policy.

Andrea Gardner

City Manager

Sandra Gibson

Director of Finance

Debby Woodard

Assistant Director of Finance

Disclaimer: These reports were compiled using information provided by the City of Watauga. No procedures were performed to test the accuracy or completeness of this information. The market values included in these reports were obtained by Valley View Consulting, L.L.C. from sources believed to be accurate and represent proprietary valuation. Due to market fluctuations these levels are not necessarily reflective of current liquidation values. Yield calculations are not determined using standard performance formulas, are not representative of total return yields and do not account for investment adviser fees.

Summary

Quarter End Results by Investment Category:

Asset Type	December 31, 2018 Book Value	December 31, 2018 Market Value	March 31, 2019 Book Value	March 31, 2019 Market Value	Ave. Yield
DDA/MMA/NOW	$ 12,449,231	$ 12,449,231	$ 12,419,990	$ 12,419,990	2.66%
Pools	6,993,647	6,993,647	7,439,321	7,439,321	2.44%
CD/Security	17,163,435	17,163,435	15,224,354	15,224,354	2.61%
Totals	**$ 36,606,313**	**$ 36,606,313**	**$ 35,083,665**	**$ 35,083,665**	

Current Quarter Portfolio Performance

Average Quarterly Yield	2.59%
Rolling Three Month Treasury	2.44%
Rolling Six Month Treasury	2.51%

Fiscal Year-to-Date Portfolio Performance

Average Quarter End Yield	2.54%
Rolling Three Month Treasury	2.41%
Rolling Six Month Treasury	2.45%
TexPool	2.35%

Interest Earnings (Unaudited)

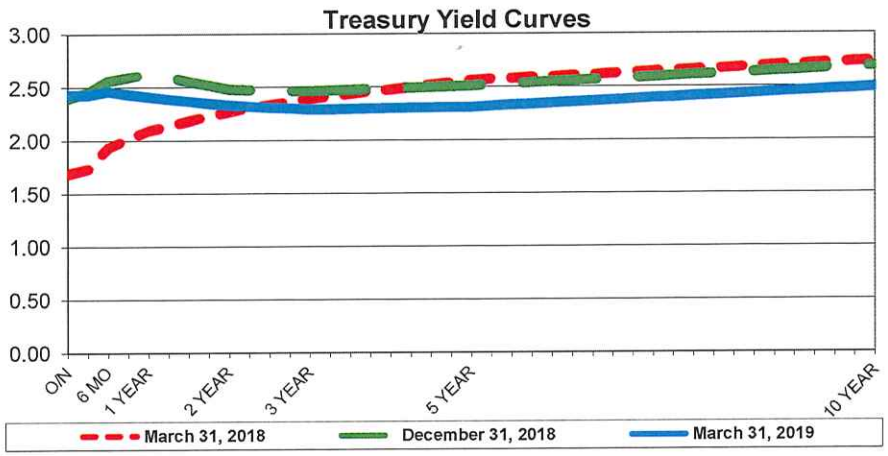
Quarterly Interest Earnings	$ 225,785
Fiscal YTD Interest Earnings	$ 434,637

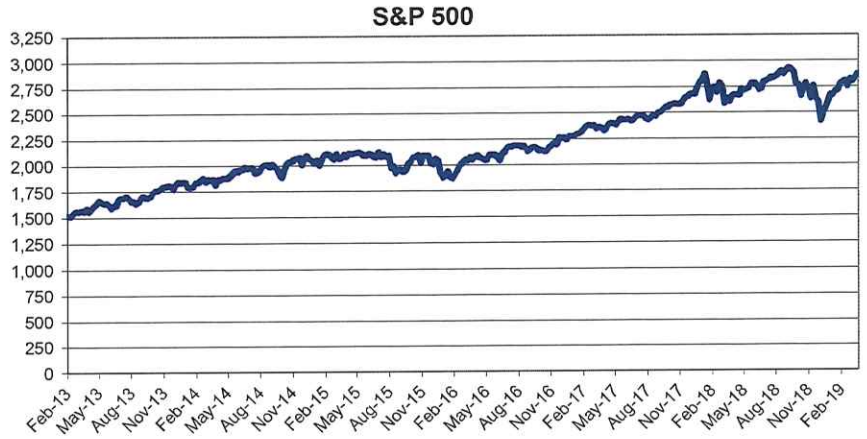
Note: Average yields calculated using quarter end report average yield and Book Value, but do not include adviser fees and realized and unrealized gains or losses.

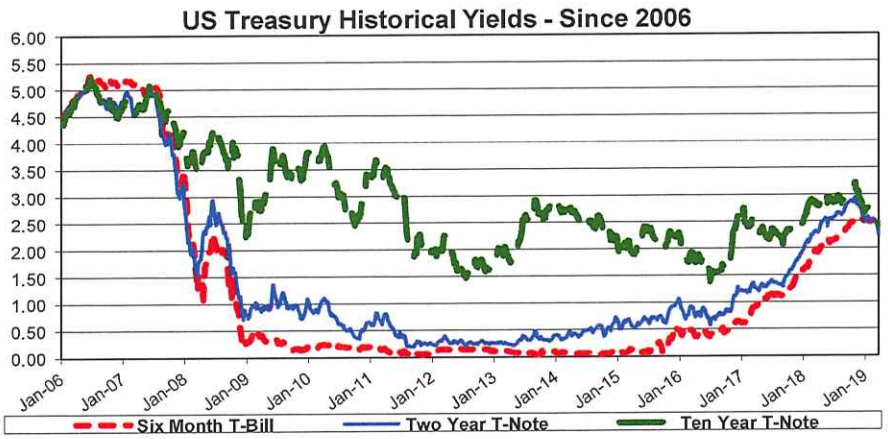
Economic Overview

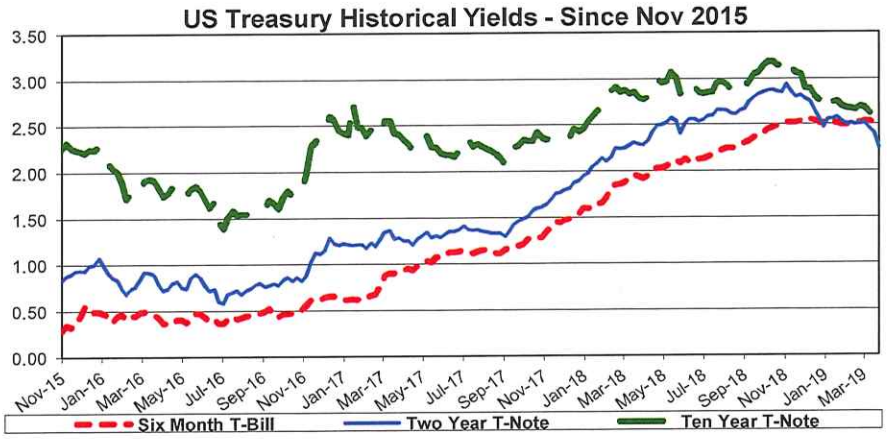
3/31/2019

The Federal Open Market Committee (FOMC) maintained the Fed Funds target range to 2.25% - 2.50% (Effective Fed Funds are trading +/-2.40%). The market projections now lean towards decreases late 2019 or early 2020. Gradual FRB portfolio reduction continues by limiting reinvestment of maturing holdings, but that strategy will end this summer. February Non Farm Payroll plunged to only 20,000 new jobs (although Dec and Jan were revised up slightly). Fourth quarter GDP registered 2.2% (final). Crude oil remained +/-$55. The Stock Markets continued higher from December lows. Housing mostly mixed. The mid-maturity yield curve is lower and still sway-backed.









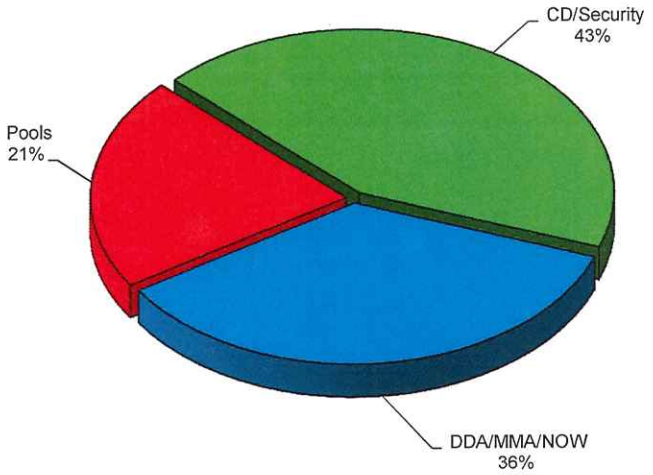
Investment Holdings
March 31, 2019

Description	Rating	Coupon/ Discount	Maturity Date	Settlement Date	Original Face\ Par Value	Book Value	Market Price	Market Value	Life (Days)	Yield
Southside Bank MMA		2.66%	04/01/19	03/31/19	$ 12,419,990	$ 12,419,990	1.00	$ 12,419,990	1	2.66%
Texas Term Daily	AAAm	2.41%	04/01/19	03/31/19	461,477	461,477	1.00	461,477	1	2.41%
LOGIC	AAAm	2.60%	04/01/19	03/31/19	301,466	301,466	1.00	301,466	1	2.60%
TexPool	AAAm	2.42%	04/01/19	03/31/19	6,154,071	6,154,071	1.00	6,154,071	1	2.42%
TexPool Prime	AAAm	2.59%	04/01/19	03/31/19	522,307	522,307	1.00	522,307	1	2.59%
East West Bank CD		2.24%	04/17/19	04/17/18	1,000,000	1,000,000	100.00	1,000,000	17	2.27%
LegacyTexas Bank CD		2.65%	04/19/19	10/19/18	1,000,000	1,011,011	100.00	1,011,011	19	2.68%
Lubbock National Bank CD		2.60%	06/19/19	06/19/18	1,000,000	1,019,615	100.00	1,019,615	80	2.63%
Landmark Bank CD		1.62%	06/27/19	09/27/17	1,000,000	1,024,479	100.00	1,024,479	88	1.63%
LegacyTexas Bank CD		2.72%	07/19/19	10/19/18	1,000,000	1,011,303	100.00	1,011,303	110	2.75%
LegacyTexas Bank CD		2.75%	08/19/19	10/19/18	1,000,000	1,011,429	100.00	1,011,429	141	2.78%
Texas Security Bank CD		1.75%	09/06/19	09/06/17	1,018,861	1,018,861	100.00	1,018,861	159	1.75%
LegacyTexas Bank CD		2.40%	10/17/19	04/17/18	1,000,000	1,022,182	100.00	1,022,182	200	2.43%
LegacyTexas Bank CD		2.84%	10/21/19	10/19/18	1,000,000	1,011,804	100.00	1,011,804	204	2.88%
LegacyTexas Bank CD		2.86%	11/19/19	10/19/18	1,000,000	1,011,888	100.00	1,011,888	233	2.90%
BTH Bank CD		2.72%	12/19/19	06/19/18	1,000,000	1,020,529	100.00	1,020,529	263	2.75%
LegacyTexas Bank CD		2.55%	04/17/20	04/17/18	1,000,000	1,023,583	100.00	1,023,583	383	2.58%
LegacyTexas Bank CD		3.00%	07/20/20	10/19/18	1,500,000	1,518,709	100.00	1,518,709	477	3.04%
LegacyTexas Bank CD		3.04%	10/19/20	10/19/18	1,500,000	1,518,960	100.00	1,518,960	568	3.08%
					$ 34,878,172	**$ 35,083,665**		**$ 35,083,665**	**101**	**2.59%**
									(1)	**(2)**

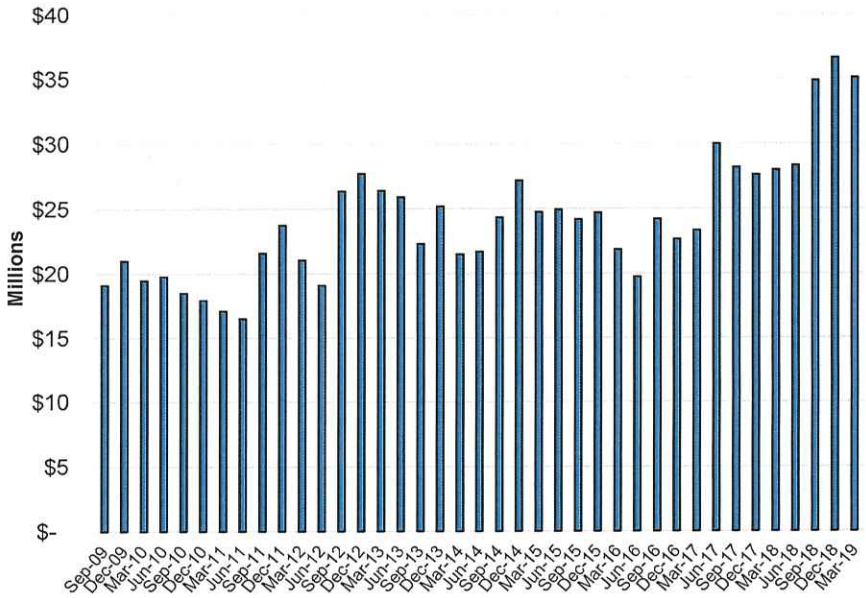
(1) Weighted average life - Pools, Money Market Funds, and Bank Deposits are assumed to have a one day maturity.

(2) Weighted average yield to maturity - The weighted average yield to maturity is based on Adjusted Book Value, adviser fees and realized and unrealized gains/losses are not considered. The pool and mutual fund yields are the average for the last month of the quarter. Bank deposit yields are estimated from the monthly allocated earnings.

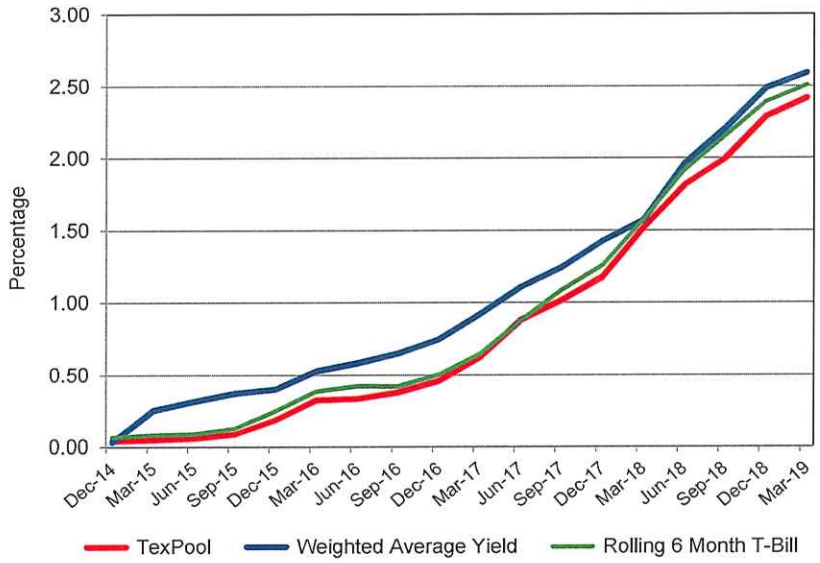
Portfolio Composition



Quarter End Book Value



Total Portfolio Performance



Book and Market Value Comparison

Description	Coupon/ Discount	Maturity Date	December 31, 2018 Original Face\ Par Value	December 31, 2018 Book Value	Purchases/ Adjustments	Sales/Adjust/ Maturities	March 31, 2019 Original Face\ Par Value	March 31, 2019 Book Value
Southside Bank MMA	2.66%	04/01/19	$ 12,449,231	$ 12,449,231	$ -	$ (29,241)	$ 12,419,990	$ 12,419,990
Texas Term Daily	2.41%	04/01/19	458,755	458,755	2,722	-	461,477	461,477
LOGIC	2.60%	04/01/19	299,540	299,540	1,926		301,466	301,466
TexPool	2.42%	04/01/19	5,716,375	5,716,375	437,696		6,154,071	6,154,071
TexPool Prime	2.59%	04/01/19	518,977	518,977	3,330		522,307	522,307
East West Bank CD	2.16%	01/17/19	1,000,000	1,000,000		(1,000,000)	–	–
Lubbock National Bank CD	1.45%	02/23/19	1,000,000	1,025,735		(1,025,735)	–	–
East West Bank CD	2.24%	04/17/19	1,000,000	1,000,000			1,000,000	1,000,000
LegacyTexas Bank CD	2.65%	04/19/19	1,000,000	1,004,434	6,578		1,000,000	1,011,011
Lubbock National Bank CD	2.60%	06/19/19	1,000,000	1,013,107	6,509		1,000,000	1,019,615
Landmark Bank CD	1.62%	06/27/19	1,000,000	1,020,403	4,076		1,000,000	1,024,479
LegacyTexas Bank CD	2.72%	07/19/19	1,000,000	1,004,551	6,752		1,000,000	1,011,303
LegacyTexas Bank CD	2.75%	08/19/19	1,000,000	1,004,601	6,827		1,000,000	1,011,429
Texas Security Bank CD	1.75%	09/06/19	1,018,861	1,018,861			1,018,861	1,018,861
LegacyTexas Bank CD	2.40%	10/17/19	1,000,000	1,016,157	6,025		1,000,000	1,022,182
LegacyTexas Bank CD	2.84%	10/21/19	1,000,000	1,004,752	7,052		1,000,000	1,011,804
LegacyTexas Bank CD	2.86%	11/19/19	1,000,000	1,004,785	7,102		1,000,000	1,011,888
BTH Bank CD	2.72%	12/19/19	1,000,000	1,013,715	6,814		1,000,000	1,020,529
LegacyTexas Bank CD	2.55%	04/17/20	1,000,000	1,017,174	6,409		1,000,000	1,023,583
LegacyTexas Bank CD	3.00%	07/20/20	1,500,000	1,507,530	11,179		1,500,000	1,518,709
LegacyTexas Bank CD	3.04%	10/19/20	1,500,000	1,507,631	11,329		1,500,000	1,518,960
TOTAL			**$ 36,461,739**	**$ 36,606,313**	**$ 532,328**	**$ (2,054,976)**	**$ 34,878,172**	**$ 35,083,665**

Allocation
March 31, 2019
Book & Market Value

	Total	Consolidated Cash	Construction	Crime Control District
Southside Bank MMA	$ 12,419,990	$ 1,395,223	$ 11,024,767	$ -
Texas Term Daily	461,477	461,477	-	-
LOGIC	301,466	301,466	–	–
TexPool	6,154,071	5,450,228	–	703,844
TexPool Prime	522,307	522,307	–	–
04/17/19–East West Bank CD	1,000,000	1,000,000	–	–
04/19/19–LegacyTexas Bank CD	1,011,011	–	1,011,011	–
06/19/19–Lubbock National Bank CD	1,019,615	1,019,615	–	–
06/27/19–Landmark Bank CD	1,024,479	–	1,024,479	–
07/19/19–LegacyTexas Bank CD	1,011,303	–	1,011,303	–
08/19/19–LegacyTexas Bank CD	1,011,429	1,011,429	–	–
09/06/19–Texas Security Bank CD	1,018,861	1,018,861	–	–
10/17/19–LegacyTexas Bank CD	1,022,182	–	1,022,182	–
10/21/19–LegacyTexas Bank CD	1,011,804	–	1,011,804	–
11/19/19–LegacyTexas Bank CD	1,011,888	–	1,011,888	–
12/19/19–BTH Bank CD	1,020,529	1,020,529	–	–
04/17/20–LegacyTexas Bank CD	1,023,583	–	1,023,583	–
07/20/20–LegacyTexas Bank CD	1,518,709	1,518,709	–	–
10/19/20–LegacyTexas Bank CD	1,518,960	1,518,960	–	–
Totals	**$ 35,083,665**	**$ 16,238,803**	**$ 18,141,018**	**$ 703,844**

Allocation
December 31, 2018
Book & Market Value

	Total	Consolidated Cash	Construction	Crime Control District
Southside Bank MMA	$ 12,449,231	$ 1,141,357	$ 11,307,874	$ -
Texas Term Daily	458,755	458,755	-	-
LOGIC	299,540	299,540	–	–
TexPool	5,716,375	5,016,682	–	699,693
TexPool Prime	518,977	518,977	–	–
01/17/19–East West Bank CD	1,000,000	1,000,000	–	–
02/23/19–Lubbock National Bank CD	1,025,735	1,025,735	–	–
04/17/19–East West Bank CD	1,000,000	1,000,000	–	–
04/19/19–LegacyTexas Bank CD	1,004,434	–	1,004,434	–
06/19/19–Lubbock National Bank CD	1,013,107	1,013,107	–	–
06/27/19–Landmark Bank CD	1,020,403	–	1,020,403	–
07/19/19–LegacyTexas Bank CD	1,004,551	–	1,004,551	–
08/19/19–LegacyTexas Bank CD	1,004,601	1,004,601	–	–
09/06/19–Texas Security Bank CD	1,018,861	1,018,861	–	–
10/17/19–LegacyTexas Bank CD	1,016,157	–	1,016,157	–
10/21/19–LegacyTexas Bank CD	1,004,752	–	1,004,752	–
11/19/19–LegacyTexas Bank CD	1,004,785	–	1,004,785	–
12/19/19–BTH Bank CD	1,013,715	1,013,715	–	–
04/17/20–LegacyTexas Bank CD	1,017,174	–	1,017,174	–
07/20/20–LegacyTexas Bank CD	1,507,530	1,507,530	–	–
10/19/20–LegacyTexas Bank CD	1,507,631	1,507,631	–	–
Totals	**$ 36,606,313**	**$ 17,526,490**	**$ 18,380,130**	**$ 699,693**

Dallas–Fort Worth Economic Indicators

Federal Reserve Bank of Dallas

March 27, 2019

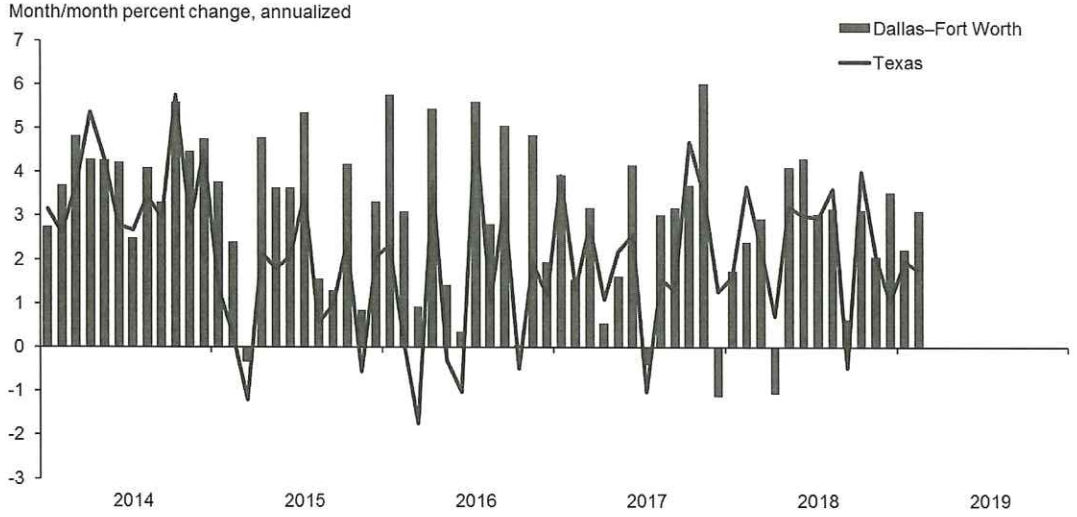
Dallas–Fort Worth economic growth continued in February, with payroll employment expanding and unemployment staying low. Looking at the two-month period, employment performance has been healthy—above the metro's long-run average. The Dallas Business-Cycle Index expanded, but the Fort Worth Business-Cycle Index fell for the second straight month. Home sales rose strongly and home inventories remained tight in February.

Labor Market

Payrolls Expand Solidly in Dallas, Decline in Fort Worth

DFW employment continued to post solid growth in February, expanding an annualized 3.1 percent (9,600 jobs) following an upwardly revised 2.2 percent increase (6,900 jobs) in January (*Chart 1*). Payrolls rose by nearly 12,400 jobs in Dallas but fell by 2,800 in Fort Worth last month. In the first two months of the year, payrolls in Dallas increased 4.8 percent, while Fort Worth shed jobs.

Chart 1
Employment Growth
Month/month percent change, annualized

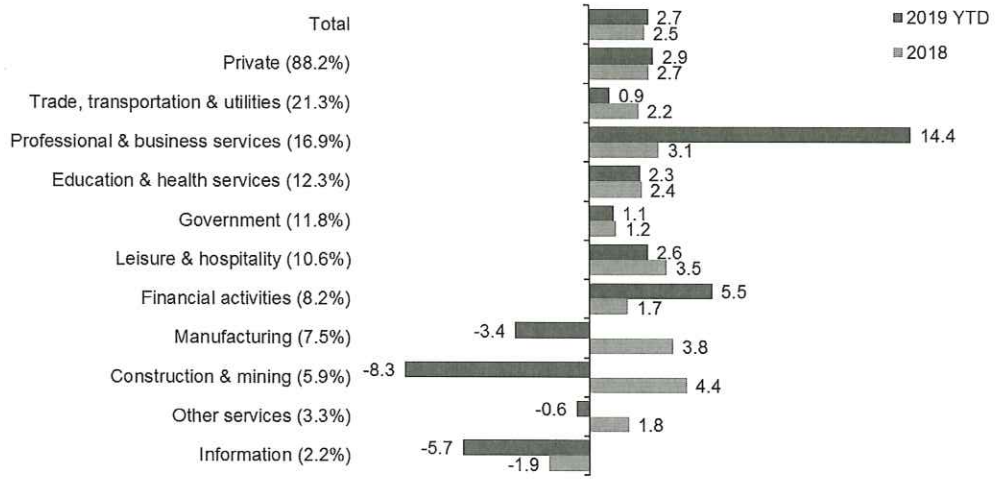


SOURCES: Bureau of Labor Statistics; Texas Workforce Commission; seasonal and other adjustments by the Dallas Fed.

Employment Recedes in Goods Sector, Expands in Services

DFW employment expanded an annualized 2.7 percent in the first two months of 2019 (*Chart 2*). Payrolls in the goods-producing sector contracted following a robust performance in 2018. Gains in the service-providing sector remained broad based, with growth led by professional and business services, which also added the most jobs (14,000) during the two-month period. The financial services, leisure and hospitality, and education and health services industries also experienced healthy gains. Job growth in trade, transportation and utilities—the metro's largest sector—moderated in the first two months of the year.

Chart 2
Employment Growth by Sector

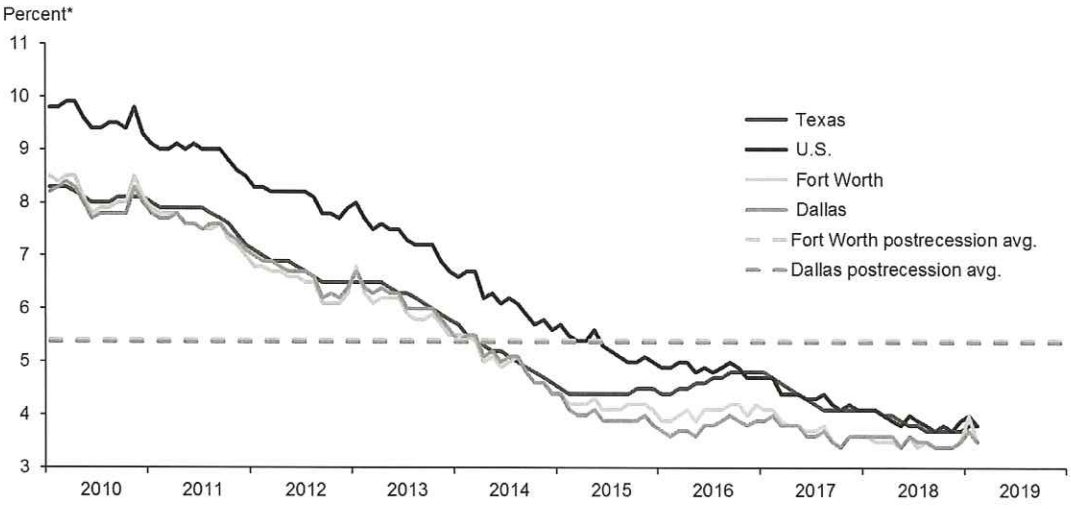


NOTES: Data show seasonally adjusted annualized percentage growth by sector for 2018 and year to date 2019 (December 2018–February 2019). Numbers in parentheses are shares of total Dallas–Fort Worth nonfarm employment in February 2019 and may not sum to 100 due to rounding.
SOURCES: Bureau of Labor Statistics; Texas Workforce Commission; seasonal and other adjustments by the Dallas Fed.

Unemployment Remains Low

The labor market remained tight, with unemployment close to multiyear lows. Unemployment in both Dallas and Fort Worth fell to 3.5 percent in February following an increase in January that was likely due to the partial government shutdown (*Chart 3*). The jobless rate in DFW remained below its postrecession average (January 2010–December 2018) as well as February's 3.8 percent rate in both the state and nation.

Chart 3
Unemployment Rate



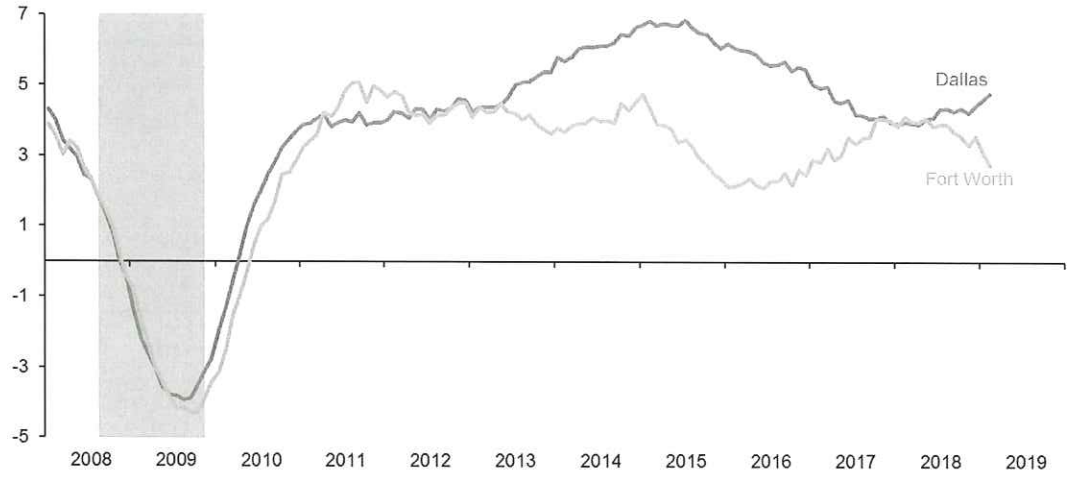
*Seasonally adjusted.
SOURCES: Bureau of Labor Statistics; Texas Workforce Commission; seasonal adjustments by the Dallas Fed.

Business-Cycle Indexes

The Dallas Business-Cycle Index strengthened in February as job growth improved and unemployment fell (*Chart 4*). The Dallas index rose an annualized 6.7 percent in February, quicker than January's 5.4 percent rate. Due to declining payrolls, the Fort Worth index dipped in February for the second straight month. Before diverging recently, the two metro indexes had tracked each other closely from late 2017 to mid-2018.

Chart 4
Business-Cycle Indexes

Percent, year/year



NOTE: Shaded bar indicates Texas recession.
SOURCE: Dallas Fed.

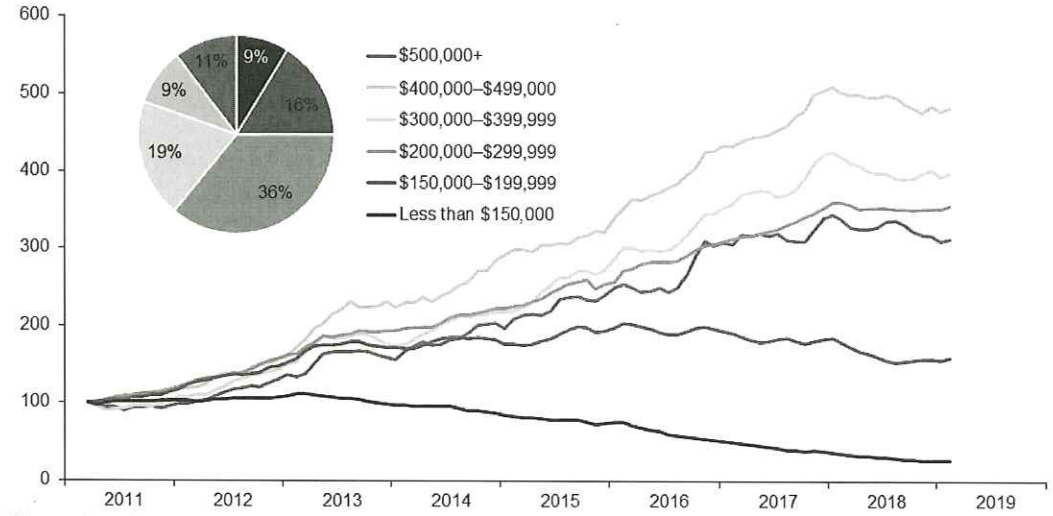
Housing

Home Sales Improve in February

DFW existing-home sales climbed in February following a decline the previous month. The three-month moving averages show broad-based increases across various price categories (*Chart 5*). Business contacts responding to the February Dallas Beige Book also noted an uptick in new-home sales since the start of the year relative to the end of 2018. Through February, total existing-home sales are trailing sales made over the same period in 2018. Sales of homes priced $200,000-plus softened last year after posting double-digit growth in 2012–17. Sales of homes priced below $150,000 have been sliding since mid-2013, and sales of homes priced $150,000–$199,999 dipped during 2017–18 due to lack of inventory.

Chart 5
Existing-Home Sales by Price Point

Index, March 2011 = 100*

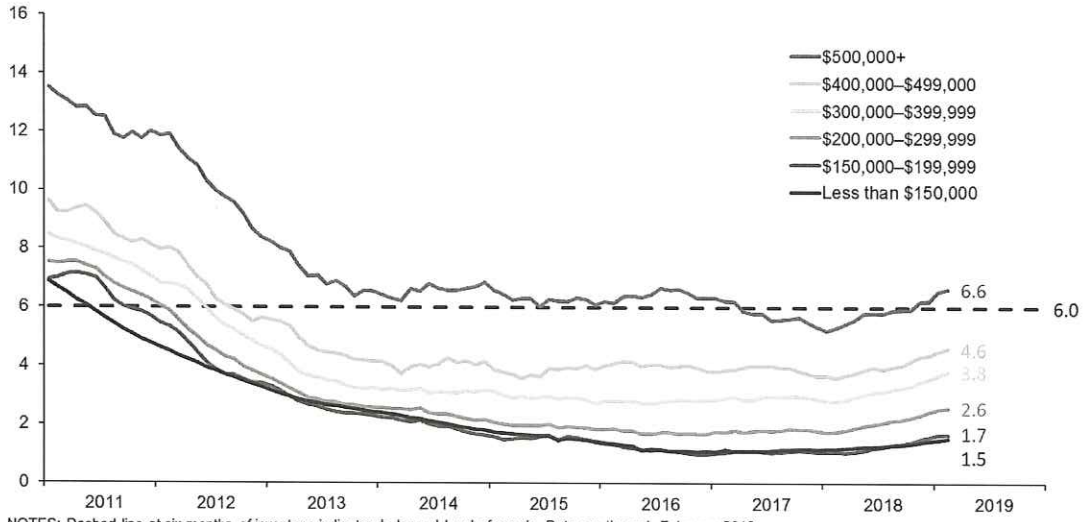


* Three-month moving average, seasonally adjusted.
NOTES: Data are through February 2019. Pie chart data are year to date 2019 and are not seasonally adjusted.
SOURCES: Multiple Listing Service; seasonal and other adjustments by the Dallas Fed.

Inventories Tight at Lower End

DFW existing-home inventories remained tight and well below the six months' supply typically associated with a balanced market. In February, overall inventories were at 3.5 months in Dallas and 2.7 months in Fort Worth. Inventories of entry-level homes (priced below $200,000) were the tightest at just over one month of supply, a level that has changed little over the past three years (*Chart 6*). Inventories of homes priced above $200,000 have been steadily rising since early 2018 and are above the six-month mark for homes priced $500,000 or more.

Chart 6
Existing-Home Inventories
Months of inventory, seasonally adjusted



NOTES: Dashed line at six months of inventory indicates balanced level of supply. Data are through February 2019.
SOURCES: Multiple Listing Service; seasonal and other adjustments by the Dallas Fed.

NOTE: Data may not match previously published numbers due to revisions.

About Dallas–Fort Worth Economic Indicators

Questions can be addressed to Laila Assanie at laila.assanie@dal.frb.org. *Dallas–Fort Worth Economic Indicators* is published every month on the Tuesday after state and metro employment data are released.

AGENDA MEMORANDUM

DATE: May 2, 2019

TO: Honorable City Council Members

FROM: Shawn Fannan, Fire Chief
Sandra Gibson, CGFO, CGFM, Director of Finance

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consideration and action of Ordinance to amend Chapter 12 Fee Schedule, Section 12-30, Chapter 30 to add a fee for the Youth Fire Camp (CAPTION)

BACKGROUND/INFORMATION:

Local governments have broad authority to implement user fees that reasonably cover the costs of their operations. User fees differ from taxes, which must be authorized by the State legislature. Municipal user fees are defined as a fee for which City services paid by an individual to access a service or facility.

The Fire Department will be offering a Youth Fire Camp this summer. This is a one week day camp sponsored by the Watauga Fire Department for select students who demonstrate academic excellence, exhibit good citizen throughout the year and may exhibit interest in the Fire Service. The registration fee has been set at $75.00 to help cover the cost of the camp. A brochure for the Fire Camp is attached for additional information.

The proposed amendment with the above change is attached for Council consideration.

FINANCIAL IMPLICATIONS:

The program cost is intended to cover the cost of supplies for the camp.

RECOMMENDATION/ACTION DESIRED:

Consideration and action on item as presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Youth Fire Camp
2. Chapter 12 Fee Schedule adding Youth Fire Camp Fee

REVIEWED BY:

Andrea Gardner, City Manager Approved - 5/8/2019

AGENDA MEMORANDUM

Terri Johnson, City Secretary — Final Approval - 5/8/2019

Approved as to form for inclusion on Agenda

FIRE CAMP 2019

Class Information

FIRE CAMP **2019** is a 1 week, day camp sponsored by the Watauga Fire Department for select students who demonstrate academic excellence, exhibit good citizenship throughout the year and may exhibit interest in the Fire Service.

Objectives
Fire Camp focuses on teamwork and problem solving in a controlled environment, while providing insight to the Fire Service.

Camp Staff
Members of the Watauga Professional Firefighters Association will conduct all training sessions and offer their expertise in various disciplines of the Fire Service. All instructors are certified career firefighters / paramedics.

Selection
Attendees are selected by one of three methods: 1) The student's homeroom or advisory teacher, 2) Referral from city employee or civic leader, or 3) Appointment by fire department personnel. Students must meet both the Eligibility and Physical Requirements listed below.

Eligibility

Fire Camp is open to students ages 10-12 who have successfully completed the 4th grade on the "A" or "A/B" Honor Roll.

Physical Requirements
Due to the physical nature of the camp, students must be in good health, and be able to perform the following activities without assistance:

Lift 25 pound weight chest high and hold for 60 seconds
Climb a 14-foot ladder
Jog / walk 1.5 mile in 25 minutes

Registration Fee

A registration fee of $75.00 to help cover the cost of the camp includes a camp T-shirt, helmet, ID card, awards, and graduation ceremony on Friday night. Money will be collected at the orientation class. Limited financial assistance is available.

Please make checks payable to City of Watauga.

What to Bring to Camp

- Sack Lunch & 2-3 Drinks (water, gatorade, etc is recommended) Monday – Friday
- Backpack
- Work Gloves (ie. Mechanic gloves or leather work type gloves
- Beach Towel
- and ALL items issued at orientation

Due to the nature of the activities, please have your children wear clothing and shoes that you don't mind getting wet and muddy **No Open Toe shoes** will be allowed. At pickup time the children will most likely be wet so please plan accordingly. You may want to bring extra towels with you at pickup to permit extra drying and to protect your vehicle seating. Please do not pack extra clothing or towels for your children to keep up with during the day.

Class Times

June 1,	(Saturday)	10:00 AM – Camp Orientation
June 3 - 7	(Monday – Friday)	8:30 AM – 4:00 PM

A Graduation Ceremony will be held on Friday from 5:00 to 6:00 PM at the Watauga Fire Department located at 5909 Hightower Dr. All **immediate** family members are encouraged to attend, and should begin arriving at 4:30 PM.

Camp Location:

Fire Camp activities will be conducted at 5909 Hightower Dr. Watauga TX 76148.

Although camp doesn't officially begin until 8:30 AM daily, students can be dropped off at the designated location beginning at 7:45 each day in order to assist working parents. Pickup time is 4:00 PM daily.

For More Information

For more information, please contact one of the following:

Assistant Fire Chief Randy Barkley@817–514-5874/ rbarkley@wataugatx.org
Fire Marshal Brian Hatfield @ 817-514- 5880/ bhatfield@wataugatx.org

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

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

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

May 6, 2019

Ms. Sandra Gibson
Director of Finance and Administration
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

Re: Ordinance Amending Chapter 12 Fee Schedule
Parks and Recreational facilities

Dear Ms. Gibson:

Per your request, I have reviewed the Ordinance by the City Council of the City of Watauga amending Chapter 12 regarding Section 12-30, Chapter 30 concerning the fee schedule for Parks and Recreational facilities in the City of Watauga. I approve of the same and would recommend that this Ordinance be presented at the next City Council meeting for consideration and approval.

Thank you for your attention to the above and the opportunity to be of assistance. Please let me know if you have any questions.

Sincerely,

MARK G. DANIEL

MGD:tp

cc: Mayor Pro tem David Griffin
Ms. Andrea Gardner, City Manager
Ms. Terri Johnson, Interim City Secretary

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

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

I.

The following Section of Chapter 12 of the Code of Ordinances for the City of Watauga, Texas, are hereby revised as follows to reflect amendments to the fee structure in the City of Watauga for recreation and community services.

Section 12-30. – Chapter 30, Parks and Recreational facilities

(a) Summer recreation program fees.

Activity Type	Resident Fee	Nonresident Fee
Registration fee (annual)	$25.00	$25.00
Fee for one child	$100.00	$115.00
Fee for two children	$130.00	$145.00
Fee for three children	$160.00	$175.00
Fee for four children	$200.00	$215.00

(b) Recreation and community center membership fees:

Type	Resident Fee	Nonresident Fee
Adult:		
Annual	$55.00	$125.00
Daily walk-in	$6.00	$6.00
Youth 17 and under:		
Annual	$25.00	$ 60.00
Daily walk-in	$ 3.00	$ 3.00
Hall Pass 3 p.m. – 6 p.m.	$10.00/seasonal	$10.00/seasonal
Seniors over 60:		

Annual	$30.00	$65.00
Type	Resident Fee	Nonresident Fee
Daily walk-in	$ 4.00	$ 4.00
Family of four:		
Annual	$140.00	$280.00
Each additional child	$ 20.00	$ 20.00
City employee:		
Annual	$0.00	$0.00
Daily walk-in	$0.00	$0.00
City Employee Spouse:		
Annual	$20.00	$20.00
Daily walk-in	$ 3.00	$ 3.00
City Employee Child 17 & Under		
Annual	$10.00	$10.00
Daily walk-in	$ 2.00	$ 2.00
Senior Center Membership	$10.00	$10.00

Recreational Center membership includes access to the gymnasium, fitness room, activity room, entertainment area and locker rooms. Senior Center membership is for access to Senior Center only. Membership is not mandatory to participate in classes and programs or city-sponsored sports leagues.

(c) Recreation and community center pre-school fees:

Type	Resident Fee	Nonresident Fee
Registration Fee	$25.00/annual	$25.00/annual
Time for Tots Preschool	$90.00/month	$90.00/month
Tiny Tots Preschool	$60.00/month	$60.00/month

(d) Recreation and community center class fees:

Type	Resident Fee	Nonresident Fee
Pickle Pass	$20.00/seasonal	$20.00/seasonal
Fitness Class Fees	Fee Set by Instructor (City receives 30% of fee)	Fee Set by Instructor (City receives 30% of fee)
League Fees (seasonal)	Based on area user fees for specific activity	Based on area user fees for specific activity

(e) Recreation and community center rental of facility fees:

Type	Resident Fee	Nonresident Fee
Foster Village	$35.00/hr. (3 hr. minimum)	$45.00/hr. (3 hr. minimum)
Recreation Center		
Multi-purpose Room (B)	$35.00/hr.	$45.00/hr.

Multi-purpose Room (C)	$45.00/hr.	$55.00/hr.
Multi-purpose Room (E)	$45.00/hr.	$55.00/hr.
Type	Resident Fee	Nonresident Fee
Gym ½ Court	$25.00/hr.	$35.00/hr.
Gym Full Court	$45.00/hr.	$55.00/hr.
After hours fee	$15.00/hr. additional charge	$15.00/hr. additional charge
Capp Smith Park		
Amphitheatre (1st 3 hours)	$60.00 (3 hr. block)	$70.00 (3 hr. block)
Amphitheatre (each additional hour)	$25.00/hr. (each additional hour)	$35.00/hr. (each additional hour)
Pavilion #1 (1st 3 hours)	$60.00 (3 hr. block)	$70.00 (3 hr. block)
Pavilion #1 (each additional hour)	$15.00/hr.	$25.00/hr.
Pavilion #1 All Day	$110.00	$120.00
Pavilion #2, 3, 4 (1st 3 hours)	$25.00 (3 hr. block)	$25.00 (3 hr. block)
Pavilion #2, 3, 4 (each additional hour)	$10.00/hr.	$20.00/hr.
Pavilion #2, 3, 4 All Day	$70.00	$80.00

A refundable deposit of $30.00 is due on all reservations made for a Watauga facility. Deposits will be refunded providing there were no damages to the facility reserved. Any reservations cancelled at least two weeks prior to the reservation date will be entitled to a full refund. Cancellations less than two weeks prior to the reservation date will cause forfeiture of the entire deposit

(f) Other Camps and Miscellaneous Fees

Type	Resident Fee	Nonresident Fee
Youth Fire Camp	$75.00	$75.00

II.

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

III.

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

IV.

This Ordinance shall become effective and shall be in full force and effective on April 1, 2019 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, TX.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas this the 13th day of May, 2019.

APPROVED:

_____
DAVID GRIFFIN, MAYOR PRO-TEM

ATTEST:

_____
TERRI JOHNSON, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, CITY ATTORNEY

AGENDA MEMORANDUM

DATE: May 2, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

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

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BACKGROUND/INFORMATION:

The Public Works Department submitted an application to the North Central Texas Council of Governments in May of 2018 for the Blue-Green-Grey Round 2 Grants. The applications had to focus on water (blue), environment (green) and transportation infrastructure (grey). Our application was for Hightower Drive Biofiltration Rain Gardens. Only two other grants were awarded during Round 2 of this grant cycle.

The project will include sidewalk relocation and (6) biofiltration rain gardens along Hightower Drive near Capp Smith Park. The Grant shall fund $50,000 of the estimated $80,000 project.

The Interlocal Cooperation Contracts Chapter 791 of the Texas Government Code provides legal authority for the parties to enter into this agreement.

Upon City Council approval, NCTCOG shall execute the Interlocal Agreement. The City shall budget $90,000 (included contingency funding) with the 2019/20 Budget and $50,000 of that amount would be reimbursed by NCTCOG.

FINANCIAL IMPLICATIONS:

$90,000 - Budget in 2019/20 (include contingency)
$50,000 - Reimbursable from NCTCOG after expended

RECOMMENDATION/ACTION DESIRED:

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

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Attorney Letter - Blue Green Grey - ILA - NCTCOG
2. Interlocal - Blue_Green_Grey_Infrastructure

AGENDA MEMORANDUM

3. Application Blue Green Grey NCTCOG - June 1-2018

REVIEWED BY:

Sandra Gibson, CGFO, CGFM, Director of Finance	Approved - 5/7/2019
Andrea Gardner, City Manager	Approved - 5/8/2019
Terri Johnson, City Secretary	Final Approval - 5/8/2019

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL
BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

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

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

May 6, 2019

Via Email

Mr. Paul Hackleman
Public Works Director
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

Re: North Central Texas Council of Governments (NCTCOG)
The Blue-Green-Grey Projects Award Amount of $50,000.00

Dear Mr. Hackleman:

Pursuant to your request, I have reviewed the Interlocal Cooperation Agreement between the City of Watauga and NCTCOG whereas NCTCOG is awarding a grant to the City in the amount of $50,000.00 to design, purchase and install the FocalPoint Biofiltration System, obtain water quality sampling and upon projection competition, prepare a final report. It is my understanding that the City will submit request for reimbursements for this project pursuant to the "Appendix A Scope of Work" attached to the Agreement.

I approve of this Agreement and would recommend that you forward the same to Mayor Pro tem Griffin for his signature. There is no necessity to present this Agreement to the City Council for approval.

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

Sincerely,

MARK G. DANIEL

MGD/tp

cc: Mayor Pro tem David Griffin
Ms. Andrea Gardner, City Manager
Ms. Terri Johnson, Interim City Secretary

INTERLOCAL COOPERATION AGREEMENT
Between
THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
and
[City of Watauga]
for
THE BLUE-GREEN-GREY PROJECTS

WHEREAS, the North Central Texas Council of Governments (NCTCOG) has been designated as the Metropolitan Planning Organization for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and,

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with NCTCOG and has been and continues to be a forum for cooperative decisions on transportation; and,

WHEREAS, it is the goal of the RTC to encourage and provide opportunities to develop innovative projects and outcomes in the Dallas-Fort Worth Metropolitan Area; and,

WHEREAS, on February 8, 2018, the RTC awarded funding to the [City of Watauga] under the 2017-2018 Blue-Green-Grey Application for New Ideas Funding Opportunity; and

WHEREAS, on February 22, 2018, the North Central Texas Council of Governments' Executive Board in its capacity as the RTC's fiduciary agent, authorized NCTCOG to enter into agreements with local governments for funds awarded by the RTC under the 2017-2018 Blue-Green-Grey Application for New Ideas Funding Opportunity; and

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code provides authority for the North Central Texas Council of Governments and local governments to enter into this agreement for the provision of governmental functions and services of mutual interest.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

ARTICLE 1. PARTIES

1.1 Parties. This Agreement, hereinafter referred to as the "Agreement", is made and entered into by and between the North Central Texas Council of Governments, hereinafter referred to as "NCTCOG", and [City of Watauga) hereinafter referred to as "LOCAL GOVERNMENT". The NCTCOG and LOCAL GOVERNMENT may each be referred to as a "Party", and may be collectively referred to as "Parties" to this Agreement.

ARTICLE 2. FUNDING

2.1. Award Amount. The NCTCOG will reimburse the LOCAL GOVERNMENT's eligible costs for activities outlined in the Scope of Work (SCOPE) under the conditions in this Agreement not to exceed the maximum Award Amount of [$50,000.00]. LOCAL GOVERNMENT shall be responsible for any costs in excess of the maximum Award Amount.

ARTICLE 3. SCOPE OF WORK

3.1 **Scope**. The LOCAL GOVERNMENT shall perform the agreed upon SCOPE outlined in Appendix A of this Agreement.

3.2 **Scope of Work Changes.** Changes to the SCOPE must be agreed to by both Parties in writing.

ARTICLE 4. PAYMENTS

4.1 **Reimbursement**. Reimbursement shall be made only upon completion of established milestones and deliverables, as outlined in Appendix A. Requests for Reimbursement should be submitted in LOCAL GOVERNMENT letterhead and should be accompanied by documentation of completed milestone or deliverable, applicable receipts, and proof of payment. Any reimbursement under this Agreement shall be payable only after eligible costs and deliverables are approved by NCTCOG. NCTCOG will approve payments as soon as practicable, but not later than forty-five (45) days after a complete Request for Reimbursement has been received, provided that complete and accurate supporting documentation has been submitted to NCTCOG. NCTCOG may deem a Request for Reimbursement incomplete if the data and/or documentation are incomplete or improper, or if the LOCAL GOVERNMENT fails to submit necessary reports or provide other information requested by the NCTCOG under the terms of this Agreement. The NCTCOG may reject requests for reimbursements which fail to demonstrate that costs are eligible for reimbursement and/or which fail to conform to the requirements of this Agreement.

Costs incurred prior to execution of this Agreement are not be eligible for reimbursement, unless authorized in a Notice to Proceed.

4.2 **Reimbursement Requests.** All reimbursement requests prepared by the LOCAL GOVERNMENT shall be submitted no later than June 30, 2020 to NCTCOG at the e-mail address below:

North Central Texas Council of Governments
Email: TRgrants@nctcog.org

ARTICLE 5. PROCUREMENT, DESIGN STANDARDS AND CERTIFICATIONS

5.1 **Design Guidelines**. LOCAL GOVERNMENT agrees to design, build, and maintain the Project in compliance with standards and procedures established by SPONSOR'S governing body.

5.2 **Inspections**. SPONSOR agrees to perform field inspections at appropriate intervals to be determined by SPONSOR to ensure project compliance with the standards and procedures established by SPONSOR'S governing body. Copies of such reports shall be provided to NCTCOG upon request.

5.3 **Certification**. As part of any reimbursement request, SPONSOR shall certify to NCTCOG/RTC that the project meets the standards and procedures established by SPONSOR'S governing body.

5.4 The SPONSOR shall ensure that all required documents of the INFRASTRUCTURE PROJECT, including but not limited to insurance certificates, performance or payment bonds, and required licenses and permits of a SPONSOR or the SPONSOR'S subcontractors be kept on file, current, and available to the NCTCOG upon request. Additionally, any relevant performance documents pertaining to the INFRASTRUCTURE PROJECT, such as correspondence, evaluations, reports submitted by the subcontractor and/or the SPONSOR'S contract administration team, payment requests, and copies of invoices shall be provided to the NCTCOG upon request.

6. TERM, MODIFICATION, AND SEVERABILITY

6.1 **Term.** This Agreement shall take effect on the date executed by the Parties and shall remain in effect until it is terminated. LOCAL GOVERNMENT is authorized to proceed once this Agreement is fully executed.

6.2 **Termination.** Either Party may terminate this Agreement by giving 30 days written notice to the other Party. The Parties may terminate this Agreement at any time by mutual written concurrence. This Agreement shall automatically terminate upon completion of the project.

6.3 **Changed Circumstances.** If future federal, State, or local statute, ordinance, regulation, rule, or action render this Agreement, in whole or in part, illegal, invalid, unenforceable, or impractical, the parties agree to delete and/or to modify such portions of the Agreement as are necessary to render it valid, enforceable, and/or practical. Each section, paragraph, or provision of this Agreement shall be considered severable, and if, for any reason, any section, paragraph, or provision herein is determined to be invalid under current or future law, regulation, or rule, such invalidity shall not impair the operation of or otherwise affect the valid portions of this instrument.

6.4 **Severability.** In the event any one or more of the provisions contained in this Agreement shall be for any reason held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision(s) hereof, and this Agreement shall be revised so as to cure such invalid, illegal, or unenforceable provision(s) to carry out as near as possible the original intent of the Parties.

6.5 **Assignment.** Without the prior written consent of the NCTCOG, the LOCAL GOVERNMENT may not transfer or assign any rights or duties under or any interest in this Agreement.

6.6 **Amendments.** Amendments to this Agreement must be signed by each Party.

ARTICLE 7. MISCELLANEOUS PROVISIONS

7.1 **Captions.** The captions, headings, and arrangements used in this Agreement are for convenience only and shall not in any way affect, limit, amplify, or modify its terms and provisions.

7.2 **Disputes and Remedies.** The LOCAL GOVERNMENT and the NCTCOG shall negotiate in good faith toward resolving any disputes that arise under this Agreement. This agreement does not limit any remedy or right under law available to a Party to enforce the terms herein.

7.3 **Notice.** All notices regarding this Agreement shall be in writing and shall be delivered to the persons identified below:

NCTCOG
Mailing Address:
Michael Morris, P.E.,
Transportation Director
North Central Texas Council of Governments
P.O. Box 5888
Arlington, Texas 76011

NCTCOG Project Manager
[Jody Purvis Losa]
[Principal Transportation Planner]
North Central Texas Council of Governments
Arlington, Texas 76005-5888

LOCAL GOVERNMENT

Mailing Address:	**Physical Address:**
Paul Hackleman	
Director of Public Works	
7800 Virgil R. Anthony Sr. Blvd.	7800 Virgil R. Anthony Sr. Blvd.
Watauga, Texas 76148]	Watauga, Texas 76148

7.4 **Indemnification.** NCTCOG and the LOCAL GOVERNMENT agree that neither party is an agent, servant, or employee of the other party and agrees it is solely responsible for its individual acts and deeds as well as the deeds of its contractors, employees, representatives and agents.

7.5 **Force Majeure.** It is expressly understood and agreed by the parties to this Agreement that, if the performance of any provision of this Agreement is delayed by force majeure, defined as reason of war, civil commotion, act of God, governmental restriction, regulation or interference, fire, explosion, hurricane, flood, failure of transportation, court injunction, or any circumstances which are reasonably beyond the control of the party obligated or permitted under the terms of this Agreement to do or perform the same, regardless of whether any such circumstance is similar to any of those enumerated herein, the party so obligated or permitted shall be excused from doing or performing the same during such period of delay, so that the period of time applicable to such requirement shall be extended for a period of time equal to the period of time such party was delayed. Each party must inform the other in writing within reasonable time of the existence of such force majeure.

7.6 **Audits.** NCTCOG reserves the right to conduct financial and program monitoring of all awards to the LOCAL GOVERNMENT and to perform an audit of all records related to this Agreement. An audit by NCTCOG may encompass an examination of all financial transactions, all accounts and reports, as well as an evaluation of compliance with the terms and conditions of this Agreement.

7.7 **Contractual Relationship.** It is understood and agreed that the relationship described in this Agreement between the parties is contractual in nature and is not to be construed to create a partnership of joint venture or agency relationship between the parties. Nor shall nay party be liable for any debts incurred by the other party in the conduct of such other party's business or functions.

APPENDICES

The following appendices are attached and made part of this Agreement.

Appendix A Scope of Work

IN WITNESS WHEREOF, the Parties have executed this Agreement on the _____ day of _____, 2019.

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS

_____
R. Michael Eastland
Executive Director, NCTCOG

LOCAL GOVERNMENT

City of Watauga_____
[Insert name, title]

APPENDIX A
SCOPE OF WORK

Project Overview

The City of Watauga will submit three deliverable-based invoices and progress reports to NCTCOG in the required format. Progress reports should include work accomplished for each invoice. The tasks will be:

- Design and purchase of FocalPoint Biofiltration System (with Limited Notice to Proceed)
- Installation of the FocalPoint Biofiltration System and sidewalks, curbs, and gutters on Hightower Dr.
- Water quality sampling, project completion, and final report

Electronic Deliverables:
Invoices for each deliverable and a one-page progress report.

Task 1: Design and Purchase of FocalPoint Biofiltration System

The City of Watauga will work with Construction Eco Services to design the layout of the FocalPoint Biofiltration System specific to the needs of Hightower Dr. The design and purchase will require a Limited Notice to Proceed from NCTCOG.

Electronic Deliverables: A Notice to Proceed (Limited one may be issued if the City needs to start work before contract is finalized) and invoice for at purchase or expenditures to date.

Task 2: Installation of FocalPoint Biofiltration System, Sidewalks Curbs and Gutters on Hightower Dr.

The City of Watauga will complete the installation and construction for the project in the following order:

- *List the order of construction/installation and associated details.*
- *Work with Construction Eco Services to design, purchase and install Focal Point Biofiltration Systems along Hightower Dr.*
- *Work with Reliable Paving to relocate and install new sidewalks, curbs and gutters through the project.*

Electronic Deliverables: A brief progress report detailing the work completed. The report should include site pictures before and during construction and after completion of the project.

Task 3: Water Quality Sampling and Project Completion

The City of Watauga will complete a final project closeout report, including (if possible) water quality sampling reports.

A. Water Quality Sampling (Optional)

Optional water quality sampling will be conducted to assess the performance of the FocalPoint Biofiltration System. These tests are optional and dependent on available funds from the total project cost. Testing will be completed before and after the installation of the FocalPoint Biofiltration System, contingent upon available resources.

The water quality sampling shall include standard testing for contaminants such as: fecal coliform, biochemical oxygen demand (BOD), ammonia-nitrogen, total suspended solids (TSS), organchlorine pesticides, and polychlorinated biphenyls (PCBs).

B. Project Completion

The City of Watauga will complete a final report. This report will cover the project and its relation to the NCTCOG Blue-Green-Grey Grant initiative:

- Summary of the project and work
- Results of the project (include optional water quality sampling data)
- Lessons learned
- Application to future projects

Electronic Deliverables:

A report detailing the completion of the project.

NCTCOG Blue-Green-Grey Grant Application: City of Watauga
Project: Hightower Dr Biofiltration Rain Gardens

Abstract
The City of Watauga is submitting a grant application in the amount of $50,000 to research and construct six FocalPoint Biofiltration rain gardens at the Hightower Dr. storm drain inlets. The proposed project will incorporate a more efficient sediment trap and FocalPoint Biofiltration systems to clean storm water runoff before entering the storm drain system. There is currently no system in place to filter storm water. The project will allow the city to test how well the rain gardens will work. They can potentially be used by the other 230 member governments. Our project team currently consists of four city employees within the Public Works Division.

Statement of Need
The project will address the problem associated with first flush pollution to the creeks and rivers within an urban environment. This project would have the potential to serve millions of north Texas residents if implemented across a broader area.

Project Description
According to the United States Census Bureau, the City of Watauga has a total area of 4.2 square miles, all of it land. The population was 24,345 at the 2014 census. The cities' businesses and retail market is generally located on Highway 377.

The City of Watauga is entirely surrounded by the cities of Keller to the north, Fort Worth to the west, Haltom City to the southwest and North Richland Hills to the south and east. Most of the city's land area is located east of US 377, though a portion extends west of that highway and includes homes and some city offices. The large proportion of impervious surfaces and subsequent storm water runoff results in large concentrations of trash and dissolved pollutants.

The selected locations on Hightower Dr. are just South of Capp Smith Park. This is a large, multi-amenity park, and serves many surrounding neighborhoods. This project will support the "One Watauga" Comprehensive Land Use Plan that outlines future development to connect urban areas to nature.

The Hightower Rain gardens project will serve as a scalable retrofit to the storm drain inlets, filtering the first flush events, reducing the runoff pollutants as well as creating an inviting area for drivers and pedestrians alike. The rain gardens will feature curb cutouts, upstream of the storm drain inlets to intercept the storm water runoff, allowing water to flow through the rain gardens, into the FocalPoint Biofiltration System and ultimately introducing non-polluted runoff to the storm drain system.

The City will contract with Reliable Paving for the curb cutouts, as well as the sidewalk relocation. The sidewalk will feature floating sections to allow free flow of water throughout the rain gardens, adding function as well as visual appeal. Establishment of a new sidewalk on the South side will link pedestrian traffic in the neighborhood, and create better access to Capp Smith Park.

The City plans to pursue new technologies in a FocalPoint Biofiltration design that is scalable, efficient and cost effective. A new system will allow storm water runoff to filter through mulch and engineered stone media in order to filter out pollutants before continuing to drain to the nearest body of water. The creek channel carries all of these pollutants to nearby Big Fossil Creek, affecting the water quality and harming biodiversity within the Trinity River drainage basin.

Construction Eco Services offers a turnkey solution to install the FocalPoint Biofiltration system. Working in partnership with the city, both groups will design and layout the system to handle the storm water runoff, and create rain gardens utilizing native plants.



The design that the city intends on pursuing will incorporate three requirements.

1. Filter water for the establishment of wild life habitats (Green)
2. Remove pollutants from storm water runoff (Blue)
3. Pedestrian walking surfaces along Hightower Dr. (Gray)

The key feature of any design that is pursued will be through the use of a totally different system for the purpose of cleaning storm water runoff. The City of Watauga would like to be pioneers in partnership with NCTCOG, and green construction to achieve a radically new approach to addressing the ever growing problem of urban born water pollution. Water pollution is not a new problem or concept, but it will affect the quality of life for generations to come. With the explosion of development in North Texas, this issue is not going to go away or correct itself without action.

Timeline and Budget

The City anticipates that the entire project will cost approximately $ 79,268. The City of Watauga is asking for $50,000 for the Blue-Green-Grey grant to cover the costs of this project. The project could be completed within 2 years. Research, planning, design and budgeting for the project will contribute to the 2 year project timeline.

Task	Cost of Project
Reliable Concrete Work – Sidewalks, Curb and Gutter	$ 43,268
Install 6 Rain Gardens on North & South side of Hightower Dr.	$ 36,000
Total	$79,268

Team Information

Paul Hackleman, Director of Public Works, is a licensed professional engineer in Texas and a certified flood plain administrator. He earned a degree in civil engineering from Texas A&M University in College Station.

Aaron Kaut, Street Supervisor, has 10 years of experience managing the daily operations of the Streets Branch. He currently has 6 employees, which are responsible for maintaining streets, traffic signals and markings.

Dave Taylor, Storm Drain Supervisor, has 17 years of experience overseeing the daily operations of the Storm Drain Branch. He currently has 3 full time and 2 seasonal employees. The Storm Drain branch is responsible for maintaining the channels and Storm Drain infrastructure.

Ronnie Rawdon, Street and Storm Drain Superintendent, has 33 years of experience working with both Street and Storm Drain operations. He currently oversees 13 employees in the construction and maintenance of Watauga's Streets and Storm water drainage system.

Contact

Ronnie Rawdon, Streets Superintendent
City of Watauga, TX
7800 Virgil Anthony Blvd
Watauga, TX 76148
817-514-5848
Rrawdon@cowtx.org

AGENDA MEMORANDUM

DATE: May 7, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

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

BACKGROUND/INFORMATION:

Currently, there is a citywide prohibition on new Changeable Electronic Variable Message Signs (CEVMS) for commercial use. In November of 2017, Mayor Hector Garcia requested through the City Manager that we consider allowing their use throughout the City.

May 14, 2018, City Council approved ordinance No. 1659 to allow new off-premises signs and changeable electronic variable message signs (CEVMS) erected by a governmental entity in furtherance of their governmental responsibility.

During the March 7, 2019 Council Workshop Meeting, staff presented a report on CEVMS signs and council directed staff to prepare an ordinance that would allow CEVMS signs for commercial use.

City staff met with several business owners that expressed interest in having a CEVMS, therefore, staff forwards this request to allow CEVMS applications citywide.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Respectfully recommend approval of the Ordinance revising Chapter 111 - Signs, allowing consideration for the utilization of CEVMS as well as conditions for the issuance of CEVMS permits by the City.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Attorney Letter

AGENDA MEMORANDUM

2. CEVMS Amended Ordinance
3. Chapter 111 - Signs Red-Lined Amendments
4. Powerpoint - CEVMS Ordinance - Commercial - Workshop March 2019

REVIEWED BY:

Randy Richards, Building Official	Approved - 5/8/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/8/2019
Andrea Gardner, City Manager	Approved - 5/8/2019
Terri Johnson, City Secretary	Final Approval - 5/8/2019

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
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SUNDANCE SQUARE
115 WEST SECOND STREET, SUITE 202
FORT WORTH, TEXAS 76102

(817) 332-3822
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OF COUNSEL:
TIM EVANS
TIM MOORE
LANCE T. EVANS
WILLIAM R. BIGGS
ANDREW J. DECKER

May 7, 2019

Mr. Randy Richards
City of Watauga
7800 Virgil Anthony Sr. Blvd.
Watauga, Texas 76148

VIA E-MAIL

Re: Code of Ordinances amendments to Chapter 111, Sections 111-85 in relation to Changeable Electronic Variable Message Signs (CEVMS)

Dear Mr. Richards:

Our office has received and reviewed the proposed amendments to Chapter 111, Section 111-85 of the Code of Ordinances for the City of Watauga in relation to Changeable Electronic Variable Message Signs (CEVMS). The amendments to Section 111-85 provide conditions for the utilization of CEVMS as well as conditions for the issuance of CEVMS permits by the City.

Please find enclosed an ordinance approving such amendments. This ordinance may be submitted for consideration at the next City Council meeting. For the Council's convenience, I am also including a red-lined version of the amendments.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv
cc: David Griffin, *Mayor Pro Tem*
Ms. Andrea Gardner, *City Manager*
Ms. Terri Johnson, Interim *City Secretary*
Mr. Paul Hackleman, *Director of Public Works*

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

WHEREAS, the City Council of the City of Watauga, Texas ("City") recognizes that Chapter 111 of the Code of Ordinances now allows for the utilization of changeable electronic variable message signs (hereinafter "CEVMS") but presently lacks any conditions to regulate their use and the issuance of CEVMS permits by City officials.

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

I.

Chapter 111, Section 111-85 of the Code of Ordinances for the City of Watauga, Texas shall be amended to read as follows:

Sec. 111-85. - General standards.

(a) *Interference with or obstruction of exit, windows, etc.* No sign shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free

use of any fire escape, exit, standpipe, or windows or obstruct any required ventilator or door stairway.

(b) *Encroachment permit.*

(1) No sign permit shall be issued for any sign or billboard which encroaches upon or over any City owned or controlled property unless an encroachment permit therefor is obtained from the City Council or state agency in charge.

(2) No encroachment permit for any sign or billboard shall be issued unless in the opinion of the Director of Public Works the erection and maintenance of said sign shall not imperil the health, safety and welfare of the public. Any such permit may be issued subject to such conditions as the City Council deems to be reasonably necessary for the protection of the public.

(c) *Projection over private property.* No sign may project more than six (6) inches from the face of a building over private property used or intended to be used by the general public, unless there is a minimum of eight (8) feet clearance from the bottom of the sign to the sidewalk or grade immediately below the sign, or a minimum of 14 (fourteen) feet clearance from the bottom of the sign to a vehicular trafficway immediately below the sign.

(d) *Memorial signs and historical tablets.* Memorial signs and historical tablets or plates commemorating a historical event or a memorial to a deceased person may be used with any building if not exceeding two (2) square feet in area and permanently fastened to the building surface; provided, however, larger signs may be permitted with approval by the City Council.

(e) *Vehicle signs.*

(1) No sign or advertising shall be erected or attached to any vehicle except for signs painted directly on or mounted directly to the surface of the vehicle. No roof-mounted or projecting signs shall be permitted except:

a. Those roof-mounted signs utilized by an ongoing business concern in the furtherance of business and so long as such roof-mounted sign, due to its size, lighting and configuration, does not constitute a hazard to traffic or safety; and

b. Temporary signs used for political advertising.

(f) *Lighting.* Signs may be illuminated or nonilluminated. Illumination may be either by internal, internal direct or indirect lighting as defined in Subsections (f)(1), (2) and (3) of this Section. Lighting shall be so installed as to avoid any glare or reflection into adjacent property, or onto a street or alley to create a traffic hazard. When not necessary for security purposes, it is suggested that lighting be turned off as soon after business hours as is reasonable, especially for signs in close proximity to residential areas.

(1) Internal lighting means a source of illumination entirely within the sign which makes the contents of the sign visible at night by means of the light being transmitted through a translucent material but wherein the source of the illumination is not visible.

(2) Internal-indirect lighting means a source of illumination entirely within the sign (generally a freestanding letter) which makes the sign visible at night by means of lighting the background upon which the freestanding character is mounted. The character itself shall be opaque, and thus will be silhouetted against the background. The source of illumination shall not be visible.

(3) Indirect lighting means a source of external illumination located a distance away from the sign, which lights the sign, but which is itself not visible to persons viewing the sign from any normal position of view.

(g) *Rotating, moving, flashing, changing or blinking signs.* Rotating, moving, flashing, changing, or blinking signs shall not be permitted. However, message signs (for example, time and temperature, etc.) may be permitted as approved by the Director of Public Works or his designee, giving adequate consideration to traffic safety hazards and other issues related to the public welfare posed by the size and location of the proposed sign.

(h) *Prohibition of new off-premises signs.* From and after the effective date, no new construction permit shall be issued for the erection of an off-premises sign, including but not limited to a new off-premises CEVMS or the conversion of an existing non-CEVMS off-premises sign to a CEVMS, within the sign code application area. Exception: Government signs erected by the City, county, state, or federal government in furtherance of their government responsibility are allowed.

(i) *Changeable Electronic Variable Message Signs.* No changeable electronic variable message signs shall be erected without a permit obtained from the Building Official, subject to the following conditions:

(1) Conditions

a. The message rate shall not change at a rate faster than the following:

1. Billboards: one message every 8 (eight) seconds.
2. On or off-premise business signs: may include no more than 30 (thirty) seconds of full motion video, with 8 (eight) seconds of static display prior to returning to full motion.

b. On detached signs, changeable electronic variable message signs shall be limited to monument signs only, except conversion of existing billboard signs.

c. Changeable electronic variable message signs shall have automatic dimming technology installed limiting the sign to no more than 0.3 foot-candles above ambient light, measured at a distance of 200 (two hundred) feet from the base of the sign.

d. Changeable electronic variable message signs shall not emit sound.

e. Changeable electronic variable message signs shall not have any display, message, content or other image resemble a warning or danger signal or cause a driver to mistake it for a warning or danger signal.

f. Changeable electronic variable message signs shall not resemble or simulate any image of official signage used to control traffic in accordance with the current edition of the TXDOT manual on Uniform Traffic Control Devices.

(2) The Board of Adjustment shall not grant variances which are less restrictive than the conditions listed in paragraph (1) of this Subsection.

(3) In granting the permit for a changeable electronic variable message sign, the following shall be considered:

a. The presence of other changeable electronic variable message signs in the vicinity;

b. The visibility from residential districts;

c. The street classification of the adjacent roadways; and

d. The proximity to scenic areas or corridors.

(4) Upon notification, the sign operators agree to coordinate with City staff to display emergency information critical to the traveling public, such as AMBER ALERTS from a National Center for Missing and Exploited Children (NCMEC) authorized source, Homeland Security, and other alerts involving terrorist attacks, City hazardous conditions or natural disasters. Emergency messages are to remain in the display's rotation according to the designated issuing agency's protocols.

(5) Changeable electronic variable message sign owners may post civic or community related messages as a public service.

(6) The owner of a changeable electronic variable message sign shall provide contact information for a person who is available to be contacted at any time and is able to turn off the sign promptly after a malfunction occurs or reduce the intensity of the sign within 12 (twelve) hours of a request by the Director of Public Works or his designated representative or the Texas Department of Transportation to a level acceptable to the City and/or Department.

II.

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

III.

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

IV.

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

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

APPROVED:

_____
DAVID GRIFFIN, MAYOR PRO-TEM

ATTEST:

_____
TERRI JOHNSON, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, CITY ATTORNEY

RED-LINED AMENDMENTS, MAY 2019

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Chapter 111 - SIGNS[1]

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ARTICLE III. - STANDARDS

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Sec. 111-85. - General standards.

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(a) *Interference with or obstruction of exit, windows, etc.* No sign shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit, standpipe, or windows or obstruct any required ventilator or door stairway.

(b) *Encroachment permit.*

(1) No sign permit shall be issued for any sign or billboard which encroaches upon or over any Ceity owned or controlled property unless an encroachment permit therefor is obtained from the Ceity Ceouncil or state agency in charge.

(2) No encroachment permit for any sign or billboard shall be issued unless in the opinion of the Dedirector of Ppublic Wworks the erection and maintenance of said sign shall not imperil the health, safety and welfare of the public. Any such permit may be issued subject to such conditions as the Ceity Ceouncil deems to be reasonably necessary for the protection of the public.

(c) *Projection over private property.* No sign may project more than six (6) inches from the face of a building over private property used or intended to be used by the general public, unless there is a minimum of eight (8) feet clearance from the bottom of the sign to the sidewalk or grade immediately below the sign, or a minimum of 14 (fourteen) feet clearance from the bottom of the sign to a vehicular trafficway immediately below the sign.

(d) *Memorial signs and historical tablets.* Memorial signs and historical tablets or plates commemorating a historical event or a memorial to a deceased person may be used with any building if not exceeding two (2) square feet in area and permanently fastened to the building surface; provided, however, larger signs may be permitted with approval by the Ceity Ceouncil.

(e) *Vehicle signs.*

(1) No sign or advertising shall be erected or attached to any vehicle except for signs painted directly on or mounted directly to the surface of the vehicle. No roof-mounted or projecting signs shall be permitted except:

a. Those roof-mounted signs utilized by an ongoing business concern in the furtherance of business and so long as such roof-mounted sign, due to its size, lighting and configuration, does not constitute a hazard to traffic or safety; and

b. Temporary signs used for political advertising.

(2) All vehicles which have signs or advertising shall be in working order and shall have current registration and inspection stickers, and shall be regularly used for business transportation purposes.

(f) *Lighting.* Signs may be illuminated or nonilluminated. Illumination may be either by internal, internal direct or indirect lighting as defined in Ssubsections (f)(1), (2) and (3) of this Ssection. Lighting shall be so installed as to avoid any glare or reflection into adjacent property, or onto a street or alley to create a traffic hazard. When not necessary for security purposes, it is suggested that lighting be turned off as soon after business hours as is reasonable, especially for signs in close proximity to residential areas.

(1) Internal lighting means a source of illumination entirely within the sign which makes the contents of the sign visible at night by means of the light being transmitted through a translucent material but wherein the source of the illumination is not visible.

(2) Internal-indirect lighting means a source of illumination entirely within the sign (generally a freestanding letter) which makes the sign visible at night by means of lighting the background upon which the freestanding character is mounted. The character itself shall be opaque, and thus will be silhouetted against the background. The source of illumination shall not be visible.

(3) Indirect lighting means a source of external illumination located a distance away from the sign, which lights the sign, but which is itself not visible to persons viewing the sign from any normal position of view.

(g) *Rotating, moving, flashing, changing or blinking signs.* Rotating, moving, flashing, changing, or blinking signs shall not be permitted. However, message signs (for example, time and temperature, etc.) may be permitted as approved by the Ddirector of Ppublic Wworks or his designee, giving adequate consideration to traffic safety hazards and other issues related to the public welfare posed by the size and location of the proposed sign.

(h) *Prohibition of new off-premises signs.* From and after the effective date, no new construction permit shall be issued for the erection of an off-premises sign, including but not limited to a new off-premises CEVMS or the conversion of an existing non-CEVMS off-premises sign to a CEVMS, within the sign code application area. Exception: Government signs erected by

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the Ceity, county, state, or federal government in furtherance of their government responsibility are allowed.

(i) ~~*Prohibition of changeable electronic variable message signs.* No CEVMS shall be allowed within the sign code application area. Exception: Government signs erected by the city, county, state, or federal government in furtherance of their government responsibility are allowed.~~ *Changeable Electronic Variable Message Signs.* No cChangeable electronic variable message signs shall be erected without a permit obtained from the Building Official, subject to the following conditions:

(a) Conditions

1. The message rate shall not change at a rate faster than the following:
    a. Billboards~~:~~, one message every 8 (eight) seconds.
    b. On or off-~~-~~premise business signs~~:~~, may include no more than 30 (thirty) seconds of full motion video, with 8 (eight) seconds of static display prior to returning to full motion.
2. On detached signs, changeable electronic variable message signs shall be limited to monument signs only, except conversion of existing billboard signs.
3. Changeable electronic variable message signs shall have automatic dimming technology installed limiting the sign to no more than 0.3 foot-candles above ambient light, measured at a distance of 200 (two hundred) feet from the base of the sign.
4. Changeable electronic variable message signs shall not emit sound.
5. Changeable electronic variable message signs shall not have any display, message, content or other image resemble a warning or danger signal or cause a driver to mistake it for a warning or danger signal.
6. Changeable electronic variable message signs shall not resemble or simulate any image of official signage used to control traffic in accordance with the current edition of the TXDOT manual on Uniform Traffic Control Devices.

(b) The Board of Adjustment shall not grant variances which are less restrictive than the conditions listed in paragraph (1) of this Subsection ~~(a).~~

(c) In granting the permit for a changeable electronic variable message sign, the following shall be considered:

1. The presence of other changeable electronic variable message signs in the vicinity;
2. The visibility from residential districts;
3. The street classification of the adjacent roadways; and
4. The proximity to scenic areas or corridors.

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(d) Upon notification, the sign operators agree to coordinate with Ceity staff to display emergency information critical to the traveling public, such as AMBER ALERTS from a National Center for Missing and Exploited Children (NCMEC) authorized source, Homeland Security, and other alerts involving terrorist attacks~~, and~~, -City hazardous conditions or natural disasters. Emergency messages are to remain in the display's rotation according to the designated issuing agency's protocols.

(e) Changeable electronic variable message sign owners may post civic or community related messages as a public service.

(f) The owner of a cChangeable electronic variable message sign shall provide contact information for a person who is available to be contacted at any time and is able to turn off the sign promptly after a malfunction occurs or reduce the intensity of the sign within 12 (twelve) hours of a request by the Director of Public Works or his designated representative or the Texas Department of Transportation to a level acceptable to the Ceity and/or Ddepartment.

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City Council Workshop
March 07, 2019

WATAUGA
TEXAS

Changeable Electronic Variable Message Sign (CEVMS) Ordinance & Options



What is CEVMS?

Changeable electronic variable message sign (CEVMS) means a sign which permits light to be turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use.



Current Ordinance – Chapter 111- Signs

Sec. 111-85 – (i) Prohibition of changeable electronic variable message signs. No CEVMS shall be allowed within the sign code application area. Exception: Government signs erected by the city, county, state, or federal government in the furtherance of their government responsibility are allowed. – Ordinance No. 1659 signed May 14, 2018.

Standard signs that show time and temperature are allowed.





Why allow CEVMS Signs?

- Our sister cities allow them – Keller, North Richland Hills, Haltom City, Fort Worth
- Way for businesses to convey reasons to Shop Watauga
- The United State Small Business Administration (SBA) says that Message Centers in front of a business increases the store's sales volume
- Drives up impulse stops at that business
- Allows businesses to react to changing market conditions quickly
- Enhances the image of the business
- Could allow City/State/Federal to convey emergency notices at multiple locations in close to real time
- May allow the posting of civic events

Consideration Items related to CEVMS

- Distracting drivers – avoid long duration of full motion video – static times
- Display too bright – variable brightness
- Location – ground signs (except billboards) – better to keep eyes at road level
- Sound – yes or no





Questions ???



AGENDA MEMORANDUM

DATE: May 7, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

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

BACKGROUND/INFORMATION:

Currently, the City of Watauga prohibits smoking and use of tobacco in city facilities only.

During the March 7, 2019 Council Workshop Meeting, staff presented a report on Smoking and E-Cigarettes. The City Council directed staff to prepare an ordinance that would strictly prohibit smoking and e-cigarettes in public places.

The City Council recognizes that Chapter 26, Article VI - Electronic Cigarettes, of the Code of Ordinances requires amendments to the definitions section as well as the sections regulating the use of electronic cigarettes in City facilities and in public places in order to clarify what is prohibited under the Code.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Recommend approval of the Ordinance amending Chapter 26, Sections 26-301, 26-302 and 26-303 in relation to electronic cigarettes.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Attorney Letter
2. E-Cig Amended Ordinance

AGENDA MEMORANDUM

3. E-Cig Red Lined Amendments
4. Powerpoint - Smoking & Electronic Cig - Workshop March 2019

REVIEWED BY:

Randy Richards, Building Official	Approved - 5/8/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/8/2019
Andrea Gardner, City Manager	Approved - 5/8/2019
Terri Johnson, City Secretary	Final Approval - 5/8/2019

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL
BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

SUNDANCE SQUARE
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FACSIMILE (817) 332-2763

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

May 7, 2019

VIA E-MAIL

Mr. Randy Richards
City of Watauga
7800 Virgil Anthony Sr. Blvd.
Watauga, Texas 76148

Re: Code of Ordinances amendments to Chapter 26, Sections 26-301, 26-302 and 26-303 in relation to Electronic Cigarettes

Dear Mr. Richards:

Our office has received and reviewed the proposed amendments to Chapter 26, Sections 26-301, 26-302 and 26-303 of the Code of Ordinances for the City of Watauga in relation to electronic cigarettes. The amendments to Chapter 26 provide for additional definitions as well as provide clarification regarding the prohibited use of electronic cigarettes in City facilities and in public places.

Please find enclosed an ordinance approving such amendments. This ordinance may be submitted for consideration at the next City Council meeting. For the Council's convenience, I am also including a red-lined version of the amendments.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv
cc: David Griffin, *Mayor Pro Tem*
Ms. Andrea Gardner, *City Manager*
Ms. Terri Johnson, Interim *City Secretary*
Mr. Paul Hackleman, *Director of Public Works*

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

WHEREAS, the City Council of the City of Watauga, Texas ("City") recognizes that Chapter 26, Article VI ("Electronic Cigarettes") of the Code of Ordinances requires amendments to the definitions Section as well as the Sections regulating the use of electronic cigarettes in City facilities and in public places in order to clarify what is prohibited under the Code.

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

I.

Chapter 26, Section 26-301 of the Code of Ordinances for the City of Watauga, Texas shall be amended to read as follows:

Sec. 26-301. – Definitions.

As used in this Article, the following words and phrases shall have the following meanings:

> *Bar* means an establishment licensed by the State which has more than 50% (fifty percent) of its annual gross sales from alcoholic beverages for consumption by guests on the premises. Calculation of gross sales shall be made from the combined sales of food and

beverages. Restaurants that contain a bar are not considered a "Bar" for the purposes of this Article.

Bonded agent means a person in Texas who is an agent of a person outside this State and receives electronic cigarettes in interstate commerce and stores the electronic cigarettes for distribution or delivery to distributors under orders from the person outside this State.

Consumer means a person who possesses electronic cigarettes for personal consumption.

Distributor means a person who:

(1) Is authorized to purchase, for the purpose of making a first sale in Texas, electronic cigarettes from manufacturers who distribute electronic cigarettes in Texas;
(2) Ships, transports, imports into Texas, acquires, or possesses electronic cigarettes and makes a first sale of the electronic cigarettes in Texas;
(3) Manufactures or produces electronic cigarettes; or
(4) Is an importer or import broker.

Electronic cigarette means any electronic device composed primarily of a mouthpiece, heating element, battery, or electronic circuit, that provides, or is manufactured, intended to provide or advertised as providing, a vapor of liquid and/or a combination of liquid and any other substance which is delivered or deliverable by inhalation. The term shall include every version and type of such devices whether they are manufactured or marketed as electronic cigarettes, e-cigarettes, electronic cigars, e-cigars, electronic pipes, e-pipes, or under any other product name or description. This term shall include any accessories or components of an electronic cigarette and any liquid, or any other substance intended, manufactured or designed to be combined with liquid for use in an electronic cigarette.

Minor means a person under the age of 18 (eighteen) years of age.

No-smoking sign means a sign stating "Non-Smoking Area" or "Smoking Prohibited in this Building (Area)" or bearing other appropriate words and displaying the universal no-smoking symbol.

Person means an individual, corporation, partnership, wholesaler, retailer or any licensed or unlicensed business.

Possession means to have on or about the person or otherwise exercise actual care, custody, management or control over a tangible object or substance.

Public area means any area to which the general public routinely has access, which would not include areas which have been contracted for use by a private group.

Public building means any building other than a building used as a private residence. If portions of a building are used as a private residence and another portion of the building is

used for business purposes or commercial activities, then "public building" as used herein shall apply to the portions of the building used for business purposes or commercial purposes, but not the portion used solely as a residence. The term "public building" includes, but is not limited to, restaurants, offices and other workplaces, warehouses, health care facilities, and elevators and enclosed common areas of multifamily developments. For purposes of this definition, it does not include a private area not accessible to the public.

Public transportation means Uber, Lyft, buses, taxis, van services, or any transportation with which the general public has access.

Restaurant means any place where food or drink is manufactured, packaged, produced, processed, transported, stored, sold, commercially prepared, or furnished for human consumption. The term includes but is not limited to a coffee shop, cafeteria, sandwich shop, and any other eating establishment that gives or offers food to the public, guests or employees, including catering facilities and mobile food vendors. This term does not apply to private homes where food is prepared and served for guests and individual family consumption. The term shall not include a cocktail lounge or tavern if said establishment is a "bar" as defined in this Article.

Retailer means a person who engages in the practice of selling electronic cigarettes to consumers and includes the owner of a coin-operated electronic cigarette vending machine.

Retail sale means a transfer of possession from a retailer to a consumer in connection with a purchase, sale, or exchange for value of electronic cigarettes.

Wholesaler means a person, including a manufacturer's representative, who sells or distributes electronic cigarettes in Texas for resale but who is not a distributor.

II.

Chapter 26, Section 26-302 of the Code of Ordinances for the City of Watauga, Texas shall be amended to read as follows:

Sec. 26-302. – Use of electronic cigarettes in City facilities.

Use of electronic cigarettes in any manner by any person within the confines of the interior areas of any building owned by the City of Watauga, Texas shall be and is hereby declared to be unlawful. Any person violating, causing or permitting this Section to be violated shall be guilty of a class C misdemeanor and on conviction may be punished by a fine in accordance with the general penalty provision found in Section 1-7 of this Code. Each day that the violation continues shall constitute a separate offense. It is an exception to the application of this Section if the person uses

an electronic cigarette exclusively within an area that is designated for smoking tobacco or using electronic cigarettes.

III.

Chapter 26, Section 26-303 of the Code of Ordinances for the City of Watauga, Texas shall be amended to read as follows:

Sec. 26-303. – Use of electronic cigarettes in public places

(a) It shall be unlawful for a person to use an electronic cigarette in any public building or enclosed workplace in the City or within 50 (fifty) feet of any public entrance or exit to any public building or enclosed workplace, facility of a public primary or secondary school or an elevator, enclosed theater or movie house, library, museum, hospital, public transportation, transit system bus, or intrastate bus (as defined by Section 541.201, Transportation Code), plane, or train which is a public place.

(b) It shall be unlawful for any owner or operator of any public building or enclosed workplace to place or allow to be placed any of the following items in any public building or enclosed workplace or within 50 (fifty) feet from an entrance or exit to any public building or enclosed workplace:

(1) Electronic cigarette smoking paraphernalia, or
(2) Signs that indicate that electronic cigarette smoking is permitted.

(c) It shall be unlawful for the owner or operator of any public building or enclosed workplace to allow smoking electronic cigarettes in any public building or enclosed workplace or within 50 (fifty) feet of a public entrance or exit to any such public building or enclosed workplace.

(d) It shall be unlawful for the owner of any restaurant to allow smoking of electronic cigarettes in any location where food is prepared or served.

(e) It shall be unlawful for the owner of any bar to allow smoking of electronic cigarettes in any location where food is prepared.

It is an exception to the application of this Section if the person uses the electronic cigarette exclusively within an area designated for smoking tobacco or using electronic cigarettes or is using as a participant in an authorized theatrical performance. An offense under this Section is a class C misdemeanor.

IV.

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

V.

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

VI.

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

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

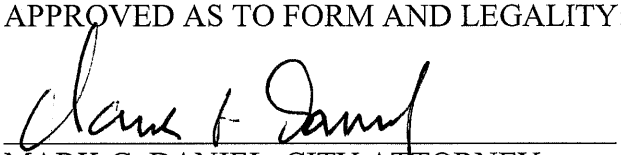
APPROVED:

_____
DAVID GRIFFIN, MAYOR PRO-TEM

ATTEST:

_____
TERRI JOHNSON, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:



MARK G. DANIEL, CITY ATTORNEY

RED-LINED AMENDMENTS: MAY 2019

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ARTICLE VI. – ELECTRONIC CIGARETTES

Sec. 26-301. – Definitions.

As used in this Aarticle, the following words and phrases shall have the following meanings:

Bar means an establishment licensed by the Sstate which has more than 50% (fifty percent) of its annual gross sales from alcoholic beverages for consumption by guests on the premises. Calculation of gross sales shall be made from the combined sales of food and beverages. Restaurants that contain a bar are not considered a "Bar" for the purposes of thise Article.

Bonded agent means a person in Texas who is an agent of a person outside this Sstate and receives electronic cigarettes in interstate commerce and stores the electronic cigarettes for distribution or delivery to distributors under orders from the person outside this Sstate.

Consumer means a person who possesses electronic cigarettes for personal consumption.

Distributor means a person who:

(1) Is authorized to purchase, for the purpose of making a first sale in Texas, electronic cigarettes from manufacturers who distribute electronic cigarettes in Texas;
(2) Ships, transports, imports into ~~this~~ Texas, acquires, or possesses electronic cigarettes and makes a first sale of the electronic cigarettes in Texas;
(3) Manufactures or produces electronic cigarettes; or
(4) Is an importer or import broker.

Electronic cigarette means any electronic device composed primarily of a mouthpiece, heating element, battery, or electronic circuit, that provides, or is manufactured, intended to provide or advertised as providing, a vapor of liquid ~~nicotine~~ and/or a combination of liquid ~~nicotine~~ and any other substance which is delivered or deliverable by inhalation. The term shall include every version and type of such devices whether they are manufactured or marketed as electronic cigarettes, e-cigarettes, electronic cigars, e-cigars, electronic pipes, e-pipes, or under any other product name or description. This term shall include any accessories or components of an electronic cigarette and any liquid ~~nicotine~~, or any other substance intended, manufactured or designed to be combined with liquid ~~nicotine~~ for use in an electronic cigarette.

Minor means a person under the age of 18 (eighteen) years of age.

No-smoking sign means a sign stating "Non-Smoking Area" or "Smoking Prohibited in this Building (Area)" or bearing other appropriate words and displaying the universal no-smoking symbol.

Person means an individual, corporation, partnership, wholesaler, retailer or any licensed or unlicensed business.

Possession means to have on or about the person or otherwise exercise actual care, custody, management or control over a tangible object or substance.

Public area means any area to which the general public routinely has access, which would not include areas which have been contracted for use by a private group.

Public ~~b~~Building means any building other than a building used as a private residence. If portions of a building are used as a private residence and another portion of the building is used for business purposes or commercial activities, then "public building" as used herein shall apply to the portions of the building used for business purposes or commercial purposes, but not the portion used solely as

a residence.~~,~~ The term "public building" includes, but is not limited to, restaurants, offices and other workplaces, warehouses, health care facilities, and elevators and enclosed common areas of multifamily developments. For purposes of this definition, it does not include a private area not accessible to the public.

Public transportation means Uber, Lyift, buses, taxis, van services, or any transportation with which the general public has access.

Restaurant means any place where food or drink is manufactured, packaged, produced, processed, transported, stored, sold, commercially prepared, or furnished for human consumption. The term includes but is not limited to a coffee shop, cafeteria, sandwich shop, and any other eating establishment that gives or offers food to the public, guests or employees, including catering facilities and mobile food vendors. This term does not apply to private homes where food is prepared and served for guests and individual family consumption. The term shall not include a cocktail lounge or tavern if said establishment is a "bar" as defined in this Article.

Retailer means a person who engages in the practice of selling electronic cigarettes to consumers and includes the owner of a coin-operated electronic cigarette vending machine.

Retail sale means a transfer of possession from a retailer to a consumer in connection with a purchase, sale, or exchange for value of electronic cigarettes.

Wholesaler means a person, including a manufacturer's representative, who sells or distributes electronic cigarettes in Texas for resale but who is not a distributor.

Sec. 26-302. – Use of electronic cigarettes in C~~c~~ity facilities.

Use of electronic cigarettes in any manner by any person within the confines of the interior areas of any building~~,~~ owned by the C~~c~~ity of Watauga, Texas shall be and is hereby declared to be unlawful.~~,~~ ~~and~~ A~~a~~ny person violating, causing or permitting this S~~s~~ection to be violated shall be

guilty of a class C misdemeanor, and on conviction may be punished by a fine in accordance with the general penalty provision found in Ssection 1-7 of this Code. Each day that the violation continues shall constitute a separate offense. , It is an exception to the application of this Ssection if the person uses an electronic cigarette exclusively within an area that is designated for smoking tobacco or using electronic cigarettes.

Sec. 26-303. – Use of electronic cigarettes in public places

(a) It shall be unlawful ~~is an offense~~ for a person to use an electronic cigarette in any, public building, or enclosed workplace in the Ceity or within 50 (fifty) feet of any public entrance or exit to any public building or enclosed workplace, facility of a public primary or secondary school or an elevator, enclosed theater or movie house, library, museum, hospital, public transportation, transit system bus, or intrastate bus, (as defined by Section 541.201, Transportation Code), plane, or train which is a public place.

(b) It shall be unlawful for any owner or operator of any public building or enclosed workplace to place or allow to be placed any of the following items in any public building or enclosed workplace or within 50 (fifty) feet from an entrance or exit to any public building or enclosed workplace:

(1) Electronic cigarette smoking paraphernalia, or

(2) Signs that indicate that electronic cigarette smoking is permitted.

(c) It shall be unlawful for the owner or operator of any public building or enclosed workplace to allow smoking electronic cigarettes in any public building or enclosed workplace or within 50 (fifty) feet of a public entrance or exit to any such public building or enclosed workplace.

(d) It shall be unlawful for the owner of any restaurant to allow smoking of electronic cigarettes in any location where food is prepared or served.

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(e) It shall be unlawful for the owner of any bar to allow smoking of electronic cigarettes in any location where food is prepared.

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~~It is a defense to prosecution under this section that the conveyance or public place in which the offense takes place does not have prominently displayed a reasonably sized notice that the use of electronic cigarettes is prohibited by city ordinance, or smoking is prohibited by state law, in such conveyance or public place and that an offense is punishable by a fine not to exceed $500.00~~.

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It is an exception to the application of this Ssection if the person uses the electronic cigarette exclusively within an area designated for smoking tobacco or using electronic cigarettes or is using as a participant in an authorized theatrical performance. An offense under this Ssection is a class C misdemeanor.

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City Council Workshop
March 07, 2019

WATAUGA
TEXAS

Smoking & Electronic Cigarettes Ordinance – Path Forward?



Image Credit – American Heart Association

Where we are…smoking ordinances?

- Smoking Prohibited within Watauga Municipal Complex, Library, Water Tower, Parks and Recreation Buildings per Chapter 28 Section 1 of Code of Ordinances (COO)
- Electronic Cigarettes prohibited within any building owned by the City of Watauga
- Electronic Cigarettes prohibited within public primary or secondary school, elevator, movie house, library, museum, hospital, transit system bus, and train, if sign posted and allowed within area designated for smoking
- Electronic Cigarettes – multiple rules related to minors – sells/usage



Image Credit – dontmesswithtaxes.com

What are Electronic Cigarettes?

Electronic cigarette means any electronic device composed primarily of a mouthpiece, heating element, battery, or electronic circuit, that provides, or is manufactured, intended to provide or advertised as providing, a vapor of liquid nicotine and/or a combination of liquid nicotine and any other substance which is delivered or deliverable by inhalation… - Code of Ordinances (COO)



Image Credit – National Institute on Drug Abuse



Image Credit – JUUL.com

JUUL Labs' mission is to eliminate cigarettes. JUUL products are intended for adult smokers who want to switch from combustible cigarettes.

You must be at least 21 years old to purchase products on JUUL.com.

What is secondhand smoke?

- Secondhand smoke, also known as environmental tobacco smoke (ETS), is a combination of the smoke produced from the lit end of a cigarette and the smoke exhaled by smokers.

- Public health authorities, including the WHO, have concluded that secondhand smoke causes diseases, including lung cancer and heart disease, in nonsmoking adults, as well as conditions in children such as asthma, respiratory infections, cough, wheezing, otitis media (middle ear infection), and sudden infant death syndrome. In addition, public health officials have concluded that secondhand smoke can exacerbate adult asthma and cause eye, throat, and nasal irritation.

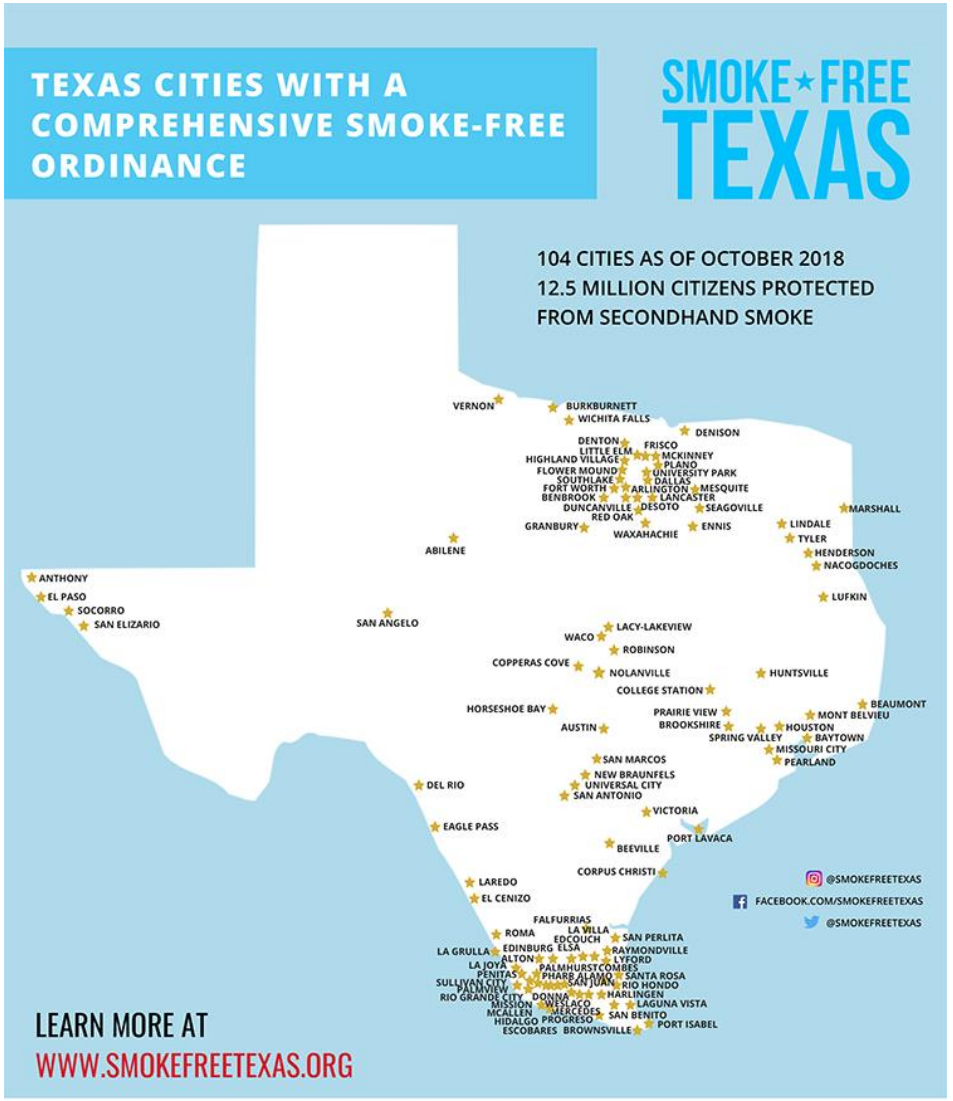
- The public should be informed about these conclusions and guided by them in deciding whether to be in places where secondhand smoke is present or, if they are smokers, when and where to smoke around others. Smokers should not smoke around children or pregnant women.

- Some cigarettes available on the market contain smoke-related features, such as reduced smoke odor or reduced visible smoke. These features do not mean that the product is less harmful to smokers or nonsmokers than other cigarettes.

Information copied from Phillip Morris International Website – a leading tobacco company

104 Cities Smoke Free – October 2018

"Numerous compelling studies have established the link between health and secondhand smoke. There is no safe level of secondhand smoke exposure and employees are often forced to work in smoke-filled restaurants and bars." - Smokefreetexas.org.



What other Cities are doing???

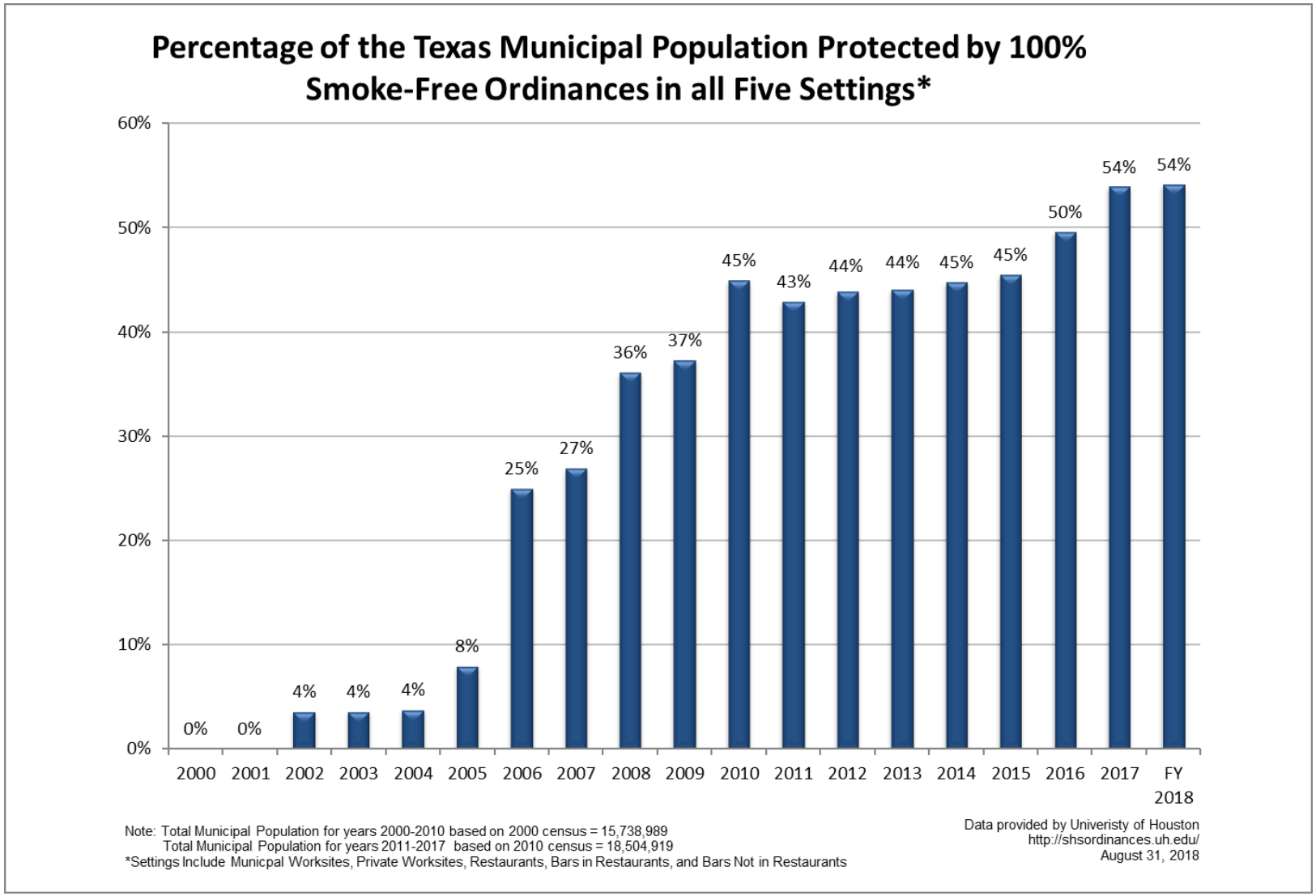
1. Smoking Prohibited
    a. Restaurants
    b. Bars
    c. Bingo Parlors
    d. Bowling Alleys
    e. Business offices and buildings
    f. Retail store
    g. Parks (indoor and outdoor)

2. Smoking Allowed
    a. Cigar Lounges
    b. Hotel Room – 25%
    c. Outdoor dining areas away from doors/windows
    d. Private clubs
    e. Private meeting rooms
    f. Private residences – except when uses as child care, adult care, or health facility
    e. Private room in nursing home or long care facility – smoker resides
    f. Retail tobacco stores – stand along primary sales tobacco/accessories
    g. Stage productions where smoking is part of production

What other Cities are doing???



Percentage of City Pop. - Smoke Free



What path should Watauga take? Comments/Questions?

1. No ordinance revisions?
2. Strict ordinance update – 100% Smoke Free?
3. Lenient Ordinance update?



Image Credit – candywarehouse.com



Image Credit – Cole Hackleman

AGENDA MEMORANDUM

DATE: May 7, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

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

BACKGROUND/INFORMATION:

During the March 7, 2019 Council Workshop Meeting, staff presented a report on Smoking and E-Cigarettes. The City Council directed staff to prepare an ordinance that would strictly prohibit smoking and e-cigarettes in public places.

Section 28-1 of the Code of Ordinances currently prohibits smoking and use of tobacco in city facilities only. Section 28-1 will be repealed in its entirety and replaced with the adoption of Chapter 26, Article VII.

The City Council recognizes that the addition of Chapter 26, Article VII-Smoking, of the Code of Ordinances is required to better enforce the prohibition of smoking within City facilities and public places. Article VII provides definitions, prohibits smoking in certain public areas and City facilities, provides exceptions to the prohibitions, and creates a violation and penalty for failure to abide by the Ordinance.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Recommend approval of the Ordinance revising Chapter 26 and adopting Article VII in order to establish a Smoking Ordinance, and repealing Section 28-1, which currently regulates smoking in City facilities.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Attorney Letter

AGENDA MEMORANDUM

2. Repeal of Existing Ordinance Chapter 26, Section 28-1
3. Amended Smoking Ordinance
4. Article VII Red-Lined Amendments
5. Powerpoint - Smoking & Electronic Cig - Workshop March 2019

REVIEWED BY:

Randy Richards, Building Official	Approved - 5/8/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/8/2019
Andrea Gardner, City Manager	Approved - 5/8/2019
Terri Johnson, City Secretary	Final Approval - 5/8/2019

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

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

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

May 7, 2019

Mr. Randy Richards
City of Watauga
7800 Virgil Anthony Sr. Blvd.
Watauga, Texas 76148

VIA E-MAIL

Re: Code of Ordinances amendments to Chapter 26, adopting Article VII in order to establish a Smoking Ordinance; repealing Section 28-1, which currently regulates smoking in City facilities

Dear Mr. Richards:

Our office has received and reviewed the proposed amendments to Chapter 26 and Chapter 28, which involves (1) the adoption of Chapter 26, Article VII, a smoking ordinance and (2) the repeal of Section 28-1, which currently regulates smoking in City facilities. The adoption of Article VII provides definitions, prohibits smoking in certain public areas and City facilities, provides exceptions to the prohibitions, and creates a violation and penalty for failure to abide by the Ordinance. With the addition of Article VII, Section 28-1 is no longer necessary and would be repetitive.

Please find enclosed two ordinances approving such amendments. The first ordinance allows for the adoption of Chapter 26, Article VII. The second ordinance allows for the repeal of Section 28-1. Both ordinances may be submitted for consideration at the next City Council meeting. For the Council's convenience, I am also including a red-lined version of the amendments.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv
cc: David Griffin, *Mayor Pro Tem*
Ms. Andrea Gardner, *City Manager*
Ms. Terri Johnson, Interim *City Secretary*
Mr. Paul Hackleman, *Director of Public Works*

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

WHEREAS, the City of Watauga wishes to regulate the use of tobacco products in public places and City facilities; and

WHEREAS, the repeal of Section 28-1 ("Smoking and Use of Tobacco in City Facilities") of the City of Watauga Code of Ordinances is required as the Section is no longer necessary given the adoption of Chapter 26, Article VII ("Smoking Ordinance") of the City of Watauga Code of Ordinance. Chapter 26, Article VII provides definitions, prohibits smoking in certain public areas and City facilities, provides exceptions to the prohibitions, and creates a violation and penalty for failure to abide by the Ordinance.

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

I.

Chapter 28, Section 28-1 ("Smoking and Use of Tobacco in City Facilities") of the City of Watauga Code of Ordinances shall be repealed and deleted in its entirety.

II.

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

III.

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

IV.

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

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

APPROVED:

_____
DAVID GRIFFIN, Mayor Pro Tem

ATTEST:

_____
ZOLAINA R. PARKER, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, City Attorney

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

WHEREAS, the City Council of the City of Watauga, Texas ("City") recognizes that the addition of Chapter 26, Article VII ("Smoking Ordinance") of the Code of Ordinances is required to better enforce the prohibition of smoking within City facilities and public places. Article VII provides definitions, prohibits smoking in certain public areas and City facilities, provides exceptions to the prohibitions, and creates a violation and penalty for failure to abide by the Ordinance.

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

I.

Chapter 26, Article VII of the Code of Ordinances for the City of Watauga, Texas shall be adopted to read as follows:

ARTICLE VII. SMOKING ORDINANCE

Sec. 26-314. – Definitions.

As used in this Article, the following words, terms and phrases shall have the following meanings, except where the context clearly indicates a different meaning:

Bar means an establishment licensed by the state which has more than 50% (fifty percent) of its annual gross sales from alcoholic beverages for consumption by guests on the premises. Calculation of gross sales shall be made from the combined sales of food and beverages. Restaurants that contain a bar are not considered a "Bar" for purposes of this Article.

Consumer means a person who possesses cigarettes for personal consumption.

Employee means any person who is employed by an employer for monetary compensation or profit.

Employer means any person, partnership, corporation, association, or other entity that employs one or more persons.

Fraternal organization means a brotherhood or a type of social organization whose members freely associate for a mutually beneficial purpose such as for social, professional or honorary principles.

Minor means a person under the age of 18 (eighteen) years of age.

No-smoking sign means a sign stating "Non-Smoking Area" or "Smoking Prohibited in this Building (Area)" or bearing other appropriate words and displaying the universal no-smoking symbol.

Person means an individual, firm, partnership, association, corporation, partnership, wholesaler, retailer or any licensed or unlicensed business or any other legal entity.

Place of employment means any enclosed area under the control of an employer including, but not limited to, work areas, employee lounges, restrooms, conference rooms, classrooms, employee cafeterias and hallways. A private residence shall not be considered a place of employment.

Possession means to have on or about the person or otherwise exercise actual care, custody, management or control over a tangible object or substance.

Private club means an association of persons as members, whether incorporated or unincorporated under the laws of the State, for the promotion of some common object, and organized by a board of representatives, including but not limited to a fraternal organization, private social club or dinner club. Private club described as a facility in this Chapter shall mean any enclosed area to which the public is not invited or in which the public is not permitted which is owned, leased or rented by the private club for its members and their guests. A privately-owned business, open to the public, is not a private club.

Public area means any area to which the general public routinely has access, which would not include areas which have been contracted for use by a private group.

Public building means any building other than a building used as a private residence. If portions of a building are used as a private residence and another portion of the building is used for business purposes or commercial activities, then "public building" as used herein

shall apply to the portions of the building used for business purposes or commercial purposes, but not the portion used solely as a residence. The term "public building" includes, but is not limited to, restaurants, offices and other workplaces, warehouses, health care facilities, and elevators, and enclosed common areas of multifamily developments. For purposes of this definition, it does not include a private area not accessible to the public.

Public transportation means Uber, Lyft, buses, taxis, van services, or any transportation to which the general public has access.

Restaurant means any place where food or drink is manufactured, packaged, produced, processed, transported, stored, sold, commercially prepared, or furnished for human consumption. The term includes but is not limited to a coffee shop, cafeteria, sandwich shop, and any other eating establishment that gives or offers food to the public, guests or employees, including catering facilities and mobile food vendors. This term does not apply to private homes where food is prepared and served for guests and individual family consumption. The term shall not include a cocktail lounge or tavern if said establishment is a "bar" as defined in this Article.

Retail and service establishment means any establishment which sells goods or services to the general public.

Retailer means a person who engages in the practice of selling tobacco products to consumers and/or includes the owner of a coin-operated tobacco product vending machine.

Retail sale means a transfer of possession from a retailer to a consumer in connection with a purchase, sale, or exchange for value of tobacco products.

Service line or queue means any line in which one or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.

Smoke or smoking includes the carrying or holding of a lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment or device, and the lighting of, emitting, or exhaling the smoke of a pipe, cigar, or cigarette of any kind.

Theater means a building or designated area in which live performances are presented to an audience.

Tobacco product means any tobacco, cigarette, cigar, pipe tobacco, smokeless tobacco, snuff or any other form of tobacco, which may be utilized for smoking, chewing, inhalation, or other manner of ingestion or absorption.

Sec. 26-315. – Smoking Prohibited in Certain Areas.

(a) It shall be unlawful for any person to perform the following acts in any public transportation, public building, public or enclosed workplace in the City or within 50 (fifty) feet of any public entrance or exit to any public building or enclosed workplace:

(1) Smoke,

(2) Carry a lighted tobacco product or
(3) Light a tobacco product.

(b) It shall be unlawful for any owner of any public building to allow the operation of the establishment unless one or more of the following signs have been posted at a location clearly visible to a person entering the establishment:

(1) A "No Smoking" sign, or
(2) The international "No Smoking" symbol (depiction of a burning cigarette enclosed in a red circle with a red bar across it).

(c) It shall be unlawful for any owner or operator of any public building or enclosed workplace to place or allow to be placed any of the following items in any public building or enclosed workplace or within 50 (fifty) feet from an entrance or exit to any public building or enclosed workplace:

(1) Ashtrays,
(2) Smoking paraphernalia or
(3) Signs that indicate that smoking is permitted.

(d) It shall be unlawful for the owner or operator of any public building or enclosed workplace to allow smoking in any public building or enclosed workplace or within 50 (fifty) feet of a public entrance or exit to any such public building or enclosed workplace.

(e) It shall be unlawful for the owner of any restaurant to allow smoking in any location where food is prepared or served.

(f) It shall be unlawful for the owner of any bar to allow smoking in any location where food is prepared.

(g) The following are excepted from the prohibitions of this Section:

(1) An owner or operator may allow smoking in a designated outdoor public patio area of a restaurant located more than 50 (fifty) feet from the main public entrance or exit. The smoking portion of the patio area shall not be more than 25% (twenty-five percent) of the overall patio area.

(2) A private or semi-private room in a nursing home or long-term health care facility that is occupied by persons who smoke and have requested in writing to be placed in rooms where smoking is permitted, provided the HVAC system does not allow the transfer of smoke fumes or vapors to non-smoking rooms or areas.

(3) A retail or service establishment which derives at least 60% (sixty percent) of its income from the sale of tobacco, tobacco products or smoking implements; the establishment has a primary public entrance and restroom facilities not connected

with any other businesses; and it is posted that no one under the age of 18 (eighteen) years is allowed to be admitted.

(4) A bar, as defined in Section 26-314 of the Code of Ordinances.

(5) A fraternal organization or private club not serving the general public.

(6) A private, rented guest room in a hotel or motel that has been designated as a smoking room by the owner or operator of the hotel or motel, as long as no more that 20% (twenty percent) of the rooms are designated smoking and all smoking rooms are located on the same floor and provided the HVAC system does not allow the transfer of smoke fumes or vapors to non-smoking rooms or areas.

(7) Any facility which is primarily used for exhibiting any stage, drama, lecture, musical recital or other similar performance, when smoking is part of a stage production and not within the seating area of the general public.

Sec. 26-316. – Tobacco use in City-owned buildings, properties and parks.

(a) *Prohibited; exception.* It shall hereafter be unlawful for any person to smoke tobacco, chew tobacco or dip tobacco or snuff within the confines of any City-owned building, property, City-owned park or trail maintained by the City, except for buildings or locations designated as a smoking area.

(b) *Notice.* Notice of this Section shall be given by posting written "THIS FACILITY IS TOBACCO FREE" signs at or near the main entrance of each building. Each letter in the sign shall be at least 1.5 inches in height. Notice of this Section shall be given on all rules and regulations signs located in all parks.

Sec. 26-317. – Violation and Penalty

A person who violates this Article shall be guilty of a class C misdemeanor and on conviction may be punished by a fine in accordance with the general penalty provision found in Section 1-7 of this Code. Each day that the violation continues shall constitute a separate offense.

II.

This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Watauga, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the

provisions of this Ordinance, in which event such conflicting provisions, if any, in such other ordinance(s) are hereby repealed.

III.

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

IV.

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

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

APPROVED:

_____
DAVID GRIFFIN, MAYOR PRO-TEM

ATTEST:

_____
TERRI JOHNSON, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, CITY ATTORNEY

RED-LINED AMENDMENTS: MAY 2019

~~**Sec. 28-1. - Smoking and use of tobacco in city facilities.**~~

~~Smoking and using tobacco in any shape, form or fashion by any and all persons within the confines of the indoor areas of the Watauga Municipal Complex, the Watauga Public Library, inside the water tower, and all city parks and recreation buildings shall be and is hereby declared to be unlawful, and any person violating, causing or permitting this section to be violated shall be deemed guilty of a class C misdemeanor and upon conviction shall be subject to the penalty prescribed by the statutes of the state for such violation. Each day that the violation continues shall constitute a separate offense and shall be treated accordingly.~~

~~(Code 2001, art. 8.300; Code 2010, § 8.01.001)~~

~~**State Law reference—** Smoking tobacco in certain public places or conveyances, V.T.C.A., Penal Code § 48.01~~

ARTICLE VII. SMOKING ORDINANCE

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Sec. 26-314. – Definitions.

As used in this Article, the following words, terms and phrases shall have the following meanings, ~~As used in this Article, the following words terms and phrases, when used in this article, shall have the meanings ascribed to them in this section,~~ except where the context clearly indicates a different meaning:

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Bar means an establishment licensed by the Sstate which has more than 50% (fifty percent) of its annual gross sales from alcoholic beverages for consumption by guests on the premises. Calculation of gross sales shall be made from the combined sales of food and beverages. Restaurants that contain a bar are not considered a "Bar" for purposes of this Article.

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Consumer means a person who possesses cigarettes for personal consumption.

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Employee means any person who is employed by an employer for monetary compensation or profit.

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Employer means any person, partnership, corporation, association, or other entity that employs one or more persons.

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Fraternal oOrganization means a brotherhood or a type of social organization whose members freely associate for a mutually beneficial purpose such as for social, professional or honorary principles.

Minor means a person under the age of 18 (eighteen) years of age.

No-smoking sign means a sign stating "Non-Smoking Area" or "Smoking Prohibited in this Building (Area)" or bearing other appropriate words and displaying the universal no-smoking symbol.

Person means an individual, firm, partnership, association, corporation, partnership, wholesaler, retailer or any licensed or unlicensed business or any other legal entity.

Place of employment means any enclosed area under the control of an employer including, but not limited to, work areas, employee lounges, restrooms, conference rooms, classrooms, employee cafeterias and hallways. A private residence shall not be considered a place of employment.

Possession means to have on or about the person or otherwise exercise actual care, custody, management or control over a tangible object or substance.

Private cClub means an association of persons as members, whether incorporated or unincorporated under the laws of the Sstate, for the promotion of some common object, and organized by a board of representatives, including but not limited to a fraternal organization, private social club or dinner club. Private club described as a facility in this Cchapter shall mean any enclosed area to which the public is not invited or in which the public is not permitted which is owned, leased or rented by the private club for its members and their guests. A privately-owned business, open to the public, is not a private club.

Public area means any area to which the general public routinely has access, which would not include areas which have been contracted for use by a private group.

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Public bBuilding means any building other than a building used as a private residence. If portions of a building are used as a private residence and another portion of the building is used for business purposes or commercial activities, then "public building" as used herein shall apply to the portions of the building used for business purposes or commercial purposes, but not the portion used solely as a residence. The term "public building" includes, but is not limited to, restaurants, offices and other workplaces, warehouses, health care facilities, and elevators, and enclosed common areas of multifamily developments. For purposes of this definition, it does not include a private area not accessible to the public.

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Public transportation means Uber, Lyift, buses, taxis, van services, or any transportation to which the general public has access.

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Restaurant means any place where food or drink is manufactured, packaged, produced, processed, transported, stored, sold, commercially prepared, or furnished for human consumption. The term includes but is not limited to a coffee shop, cafeteria, sandwich shop, and any other eating establishment that gives or offers food to the public, guests or employees, including catering facilities and mobile food vendors. This term does not apply to private homes where food is prepared and served for guests and individual family consumption. The term shall not include a cocktail lounge or tavern if said establishment is a "bar" as defined in this Article.

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Retail and service establishment means any establishment which sells goods or services to the general public.

Retailer means a person who engages in the practice of selling tobacco products to consumers and/or includes the owner of a coin-operated tobacco product vending machine.

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Retail sale means a transfer of possession from a retailer to a consumer in connection with a purchase, sale, or exchange for value of tobacco products.

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Service line or queue means any line in which one or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.

Smoke or smoking includes the carrying or holding of a lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment or device, and the lighting of, emitting, or exhaling the smoke of a pipe, cigar, or cigarette of any kind.

Theater means a building or designated area in which live performances are presented to an audience.

Tobacco product means any tobacco, cigarette, cigar, pipe tobacco, smokeless tobacco, snuff or any other form of tobacco, which may be utilized for smoking, chewing, inhalation, or other manner of ingestion or absorption.

Sec. 26-315. – **Smoking Prohibited in Certain Areas.**

(a) It shall be unlawful for any person to perform the following acts in any public transportation, public building, public or enclosed workplace in the City or within 50 (fifty) feet of any public entrance or exit to any public building or enclosed workplace:
   (1) Smoke,
   (2) Carry a lighted tobacco product or
   (3) Light a tobacco product.

(b) It shall be unlawful for any owner of any public building to allow the operation of the establishment unless one or more of the following signs have been posted at a location clearly visible to a person entering the establishment:
   (1) A "No Smoking" sign, or
   (2) The international "No Smoking" symbol (depiction of a burning cigarette enclosed in a red circle with a red bar across it).

(c) It shall be unlawful for any owner or operator of any public building or enclosed workplace to place or allow to be placed any of the following items in any public building or enclosed workplace or within 50 (fifty) feet from an entrance or exit to any public building or enclosed workplace:

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(1)Ashtrays,
(2)Smoking paraphernalia, or
(3)Signs that indicate that smoking is permitted.

(d) It shall be unlawful for the owner or operator of any public building or enclosed workplace to allow smoking in any public building or enclosed workplace or within 50 (fifty) feet of a public entrance or exit to any such public building or enclosed workplace.

(e) It shall be unlawful for the owner of any restaurant to allow smoking in any location where food is prepared or served.

(f) It shall be unlawful for the owner of any bar to allow smoking in any location where food is prepared.

(g) The following are excepted from the prohibitions of thise Ssection:

(1)An owner or operator may allow smoking in a designated outdoor public patio area of a restaurant located more than 50 (fifty) feet from the main public entrance or exit. The smoking portion of the patio area shall not be more than 25% (twenty-five percent) of the overall patio area.

(2)A private or semi-private room in a nursing home or long-term health care facility that is occupied by persons who smoke and have requested in writing to be placed in rooms where smoking is permitted, provided the HVAC system does not allow the transfer of smoke fumes or vapors to non-smoking rooms or areas.; or

(3)A retail or service establishment which derives at least 60% (sixty percent) of its income from the sale of tobacco, tobacco products or smoking implements; and the establishment has a primary public entrance and restroom facilities not connected with any other businesses; and it is posted that for no one under the age of 18 (eighteen) years is allowed to be admitted.

(4)A bar, as defined in Ssection 26-314 of the Code of Ordinances.

(5)A fraternal organization or private club not serving the general public.; or

(6)A private, rented guest room in a hotel or motel that has been designated as a smoking room by the owner or operator of the hotel or motel, as long as no more that 20% (twenty percent) of the rooms are designated smoking and all smoking rooms are located on the same floor and provided the HVAC

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~~ststem~~system does not allow the transfer of smoke fumes or vapors to non-smoking rooms or areas.~~.~~

(7) Any facility which is primarily used for exhibiting any stage, drama, lecture, musical recital or other similar performance, when smoking is part of a stage production and not within the seating area of the general public.

Sec, 26-316. – Tobacco use in ~~C~~city-owned buildings, properties and parks.

(a) *Prohibited; exception.* It shall hereafter be unlawful for any person to smoke tobacco, chew tobacco or dip tobacco or snuff within the confines of any ~~C~~city-owned building, property, ~~C~~city-owned park or trail maintained by the ~~C~~city, except for buildings or locations designated as a smoking area.

(b) *Notice.* Notice of this ~~S~~section shall be given by posting written "THIS FACILITY IS TOBACCO FREE" signs at or near the main entrance of each building. Each letter in the sign shall be at least 1.5 inches in height. Notice of this ~~S~~section shall be given on all rules and regulations signs located in all parks.

Sec. 26-317. – Violation and Penalty

~~A person who violates this article shall be guilty of a class C misdemeanor and subject to the penalty prescribed by the statutes of the state for such violation. Each day that a violation is permitted to exist shall constitute a separate offense.~~

A person who violates this Article shall be guilty of a class C misdemeanor and on conviction may be punished by a fine in accordance with the general penalty provision found in Section 1-7 of this Code. Each day that the violation continues shall constitute a separate offense.

~~Sec. 26-318. – Enforcement.~~

~~The City Manager and his or her designees are authorized to issue citations and take all action necessary to enforce this ordinance. This section is cumulative of other laws providing enforcement authority. The City may enforce this section and seek injunctive relief~~

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City Council Workshop
March 07, 2019

WATAUGA
TEXAS

Smoking & Electronic Cigarettes Ordinance – Path Forward?



Image Credit – American Heart Association

Where we are…smoking ordinances?

- Smoking Prohibited within Watauga Municipal Complex, Library, Water Tower, Parks and Recreation Buildings per Chapter 28 Section 1 of Code of Ordinances (COO)
- Electronic Cigarettes prohibited within any building owned by the City of Watauga
- Electronic Cigarettes prohibited within public primary or secondary school, elevator, movie house, library, museum, hospital, transit system bus, and train, if sign posted and allowed within area designated for smoking
- Electronic Cigarettes – multiple rules related to minors – sells/usage



Image Credit – dontmesswithtaxes.com

What are Electronic Cigarettes?

Electronic cigarette means any electronic device composed primarily of a mouthpiece, heating element, battery, or electronic circuit, that provides, or is manufactured, intended to provide or advertised as providing, a vapor of liquid nicotine and/or a combination of liquid nicotine and any other substance which is delivered or deliverable by inhalation… - Code of Ordinances (COO)



Image Credit – National Institute on Drug Abuse



Image Credit – JUUL.com

JUUL Labs' mission is to eliminate cigarettes. JUUL products are intended for adult smokers who want to switch from combustible cigarettes.

You must be at least 21 years old to purchase products on JUUL.com.

What is secondhand smoke?

- Secondhand smoke, also known as environmental tobacco smoke (ETS), is a combination of the smoke produced from the lit end of a cigarette and the smoke exhaled by smokers.

- Public health authorities, including the WHO, have concluded that secondhand smoke causes diseases, including lung cancer and heart disease, in nonsmoking adults, as well as conditions in children such as asthma, respiratory infections, cough, wheezing, otitis media (middle ear infection), and sudden infant death syndrome. In addition, public health officials have concluded that secondhand smoke can exacerbate adult asthma and cause eye, throat, and nasal irritation.

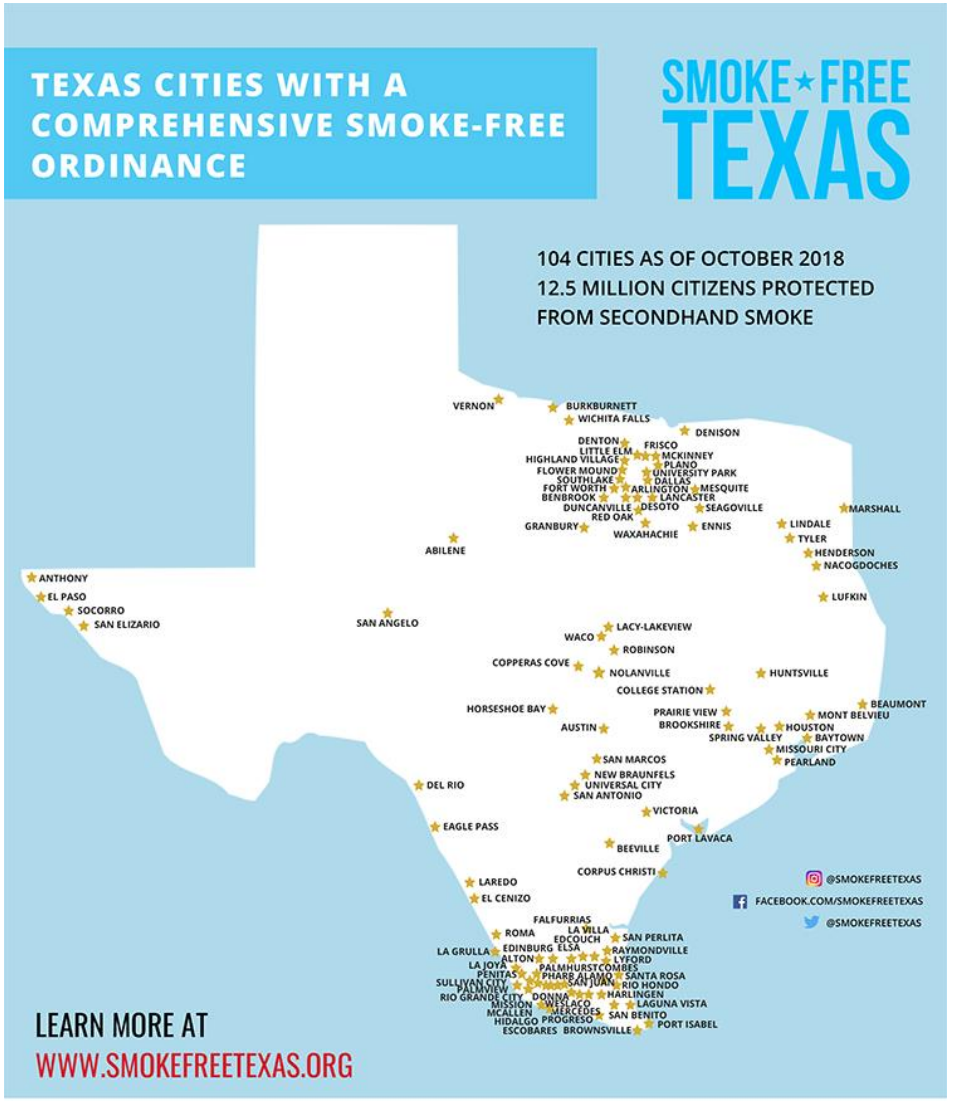
- The public should be informed about these conclusions and guided by them in deciding whether to be in places where secondhand smoke is present or, if they are smokers, when and where to smoke around others. Smokers should not smoke around children or pregnant women.

- Some cigarettes available on the market contain smoke-related features, such as reduced smoke odor or reduced visible smoke. These features do not mean that the product is less harmful to smokers or nonsmokers than other cigarettes.

Information copied from Phillip Morris International Website – a leading tobacco company

104 Cities Smoke Free – October 2018

"Numerous compelling studies have established the link between health and secondhand smoke. There is no safe level of secondhand smoke exposure and employees are often forced to work in smoke-filled restaurants and bars." - Smokefreetexas.org.



What other Cities are doing???

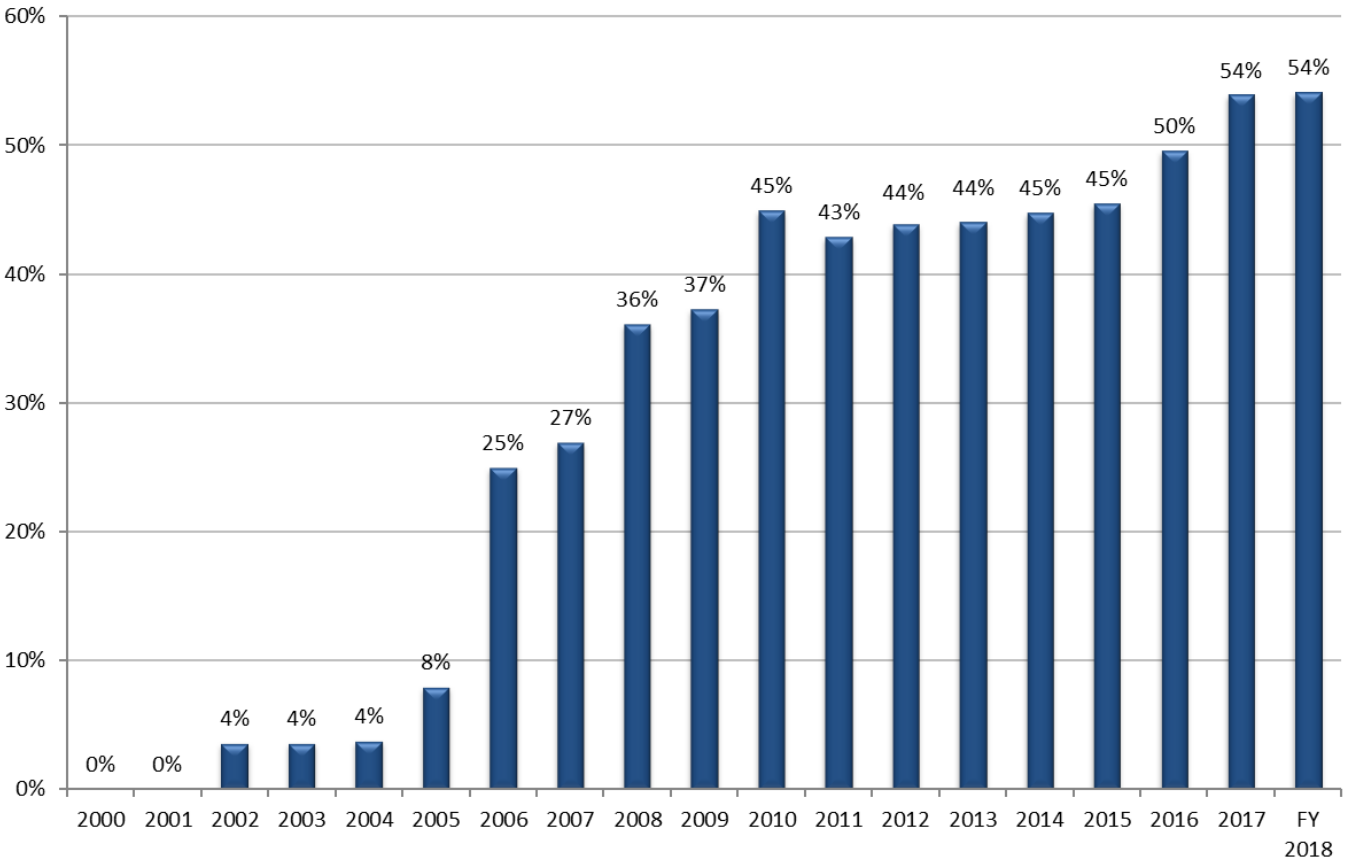
1. Smoking Prohibited
    a. Restaurants
    b. Bars
    c. Bingo Parlors
    d. Bowling Alleys
    e. Business offices and buildings
    f. Retail store
    g. Parks (indoor and outdoor)

2. Smoking Allowed
    a. Cigar Lounges
    b. Hotel Room – 25%
    c. Outdoor dining areas away from doors/windows
    d. Private clubs
    e. Private meeting rooms
    f. Private residences – except when uses as child care, adult care, or health facility
    e. Private room in nursing home or long care facility – smoker resides
    f. Retail tobacco stores – stand along primary sales tobacco/accessories
    g. Stage productions where smoking is part of production

What other Cities are doing???



Percentage of City Pop. - Smoke Free



What path should Watauga take? Comments/Questions?

1. No ordinance revisions?
2. Strict ordinance update – 100% Smoke Free?
3. Lenient Ordinance update?



Image Credit – candywarehouse.com



Image Credit – Cole Hackleman

AGENDA MEMORANDUM

DATE: April 8, 2019

TO: Honorable City Council Members

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

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

a. Open Public Hearing-allow for staff comments
b. Public Comments
c. Close Public Hearing

BACKGROUND/INFORMATION:

The Public Hearing Notice was duly posted and published by the City Secretary's Office on March 15, 2019 in the Fort Worth Star Telegram.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Respectfully recommend allowing for staff and public participation as published and posted.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Public Hearing 200 ft notice Hightower Estates
2. Response Form
3. Responses Opposed & Unopposed 032719
4. Responses Opposed and Unopposed - APR23
5. Hightower 200 ft labels
6. PZ Public Hearing Notice 040219
7. CC Public Hearing Notice 051319
8. Zoning Change Sign (6000) Case Z 19-03
9. Zoning Change Sign (6001) Case Z 19-03

REVIEWED BY:

AGENDA MEMORANDUM

Randy Richards, Building Official	Approved - 5/1/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/1/2019
Andrea Gardner, City Manager	Approved - 5/2/2019
Terri Johnson, City Secretary	Final Approval - 5/3/2019

Approved as to form for inclusion on Agenda

Public Hearing Notice – Zoning Change

March 13, 2019

Dear Property Owner/Resident:

The Planning and Zoning Commission will hold a public hearing to consider a recommendation for zoning change application at their meeting on April 2, 2019 at 6:00 PM in the Council Chamber at Watauga City Hall, 7105 Whitley Road. The City Council will hold a public hearing at their meeting on May 13, 2019 at 6:00 PM in the Council Chamber at Watauga City Hall, 7105 Whitley Road.

Planning and Zoning Case Z-19-03: Request for a Zoning Change for a new 70-lot single family residential subdivision to be named Hightower Estates, from SF-6 (Single Family – 6000 square foot lots) to PD (Planned Development). The subject properties are legally described as Echo Hills Addition, Block 13, Lot 15R and Block 16, Lot 1R and are located on the north and south sides of Hightower Drive, east of Quail Run and west of Echo Hill Drive, **6000 and 6001 Hightower Drive**. Watauga Commons, LLC and Sunny Partovi, owner/applicant

In accordance with State law, you are receiving this notice due to public records available through Tarrant Appraisal District reflect you are the owner(s) of property within two hundred (200) feet of the subject property. A site map is attached for your information.

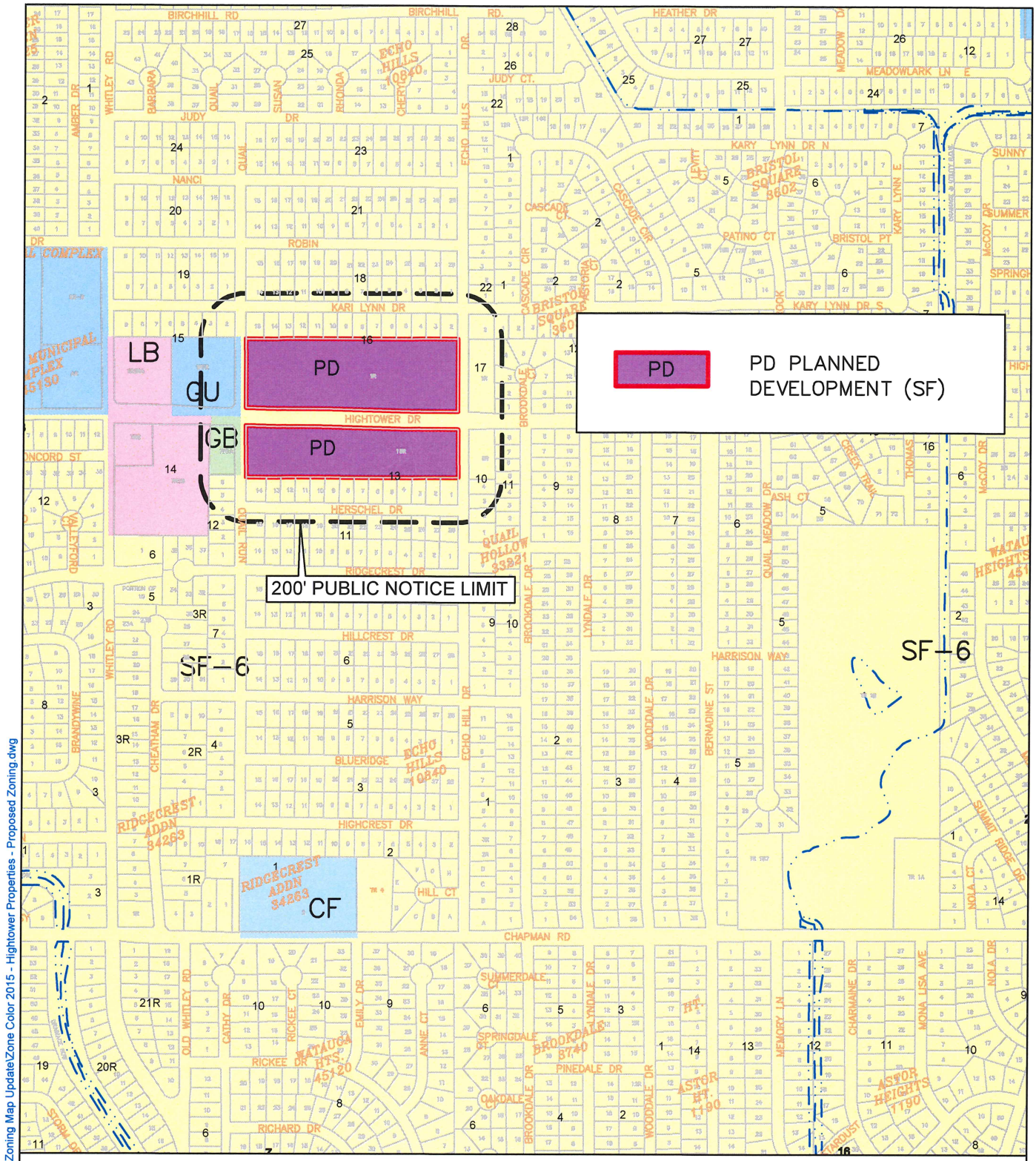
If you are interested, you are invited to attend these meetings. If you cannot attend these meetings and wish to provide written comments or documentation to the Commission, please return your information on the attached response form no later than 5 (five) days prior to the meeting of the Planning and Zoning Commission.

If you have any questions, please contact me at 817-514-5827 or e-mail jgarcia@wataugatx.org.

Sincerely,

Jeannette Garcia
Planning and Zoning Coordinator

City of Watauga
Development Services
7105 Whitley Road
Watauga, TX 76148
http://www.wataugatx.org



PROPOSED ZONING WITH 200' PERIMETER BUFFER

To: City of Watauga, Texas

From: _____

_____

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Case No. Z-19-03, **6000 and 6001 Hightower Drive**: Consider request for a zoning change for a new 70-lot single family residential subdivision to be named Hightower Estates, from SF-6 (Single Family – 6000 square foot lots) to PD (Planned Development). Watauga Commons, LLC and Sunny Partovi, owner/applicant

☐ I RECOMMEND APPROVAL OF THE REQUEST

☐ I RECOMMEND DENIAL OF THE REQUEST

Comments:_____

_____

_____

_____ _____

Printed Name Signature

_____

Date

Planning Zoning Commission
Public Hearing Z-19-03
Owner, Watauga Commons

Written Comments Received thru March 27, 2019 - 12:00pm

Comments in Opposition	
NAME	ADDRESS
Kenneth R. Nicholson	7012 Echo Hill Drive
Inquiries regarding Notice	
Name	Address

Planning Zoning Commission
Public Hearing Z-19-03
Owner, Watauga Commons

Written Comments Received thru March 27, 2019 - 12:00pm

Comments in Favor	
NAME	ADDRESS
Barbara N. Norris	6037 Kary Lynn Dr S

Planning Zoning Commission
Public Hearing Z-19-03
Owner, Watauga Commons

Phone Calls Received thru March 27, 2019 - 12:00 p.m.

Comments in Opposition	
NAME	ADDRESS
Inquiries regarding Notice	
Name	Address
Unknown - inquiring of Zoning Change	Unknown

Planning Zoning Commission
Public Hearing Z-19-03
Owner, Watauga Commons

Phone Calls Received thru March 27, 2019 - 12:00 p.m.

Comments in Favor	
NAME	ADDRESS

To: City of Watauga, Texas

From: KENNETH R. NICHOLSON

7012 ECHO HILL DRIVE

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Case No. Z-19-03, **6000 and 6001 Hightower Drive**: Consider request for a zoning change for a new 70-lot single family residential subdivision to be named Hightower Estates, from SF-6 (Single Family – 6000 square foot lots) to PD (Planned Development). Watauga Commons, LLC and Sunny Partovi, owner/applicant

☐ I RECOMMEND APPROVAL OF THE REQUEST

☒ I RECOMMEND DENIAL OF THE REQUEST

Comments: _____

KENNETH R. NICHOLSON — Printed Name

R.R. Nelson — Signature

3-19-2019

Date

RECEIVED
MAR 21 2019
BY: J. Garcia

To: City of Watauga, Texas

From: BARBARA N. NORRIS

6037 KARY LYNN DR. SO.

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Case No. Z-19-03, **6000 and 6001 Hightower Drive**: Consider request for a zoning change for a new 70-lot single family residential subdivision to be named Hightower Estates, from SF-6 (Single Family – 6000 square foot lots) to PD (Planned Development). Watauga Commons, LLC and Sunny Partovi, owner/applicant

☑ I RECOMMEND APPROVAL OF THE REQUEST

☒ I RECOMMEND DENIAL OF THE REQUEST

Comments: THE LAND SHOULD BE USED AS STATED ABOVE.

BARBARA N. NORRIS

Printed Name

Barbara N. Norris

Signature

3/18/2019

Date

RECEIVED
MAR 25 2019
BY: J. Garcia

WATAUGA
TEXAS
7105 Whitley Road • Watauga, TX 76148

TAUGA
XAS

tice – Zoning Change

will hold a public hearing to consider a
ation at their meeting on April 2, 2019 at 6:00
ity Hall, 7105 Whitley Road. The City Council
on May 13, 2019 at 6:00 PM in the Council
ley Road.

st for a Zoning Change for a new 70-lot single
Hightower Estates, from SF-6 (Single Family
Development). The subject properties are
Block 13, Lot 15R and Block 16, Lot 1R and
f Hightower Drive, east of Quail Run and west
tower Drive. Watauga Commons, LLC and

receiving this notice due to public records
ict reflect you are the owner(s) of property
ect property. A site map is attached for your

ttend these meetings. If you cannot attend
written comments or documentation to the
ion on the attached response form no later
e Planning and Zoning Commission.

contact me at 817-514-5827 or e-mail

City of Watauga
Development Services
7105 Whitley Road
Watauga, TX 76148
http://www.wataugatx.org

RECEIVED
MAR 26 2019
BY: .....

Resident
6012 Herschel Dr
Watauga TX 76148

RECEIVED
MAR 26 2019
BY: .....

NEOPOST
03/15/2019
US POSTAGE $000.50⁰
FIRST-CLASS MAIL
ZIP 76148
041M11272667

RTS
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
BC: 76148202405 *0934-01302-15-44

UTF

To: City of Watauga, Texas

From: Frank Ivey

6044 Kary Lynn Dr S

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Case No. Z-19-03, **6000 and 6001 Hightower Drive**: Consider request for a zoning change for a new 70-lot single family residential subdivision to be named Hightower Estates, from SF-6 (Single Family – 6000 square foot lots) to PD (Planned Development). Watauga Commons, LLC and Sunny Partovi, owner/applicant

☐ I RECOMMEND APPROVAL OF THE REQUEST

☒ I RECOMMEND DENIAL OF THE REQUEST

Comments: _____

Frank R Ivey

Printed Name

Frank R Ivey

Signature

4-17-2019

Date

RECEIVED
APR 23 2019
BY: .....

RECEIVED
APR 0 4 2019
BY: .....

To: City of Watauga, Texas

From: 6008 Kory Lynn Dr. S.

Watauga, TX 76148

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Case No. Z-19-03, **6000 and 6001 Hightower Drive**: Consider request for a zoning change for a new 70-lot single family residential subdivision to be named Hightower Estates, from SF-6 (Single Family – 6000 square foot lots) to PD (Planned Development). Watauga Commons, LLC and Sunny Partovi, owner/applicant

☐ I RECOMMEND APPROVAL OF THE REQUEST

☑ I RECOMMEND DENIAL OF THE REQUEST

Comments: I recommend the city use this land for additional community/Park Structures

Jessica Bennett

Printed Name

Signature

4/1/2019

Date

To: City of Watauga, Texas

From: Mark Thayer

6053 Hershel Dr Watauga, TX 76148

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Case No. Z-19-03, **6000 and 6001 Hightower Drive**: Consider request for a zoning change for a new 70-lot single family residential subdivision to be named Hightower Estates, from SF-6 (Single Family – 6000 square foot lots) to PD (Planned Development). Watauga Commons, LLC and Sunny Partovi, owner/applicant

☐ I RECOMMEND APPROVAL OF THE REQUEST

☒ I RECOMMEND DENIAL OF THE REQUEST

Comments: I was told this property was Greenspace and would never be built on. This development would unnecessarily impact & crowd the neighborhood further.

Mark Thayer

Printed Name

Signature

3/27/2019

Date

RECEIVED
MAR 27 2019
BY: J. Garcia

To: City of Watauga, Texas

From: Roger Jordan

Echo Hills 7112 – 7128

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Case No. Z-19-03, **6000 and 6001 Hightower Drive**: Consider request for a zoning change for a new 70-lot single family residential subdivision to be named Hightower Estates, from SF-6 (Single Family – 6000 square foot lots) to PD (Planned Development). Watauga Commons, LLC and Sunny Partovi, owner/applicant

☑ I RECOMMEND APPROVAL OF THE REQUEST

☐ I RECOMMEND DENIAL OF THE REQUEST

Comments: _____

Roger Jordan
Printed Name

Roger Jordan
Signature

3-24-19
Date

To: City of Watauga, Texas

From: Ebrahim Khan

Echo Hills Block 14

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Case No. Z-19-03, **6000 and 6001 Hightower Drive**: Consider request for a zoning change for a new 70-lot single family residential subdivision to be named Hightower Estates, from SF-6 (Single Family – 6000 square foot lots) to PD (Planned Development). Watauga Commons, LLC and Sunny Partovi, owner/applicant

☐ I RECOMMEND APPROVAL OF THE REQUEST

☒ I RECOMMEND DENIAL OF THE REQUEST

Comments: _____

_____

_____

Ebrahim Khan

Printed Name

Signature

3-20-19

Date

Owners within 200 feet of Subject Property

Owner	Owner_Address	Owner_City State	Owner_Zip	Situs _Address
Etheridge Ernest E	6000 Herschel Dr	Fort Worth TX	76148	6000 Herschel Dr
Brammer Judy	6004 Herschel Dr	Watauga TX	76148	6004 Herschel Dr
Gilbert Bobby L & Bernice H	4620 Holiday Ln W	N Richland Hills TX	76180	6008 Herschel Dr
Kidwill Keith A	PO Box 4491	Fort Worth TX	76164	6012 Herschel Dr
Brown Tommy Wayne Jr	6016 Herschel Dr	Fort Worth TX	76148	6016 Herschel Dr
Jones Claudia R	6020 Herschel Dr	Fort Worth TX	76148	6020 Herschel Dr
Hoover Deborah L	1230 Brown Trail Ste 107	Bedford TX	76022	6024 Herschel Dr
Chapman Ted L	6028 Herschel Dr	Fort Worth TX	76148	6028 Herschel Dr
Singer Scott Andrew	6032 Herschel Dr	Fort Worth TX	76148	6032 Herschel Dr
Tullis Albert L	6036 Herschel Dr	Fort Worth TX	76148	6036 Herschel Dr
Navarro Alicia	6040 Herschel Dr	Watauga TX	76148	6040 Herschel Dr
Carter Deborah	6044 Herschel Dr	Watauga TX	76148	6044 Herschel Dr
Goodrum Judy Kay	6048 Herschel Dr	Watauga TX	76148	6048 Herschel Dr
Skoog Robert E	6052 Herschel Dr	Watauga TX	76148	6052 Herschel Dr
Jones James C and Casey L	6001 Herschel Dr	Fort Worth TX	76148	6001 Herschel Dr
Shelton Valerie Diane	4618 McKinney Apt No 1	Houston TX	77023	6005 Herschel Dr
Lunn Tommy Joe	6009 Herschel Dr	Watauga TX	76148	6009 Herschel Dr
Krokum Chad Wesley	6013 Herschel Dr	Watauga TX	76148	6013 Herschel Dr
Davis Ronnie L Etux Maria E	6017 Herschel Dr	Fort Worth TX	76148	6017 Herschel Dr
Steele Debra	6021 Herschel Dr	Watauga TX	76148	6021 Herschel Dr
Thompson Billy Eugene Etux Li	6025 Herschel Dr	Watauga TX	76148	6025 Herschel Dr
J & S Nguyen Family Ltd	4912 Delta Ct	N Richland Hills TX	76180	6029 Herschel Dr
Oest Phillip & Sarah Wilson	6033 Herschel Dr	Fort Worth TX	76148	6033 Herschel Dr
Alban Carolyn Ann	6037 Herschel Dr	Fort Worth TX	76148	6037 Herschel Dr
Henderson Daniel D	6041 Herschel Dr	Fort Worth TX	76148	6041 Herschel Dr
Brobst William M & Kelli L	6045 Herschel Dr	Fort Worth TX	76148	6045 Herschel Dr
Yang Xang Etux Bao Lee	6049 Herschel Dr	Fort Worth TX	76148	6049 Herschel Dr
Pretium SFR Holdings LLC	120 S Sixth St Ste 2100	Minneapolis MN	55402	6053 Herschel Dr
Valenzuela Jose D	7200 Echo Hill Dr	Watauga TX	76148	7200 Echo Hill Dr
Gutierrez Maria G M	7200 Echo Hill Dr	Watauga TX	76148	7200 Echo Hill Dr
Guzman Salvador	7132 Echo Hill Dr	Watauga TX	76148	7132 Echo Hill Dr
Jordan Roger	831 CR 2360	Decatur TX	76234	7128 Echo Hill Dr
Jordan, Roger	831 CR 2360	Decatur TX	76234	7124 Echo Hill Dr

Owners within 200 feet of Subject Property

Jordan, Roger	831 CR 2360	Decatur TX	76234	7120 Echo Hill Dr
Jordan, Roger	831 CR 2360	Decatur TX	76234	7116 Echo Hill Dr
Jordan, Roger	831 CR 2360	Decatur TX	76234	7112 Echo Hill Dr
S & H Carwash	9110 Charles St	Lantana TX	76226	7016 Echo Hill Dr
Nicholson, Kenneth Ray	7012 Echo Hill Dr	Watauga TX	76148	7012 Echo Hill Dr
Diaz, Roberto	7008 Echo Hill Dr	Watauga TX	76148	7008 Echo Hill Dr
Zaghloui, Anton	7004 Echo Hill Dr	Watauga TX	76148	7004 Echo Hill Dr
Walker, Brent A & Katrina L	7013 Brookdale Dr	Watauga TX	76148	7013 Brookdale Dr
Shields, Jerry R	7017 Brookdale Dr	Watauga TX	76148	7017 Brookdale Dr
Joyner, Gregory & Maria	7021 Brookdale Dr	Fort Worth TX	76148	7021 Brookdale Dr
Current Owner	7025 Brookdale Dr	Watauga TX	76148	7025 Brookdale Dr
Ghale, Dik and Chandra	7029 Brookdale Dr	Watauga TX	76148	7029 Brookdale Dr
Ghalley, Umesh	7029 Brookdale Dr	Watauga TX	76148	7029 Brookdale Dr
Hammonds, Rhonda Irene	7101 Brookdale Ct	Fort Worth TX	76148	7101 Brookdale Ct
Syverson, David	7105 Brookdale Ct	Watauga TX	76148	7105 Brookdale Ct
Rodriguez, Clint and Rachel	7109 Brookdale Ct	Watauga TX	76148	7109 Brookdale Ct
Charles, Michael and Dorothy	7113 Brookdale Ct	Watauga TX	76148	7113 Brookdlae Ct
Brooks, Gerald C	5924 Kary Lynn Dr S	Fort Worth TX	76148	5924 Kary Lynn Dr S
Purvis, Saysamorn Etvir Timoth	5928 Kary Lynn Dr S	Watauga TX	76148	5928 Kary Lynn Dr S
Cox, Ronald Dow	6000 Kary Lynn Dr S	Fort Worth TX	76148	6000 Kary Lynn Dr S
Hicks, Brooke and Foster, Maria	6004 Kary Lynn Dr S	Watauga TX	76148	6004 Kary Lynn Dr S
Burnett, Sam A and Jessica D	6008 Kary Lynn Dr S	Watauga TX	76148	6008 Kary Lynn Dr S
Wentin Properties LLC	PO Box 250536	Plano TX	75025	6012 Kary Lynn Dr S
Greener, Randy L & Soles, Haleigh D	6016 Kary Lynn Dr S	Watauga TX	76148	6016 Kary Lynn Dr S
Patino, Jorge R and Amber Watson	6020 Kary Lynn Dr S	Watauga TX	76148	6020 Kary Lynn Dr S
Manning, C L B	1220 Airport Fwy # 555	Bedford TX	76022	6024 Kary Lynn Dr S
Varela, Maria	6028 Kary Lynn Dr S	Watauga TX	76148	6028 Kary Lynn Dr S
Ericson, David Allan	4753 Moss Rose Dr	Fort Worth TX	76137	6032 Kary Lynn Dr S
Golden, Sharon Etvir Charles J	6036 Kary Lynn Dr S	Watauga TX	76148	6036 Kary Lynn Dr S
Curl, Donald Ray	6040 Kary Lynn Dr S	Fort Worth TX	76148	6040 Kary Lynn Dr S
Ivey, Frank R Etux Patricia	6044 Kary Lynn Dr S	Watauga TX	76148	6044 Kary Lynn Dr S
Griffin, Francis E and Melba K	PO Box 821263	N Richland Hills TX	76182	6048 Kary Lynn Dr S
Dewey, Melanie L Etvir Lance	14021 Lost Spurs Rd	Roanoke TX	76262	6052 Kary Lynn Dr S
Weaver, Elena J	5929 Kary Lynn Dr S	Watauga TX	76148	5929 Kary Lynn Dr S

Owners within 200 feet of Subject Property

Hinton, Joanne M	6001 Kary Lynn Dr S	Watauga TX	76148	6001 Kary Lynn Dr S
Williamson, Dustin L	6005 Kary Lynn Dr S	Watauga TX	76148	6005 Kary Lynn Dr S
Pensco Trust FBO M A Jagtiani IRA	717 Seventeenth St Ste 220	Denver CO	80202	6009 Kary Lynn Dr S
Cruze, Cheyena and Richard	6013 Kary Lynn Dr S	Watauga TX	76148	6013 Kary Lynn Dr S
Richardson, Phyllis	6017 Kary Lynn Dr S	Fort Worth TX	76148	6017 Kary Lynn Dr S
Weaver, Elena H	6017 Kary Lynn Dr S	Fort Worth TX	76148	6017 Kary Lynn Dr S
Wilson, Lori A	6021 Kary Lynn Dr S	Watauga TX	76148	6021 Kary Lynn Dr S
Hotaling, Evelyn	6025 Kary Lynn Dr S	Watauga TX	76148	6025 Kary Lynn Dr S
Barbetti, Henry V	1204 Wyndham Hill Ln	Southlake TX	76092	6029 Kary Lynn Dr S
Ellis, Patrick	6033 Kary Lynn Dr S	Watauga TX	76148	6033 Kary Lynn Dr S
Norris, Barbara	6037 Kary Lynn Dr S	Fort Worth TX	76148	6037 Kary Lynn Dr S
Gonzalez, Juan T	6041 Kary Lynn Dr S	Watauga TX	76148	6041 Kary Lynn Dr S
Smith, Bennie L Jr and Bonnie S	6045 Kary Lynn Dr S	Watauga TX	76148	6045 Kary Lynn Dr S
Spencer, Cory Ryan	6049 Kary Lynn Dr S	Watauga TX	76148	6049 Kary Lynn Dr S
Johnson, Gregory Paul and Lisa Anne	6300 Paper Shell Way	Fort Worth TX	76179	6053 Kary Lynn Dr S
Watauga, City Of	7105 Whitley Rd	Watauga TX	76148	5909 Hightower Dr
Khan, Ibrahim Spidari	5257 Smokey Ridge Dr	Fort Worth TX	76123	7025 Quail Run
White, Houston B and Cherlyn	7021 Quail Run	Fort Worth TX	76148	7021 Quail Run
Vega-Zuniga, Salvador	7017 Quail Run	Fort Worth TX	76148	7017 Quail Run
Moreno-Rico, MA Guadalupe	7017 Quail Run	Fort Worth TX	76148	7017 Quail Run
Page, Mark E and Cynthia M	7013 Quail Run	Watauga TX	76148	7013 Quail Run
Ernspiger, Richard K	2313 Danielle Dr	Colleyville TX	76034	7009 Quail Run
Khan, Ibrahim Spidari	5257 Smokey Ridge Dr	Fort Worth TX	76123	7050 Whitley Dr
Zaghloul, AN and Shiber E I	4637 Pangolin Dr	Fort Worth TX	76244	6000 Hightower
Sunscope LLC	6628 Meadows West Dr S	Fort Worth TX	76132	6001 Hightower

NOTICE OF PUBLIC HEARING

PLANNING & ZONING COMMISSION
CITY HALL COUNCIL CHAMBER
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
APRIL 2, 2019
6:00 P.M.

Notice is hereby given of public hearings to be held in the City of Watauga Council Chambers located at 7105 Whitley Road, on Tuesday, April 2, 2019 at 6:00 p.m., during the regular Planning and Zoning Meeting, for the purpose of hearing the following cases:

Planning and Zoning Case Z-19-01: Request for a revision to the Future Land Use Map (FLUM) on 3.2444 acres out of the William J Miller Survey, Abstract No. 1020, from "Parks and Open Space" to "Local Office/Retail/Commercial".

Planning and Zoning Case Z-19-02: Request for a Zoning Change for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020 from GU (Government Use) to GB (General Business). The subject property is located at 6200 Watauga Road. City of Watauga, owner/applicant.

Planning and Zoning Case Z-19-03: Request for a Zoning Change for a new 70-lot single family residential subdivision to be named Hightower Estates, from SF-6 (Single Family – 6000 square foot lots) to PD (Planned Development). The subject properties are legally described as Echo Hills Addition, Block 13, Lot 15R and Block 16, Lot 1R and the properties are located on the north and south sides of Hightower Drive, east of Quail Run and west of Echo Hill Drive, 6000 and 6001 Hightower Drive. Watauga Commons, LLC and Sunny Partovi, owner/applicant.

Planning and Zoning Case SUP-19-01: Request for a Specific Use Permit (SUP) for a Boarding or Lodging House at 7617 Spring Drive, legally described as Parkview Addition, Block 2, Lot 17. Deborah L. Smith, owner/applicant.

Planning and Zoning Case SUP-19-02: Request for a Specific Use Permit (SUP) for a Boarding or Lodging House at 7621 Spring Drive, legally described as Parkview Addition, Block 2, Lot 18. Deborah L. Smith, owner/applicant.

Published on March 15, 2019, in the Star Telegram, Legal Notices Section.

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, Zolaina R. Parker, City Secretary for the City of Watauga, hereby certify that this notice was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on March 14, 2019, before 6:00 p.m., in accordance with Chapter 551 of the Texas Government Code.

Zolaina R. Parker

Zolaina R. Parker, City Secretary, TRMC



NOTICE OF PUBLIC HEARING

WATAUGA CITY COUNCIL
CITY HALL COUNCIL CHAMBER
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
MAY 13, 2019
6:30 P.M.

Notice is hereby given of public hearings to be held in the City of Watauga Council Chambers located at 7105 Whitley Road, on Monday, May 13, 2019 at 6:30 p.m., during the Regular City Council Meeting, for the purpose of hearing the following cases:

Planning and Zoning Case Z-19-01: Request for a revision to the Future Land Use Map (FLUM) on 3.2444 acres out of the William J Miller Survey, Abstract No. 1020, from "Parks and Open Space" to "Local Office/Retail/Commercial".

Planning and Zoning Case Z-19-02: Request for a Zoning Change for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020 from GU (Government Use) to GB (General Business). The subject property is located at 6200 Watauga Road. City of Watauga, owner/applicant.

Planning and Zoning Case Z-19-03: Request for a Zoning Change for a new 70-lot single family residential subdivision to be named Hightower Estates, from SF-6 (Single Family – 6000 square foot lots) to PD (Planned Development). The subject properties are legally described as Echo Hills Addition, Block 13, Lot 15R and Block 16, Lot 1R and the properties are located on the north and south sides of Hightower Drive, east of Quail Run and west of Echo Hill Drive, 6000 and 6001 Hightower Drive. Watauga Commons, LLC and Sunny Partovi, owner/applicant.

Planning and Zoning Case SUP-19-01: Request for a Specific Use Permit (SUP) for a Boarding or Lodging House at 7617 Spring Drive, legally described as Parkview Addition, Block 2, Lot 17. Deborah L. Smith, owner/applicant.

Planning and Zoning Case SUP-19-02: Request for a Specific Use Permit (SUP) for a Boarding or Lodging House at 7621 Spring Drive, legally described as Parkview Addition, Block 2, Lot 18. Deborah L. Smith, owner/applicant.

Published on March 15, 2019, in the Star Telegram, Legal Notices Section.

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, Zolaina R. Parker, City Secretary for the City of Watauga, hereby certify that this notice was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on March 14, 2019, before 6:00 p.m., in accordance with Chapter 551 of the Texas Government Code.

Zolaina R. Parker

Zolaina R. Parker, City Secretary, TRMC



ZONING
CHANGE
REQUESTED
FOR INFORMATION
CALL
817-514-5827

ZONING
CHANGE
REQUESTED

FOR INFORMATION

CALL

817-514-5827

AGENDA MEMORANDUM

DATE: April 24, 2019

TO: Honorable City Council Members

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

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

a. Open Public Hearing - allow for staff comments
b. Public Comments
c. Close Public Hearing

BACKGROUND/INFORMATION:

The Public Hearing Notice for Planning and Zoning Case No. Z-19-04 was duly posted at City Hall and published in the Fort Worth Star Telegram by the City Secretary's Office.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Respectfully recommend allowing for citizen participation as published and posted.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Nat Brooks Z-19-04 Public Hearing 200 ft notice w Response sheet
2. Nat Brooks 200 foot labels final-6200 Watauga Rd
3. Responses Opposed and Unopposed - APR16
4. PZ Public Hearing Notice for Newspaper 042319
5. CC Public Hearing Notice for Newspaper 051319
6. Zoning Change Sign Z 19-04
7. Amended General Warranty Deed

REVIEWED BY:

Randy Richards, Building Official	Approved - 5/8/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/8/2019
Andrea Gardner, City Manager	Approved - 5/8/2019

AGENDA MEMORANDUM

Terri Johnson, City Secretary — Final Approval - 5/8/2019

Approved as to form for inclusion on Agenda

April 4, 2019

Dear Property Owner/Resident:

The Planning and Zoning Commission will hold a public hearing to consider recommendation for a zoning change at a special meeting on Tuesday, April 23, 2019 at 6:30 p.m. in the Council Chamber at Watauga City Hall, 7105 Whitley Road, for the purpose of hearing the following case. The City Council will also hold a public hearing at their regular meeting on Monday, May 13, 2019 at 6:30 p.m. in the Council Chamber at Watauga City Hall, 7105 Whitley Road, for the purpose of hearing the same case.

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

In accordance with State law, you are receiving this notice due to public records available through Tarrant Appraisal District reflect you are the owner(s) of property within two hundred (200) feet of the subject property. A site map is attached for your information.

If you are interested, you are invited to attend these meetings. If you cannot attend these meetings and wish to provide written comments or documentation to the Commission, please return your information on the attached response form prior to the meeting of the Planning and Zoning Commission.

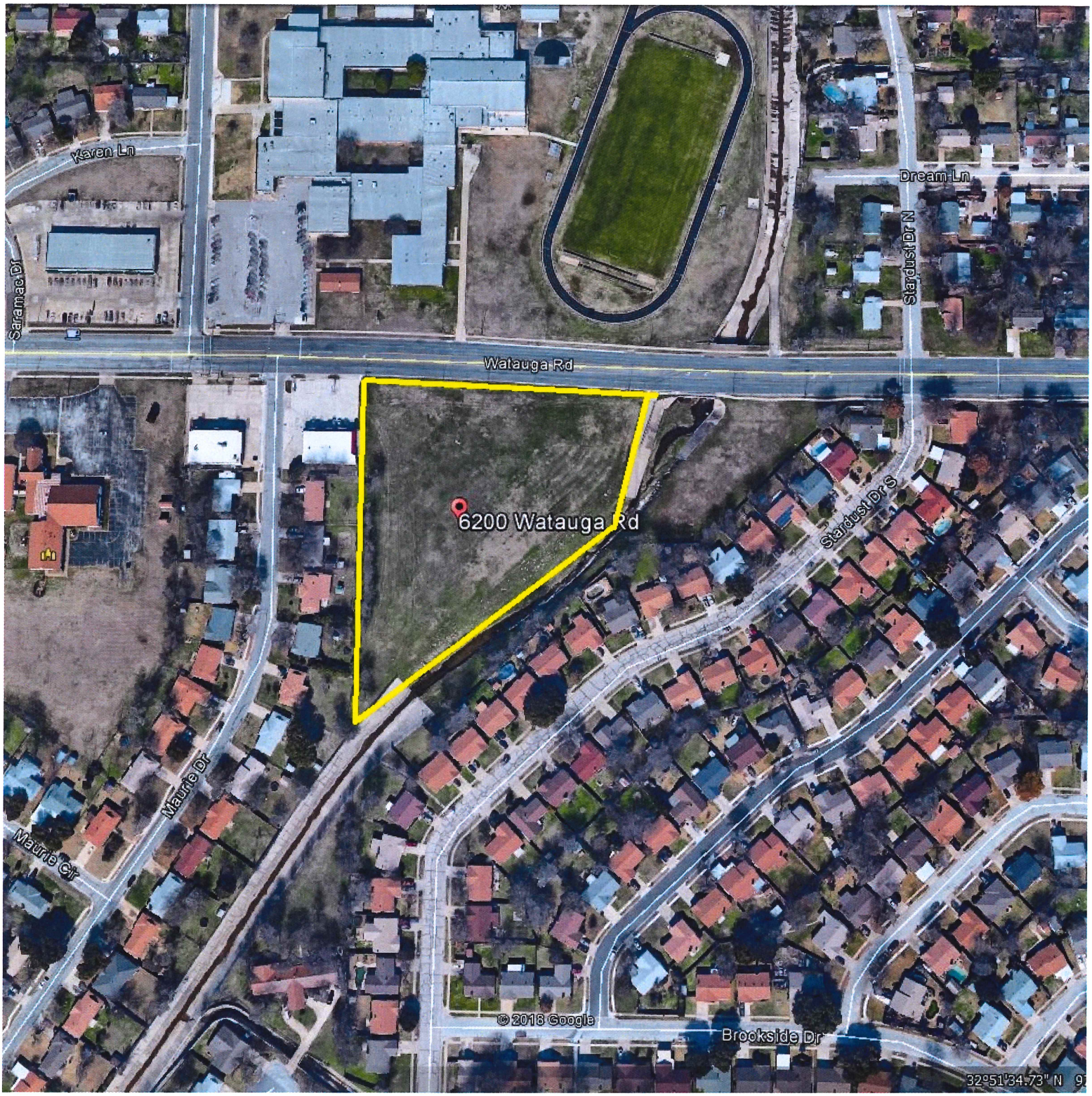
If you have any questions, please contact me at 817-514-5827 or e-mail jgarcia@wataugatx.org.

Sincerely,

Jeannette Garcia

Jeannette Garcia
Planning and Zoning Coordinator

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
http://www.wataugatx.org


Karen Ln
Saramac Dr
Watauga Rd
Dream Ln
Stardust Dr N
6200 Watauga Rd
Stardust Dr S
Maurie Dr
Maurie Cir
© 2018 Google
Brookside Dr
32°51'34.73" N

To: City of Watauga, Texas

From: _____

_____

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Case No. Z-19-04, **6200 Watauga Road**: Consider recommendation for revision to FLUM (Future Land Use Map) from "Parks and Open Space" to "Local Office/Retail/Commercial"

☐ I RECOMMEND APPROVAL OF THE REQUEST

☐ I RECOMMEND DENIAL OF THE REQUEST

Comments: _____

_____

_____

_____ _____

Printed Name Signature

_____

Date

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
http://www.wataugatx.org

Owners within 200 feet of Subject Property-6200 Watauga Rd

Owner	Owner_Address	Owner_City State	Owner_Zip	Situs _Address
Diaz, Gloria	6232 Maurie Dr	Watauga TX	76148-3128	6232 Maurie Dr
Barrow, Lloyd G	6201 Jackie Terrace	Watauga TX	76148-3669	6201 Jackie Terrace
Pardo, Juana	6208 Maurie Dr	Watauga TX	76148	6208 Maurie Dr
Clay, Brandi M	6228 Maurie Dr	Watauga TX	76148	6228 Maurie Dr
Nguyen, Vinh T Etux Hanh	8005 Lake Tahoe Trl	Fort Worth TX	76137	6224 Maurie Dr
Bond, Ulysses S	6220 Maurie Dr	Watauga TX	76148-3128	6220 Maurie Dr
McCarty Family Partnership LP	1972 Casa Loma Ct	Grapevine TX	76051	6216 Maurie Dr
Grafals, Aurora M	6212 Maurie Dr	Watauga TX	76148-3128	6212 Maurie Dr
Przybylski Dawn M	6217 Maurie Dr	Watauga TX	76148-3129	6217 Maurie Dr
Mendez Lisseth	6221 Maurie Dr	Watauga TX	76148-3129	6221 Maurie Dr
Parsons James A & Sarah A	6225 Maurie Dr	Watauga TX	76148-3129	6225 Maurie Dr
Stillwell Dennis R & Judy	6229 Maurie Dr	Watauga TX	76148-3129	6229 Maurie Dr
Weir Johnnie	6233 Maurie Dr	Watauga TX	76148-3129	6233 Maurie Dr
Burke Mack N Jr	8409 Northshore Dr	Hackett AR	72937-5326	6120 Watauga Rd
Kim's Tang Soo Do School/R Garwood LLC	6120 Watauga Rd Ste B	Watauga TX	76148-2807	6120 Watauga Rd Ste B
Watauga, City Of	7105 Whitley Rd	Watauga TX	76148	
Watauga, City Of	7105 Whitley Rd	Watauga TX	76148	
Birdville I S D	6205 Broadway Ave	Fort Worth TX	76117-4211	6300 Maurie Dr
Dao, Lien T & Hung V Nguyen	136 Frank Ln	Keller TX	76248-3001	6124 Watauga Rd
Geek Hero LLC	6124 Watauga Rd Ste A	Watauga TX	76248-2809	6124 Watauga Rd Ste A
JS Family Trust, WM Stevens, Trustee	PO Box 5505	Orange CA	92863-5505	6217 Stardust Dr S
Lehnert, Jim C/O Ken Norton	PO Box 820052	Fort Worth TX	76182	6213 Stardust Dr S
Lytle, Andrea L	6257 Stardust Dr S	Watauga TX	76148-3235	6257 Stardust Dr S
Vernon, Jackie B & Cynthia	6253 Stardust Dr S	Fort Worth TX	76148-3235	6253 Stardust Dr S
Snyder, Jennifer D	6245 Stardust Dr S	Watauga TX	76148-3235	6245 Stardust Dr S
Shupp, Amy Sue	6241 Stardust Dr S	Watauga TX	76148-3235	6241 Stardust Dr S
Hall, Ralph E Etux Claudia R	6237 Stardust Dr S	Watauga TX	76148	6237 Stardust Dr S
Kovar, Dennis	6233 Stardust Dr S	Fort Worth TX	76148-3235	6233 Stardust Dr S
Maglicco, John D	6229 Stardust Dr S	Watauga TX	76148-3235	6229 Stardust Dr S
Stith Marital Exemption Trust, LC Suda	17856 Andrews St	Los Gatos CA	95030	6225 Stardust Dr S
Chambers, Tiffany & Beebe, Patrick W	6221 Stardust Dr S	Watauga TX	76148	6221 Stardust Dr S

To: City of Watauga, Texas

From: William Stevens
6217 Stardust Dr.

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Case No. Z-19-04, **6200 Watauga Road**: Consider recommendation for revision to FLUM (Future Land Use Map) from "Parks and Open Space" to "Local Office/Retail/Commercial"

☒ WMS I RECOMMEND APPROVAL OF THE REQUEST

☒ I RECOMMEND DENIAL OF THE REQUEST

Comments: Please mitigate noise and crime with extra space/separation, landscaping (trees) and/or block wall.

William Stevens
Printed Name

Wm S, Trustee
Signature

4/12/19
Date

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
http://www.wataugatx.org

RECEIVED
APR 16 2019
BY:

To: City of Watauga, Texas

From: 6245 Stardust Dr. S.
Watauga, TX 76148

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Case No. Z-19-04, **6200 Watauga Road**: Consider recommendation for revision to FLUM (Future Land Use Map) from "Parks and Open Space" to "Local Office/Retail/Commercial"

☐ I RECOMMEND APPROVAL OF THE REQUEST

☑ I RECOMMEND DENIAL OF THE REQUEST

Comments: I do not wish to have businesses directly behind my home! I have lived here for 25 yrs? my Taxes have gone up every yr with property values. If the businesses move directly behind my home my value will plummet! Plus it will ruin my view!

Jennifer D Snyder (nee Dix) [signature]

Printed Name Signature

4/9/19

Date

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
http://www.wataugatx.org

RECEIVED
APR 16 2019
BY: [signature]

WATAUGA
TEXAS
7105 Whitley Road • Watauga, TX 76148

RECEIVED
APR 23 2019
BY: .....

TAUGA
X A S

will hold a public hearing to consider special meeting on Tuesday, April 23, 2019 atauga City Hall, 7105 Whitley Road, for the e City Council will also hold a public hearing 3, 2019 at 6:30 p.m. in the Council Chamber or the purpose of hearing the same case.

Consider recommendation for a revision to s out of the William J Miller Survey, Abstract al Office/Retail/Commercial".

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tend these meetings. If you cannot attend itten comments or documentation to the n on the attached response form prior to the ssion.

ontact me at 817-514-5827 or e-mail

Lehnert, Jim C/O Ken Norton
PO Box 820052
Fort Worth TX 76182

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US POSTAGE $000.50⁰
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City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
http://www.wataugatx.org

"A GREAT PLACE TO LIVE"

NOTICE OF PUBLIC HEARINGS

PLANNING AND ZONING COMMISSION
CITY HALL COUNCIL CHAMBER
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
APRIL 23, 2019
6:30 P.M.

Notice is hereby given of public hearings to be held in the City of Watauga Council Chambers located at 7105 Whitley Road, on Tuesday, April 23, 2019 at 6:30 p.m. during the Special Planning and Zoning Commission meeting, for the purpose of hearing the following cases:

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

Planning and Zoning Case Z-19-05: Recommendation for a Zoning Change for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020 from GU (Government Use) to GB (General Business). The subject property is located at 6200 Watauga Road. City of Watauga, owner/applicant

Published on Saturday, April 6, 2019, in the Star Telegram, Legal Notices Section.

I, Zolaina R. Parker, City Secretary for the City of Watauga, Texas, hereby certify that this notice was posted on the official bulletin board at City Hall, 7105 Whitley Road, Watauga, Texas, on April 5, 2019 before 6:30 p.m., in accordance with Chapter 551 of the Texas Government Code.

Zolaina R. Parker, City Secretary

CITY OF WATAUGA, TEXAS

NOTICE OF PUBLIC HEARINGS

WATAUGA CITY COUNCIL
CITY HALL COUNCIL CHAMBER
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
MAY 13, 2019
6:30 P.M.

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

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CITY OF WATAUGA, TEXAS

Zolaina R. Parker, City Secretary


ZONING
CHANGE
REQUESTED
FOR INFORMATION
CALL
817-514-5827

MARY LOUISE GARCIA
COUNTY CLERK
100 West Weatherford Fort Worth, TX 76196-0401
PHONE (817) 884-1195

CITY OF WATAUGA
7105 WHITLEY RD
WATAUGA,, TX 76148

Submitter: CITY OF WATAUGA

DO NOT DESTROY
WARNING - THIS IS PART OF THE OFFICIAL RECORD.

Filed For Registration:	5/25/2018 8:41 AM			
Instrument #:	D218112802			
	WD	5	PGS	$28.00

By: Mary Louise Garcia

D218112802

ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

CORRECTION GENERAL WARRANTY DEED

Date April 23, 2018

Grantor Roger Brooks

Grantor's Mailing Address

2841 Manorwood Trail
Fort Worth, Texas 76109-5559
Tarrant County

Grantee City of Watauga

Grantee's Mailing Address

7105 Whitley Road
Watauga, Texas 76148
Tarrant County

Consideration

The correction deed and conveyance made herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged

Property Description See Exhibit "B" attached hereto and incorporated by reference for all purposes

This deed is made as a correction general warranty deed in substitution of the deed titled "General Warranty Deed' ("Corrected Deed") dated May 30, 1996 and recorded under Instrument Number 12400 1190 of the real property records of Tarrant County, Texas (attached hereto as Exhibit "A" and incorporated by reference for all purposes) This correction general warranty deed is made in order to correct the following information The Corrected Deed included a restriction in favor of the Grantor stipulating that the property was to be utilized as a city park to be named "Nat Brooks Park ' That restriction should be eliminated

All references to the restrictions for use associated with the property and name for the park, if such property is used as a city park, are deleted from the Corrected Deed Grantor and Grantee

hereby release each other of such restrictions and waive any claims against each other related, directly or indirectly, to the restrictions referenced herein

Other than the stated correction, this correction general warranty deed is intended to restate in all respects the Corrected Deed, and the effective date of this correction deed relates back to the effective date of the Corrected Deed

This information was prepared based on information furnished by the parties, and no independent title search has been made

Executed effective as of the date first written above

GRANTOR

ROGER BROOKS

GRANTEE

PAT SHELBOURNE, MAYOR PRO TEM
CITY OF WATAUGA

STATE OF TEXAS §
§
§
COUNTY OF TARRANT §

The foregoing instrument was acknowledged before me on the 1st day of May, 2018

NOTARY PUBLIC, STATE OF TEXAS

MY COMMISSION EXPIRES
12/23/2020

PRINTED NAME OF NOTARY
Aaron Michael Hill

AARON MICHAEL HILL
Notary Public
STATE OF TEXAS
My Comm Exp 12/23/2020
ID# 13094181 9

DESCRIPTION OF PROPERTY
3 238 ACRES
W J MILLER SURVEY ABSTRACT NO 1020

SITUATED in the city of Watauga, Tarrant County, Texas and being a tract of land out of the W J Miller Survey, Abstract No 1020 said tract being a portion of a tract of land conveyed to Nat Brooks, Roger D Brooks, and Effie B. Brooks Trust, (Brooks tract) by deed as recorded in Volume 5888, Page 370 of the Deed Records of Tarrant County , Texas (D R.T C T.), and being more particularly described by metes and bounds as follows

BEGINNING at a one half inch iron rod found in place in the westerly property line of said Brooks tract and the east line of Block 26 of Browning Heights North Section Seven an addition to the City of Watauga as recorded in Volume 388-42, Page 58 of the Plat Records of Tarrant County, Texas (P R T C.T.), said point of beginning being at the southwest property corner of a tract of land conveyed to the City of Watauga as Right-of-Way for Watauga Road by deed as recorded in Volume 6722, Page 1155 of the D R T C T., said point of beginning being on a curve to the right whose center bears South 01 degrees 18 minutes 45 seconds West, 5679 58 feet,

THENCE, Easterly along said curve to the right and the south Right-of-way line of Watauga Road through a central angle of 2 degrees 01 minutes 37 seconds and an arc length of 200 92 feet to a one half inch iron rod found in place at the end of said curve,

THENCE, South 86 degrees 40 minutes 43 seconds East, continuing along the south Right-of-Way line of Watauga road, 211 54 feet to a one half inch iron rod found in place at the beginning of a curve to the left whose center bears North 03 degrees 17 minutes 59 seconds East, 5779 58 feet,

THENCE, Easterly along said curve to the left and along the south Right-of-Way line of said Watauga road through a central angle of 0 degrees 19 minutes 49 5 seconds and an arc length of 33 33 feet to a point at the northwest corner of a tract of land conveyed to the City of Watauga (City tract) by deed as recorded in Volume 11035, Page 1171 of the D R T C T ,

THENCE, South 24 degrees 42 minutes 06 seconds West, along the west line of said City tract, 88 92 feet,

THENCE, South 05 degrees 10 minutes 09 seconds West, continuing along the west line of said City tract, 53 10 feet to a point on a curve to the right whose center bears North 54 degrees 39 minutes 02 seconds West, 570 0 feet,

THENCE, westerly along the northerly line of said City Tract and said curve to the right through a central angle of 11 degrees 26 minutes 56 5 seconds and an arc length of 113 90 feet to a point at the end of said curve,

DESCRIPTION OF PROPERTY
3 238 ACRES
W J MILLER SURVEY ABSTRACT NO 1020

THENCE, South 46 degrees 47 minutes 56 seconds West, continuing along the northerly line of said City tract, 104 67 feet,

THENCE, South 50 degrees 50 minutes 06 seconds West,continuing along the north line of said City tract, 332 05 feet to southeast corner of the aforesaid Block 26 of said Browning Heights North Section Seven,

THENCE, North 00 degrees 34 minutes 04 seconds East, along the east line of said Block 26, 523 01 feet to the POINT OF BEGINNING

The Tract of land herein described contains 3 238 acres (141,048 square feet) of which 0 159 (6,931 square feet) acres falls within existing easements dedicated to the public leaving a net acreage of 3 079 acres (134,117 square feet) of land more or less

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FROM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUND AND THAT SAME IS TRUE AND CORRECT

Company Name Eddie L. Dunn R P L S

By Eddie L Dunn
Eddie L Dunn
Registered Professional Land Surveyor
Texas No 4580
Date of survey January 1996



AGENDA MEMORANDUM

DATE: April 24, 2019

TO: Honorable City Council Members

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

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

a. Open Public Hearing - allow for staff comments
b. Public Comments
c. Close Public Hearing

BACKGROUND/INFORMATION:

The Public Hearing Notice for Planning and Zoning Case No. Z-19-05 was duly posted at City Hall and published in the Fort Worth Star Telegram by the City Secretary's Office.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Respectfully recommend allowing for citizen participation as published and posted.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Nat Brooks Z-19-05 Public Hearing 200 ft notice w Response Sheet
2. Nat Brooks 6200 Watauga Rd 200 foot labels final
3. Responses Opposed and Unopposed - APR16
4. PZ Public Hearing Notice for Newspaper 042319
5. CC Public Hearing Notice for Newspaper 051319
6. Zoning Change Sign Case Z 19-05
7. Amended General Warranty Deed

REVIEWED BY:

Randy Richards, Building Official	Approved - 5/1/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/1/2019

AGENDA MEMORANDUM

Andrea Gardner, City Manager
Terri Johnson, City Secretary
Approved as to form for inclusion on Agenda

Approved - 5/2/2019
Final Approval - 5/3/2019

Public Hearing Notice – Zoning Change

April 4, 2019

Dear Property Owner/Resident:

The Planning and Zoning Commission will hold a public hearing to consider recommendation for a zoning change at a special meeting on Tuesday, April 23, 2019 at 6:30 p.m. in the Council Chamber at Watauga City Hall, 7105 Whitley Road, for the purpose of hearing the following case. The City Council will also hold a public hearing at their regular meeting on Monday, May 13, 2019 at 6:30 p.m. in the Council Chamber at Watauga City Hall, 7105 Whitley Road, for the purpose of hearing the same case.

Planning and Zoning Case No. Z-19-05: Consider recommendation for zoning change from GU (Government Use) to GB (General Business) for **6200 Watauga Road**, on 3.2444 acre tract of land out of the William J Miller Survey, Abstract No. 1020, and located on the south side of Watauga Road, east of Maurie Drive and west of Stardust Drive South. The applicant/owner is City of Watauga.

In accordance with State law, you are receiving this notice due to public records available through Tarrant Appraisal District reflect you are the owner(s) of property within two hundred (200) feet of the subject property. A site map is attached for your information.

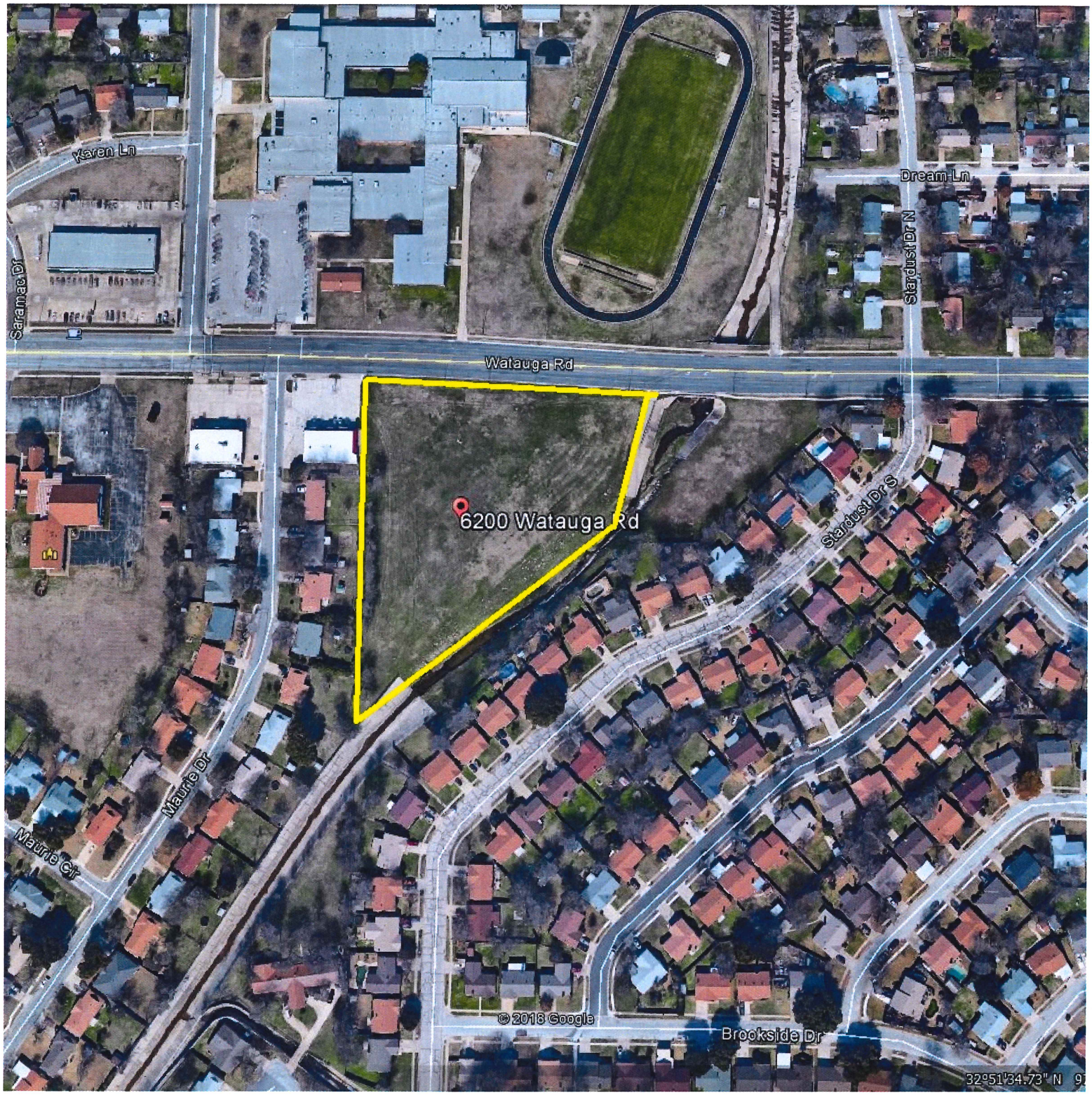
If you are interested, you are invited to attend these meetings. If you cannot attend these meetings and wish to provide written comments or documentation to the Commission, please return your information on the attached response form prior to the meeting of the Planning and Zoning Commission.

If you have any questions, please contact me at 817-514-5827 or e-mail jgarcia@wataugatx.org.

Sincerely,

Jeannette Garcia
Planning and Zoning Coordinator

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
http://www.wataugatx.org


Karen Ln
Saramac Dr
Watauga Rd
Dream Ln
N Stardust Dr
6200 Watauga Rd
Stardust Dr S
Maurie Dr
Maurie Cir
© 2018 Google
Brookside Dr
32°51'34.73" N

To: City of Watauga, Texas

From: _____

_____

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Change Case No. Z-19-05, **6200 Watauga Road:** Consider recommendation from GU (Government Use) to GB (General Business) City of Watauga, owner/applicant

☐ I RECOMMEND APPROVAL OF THE REQUEST

☐ I RECOMMEND DENIAL OF THE REQUEST

Comments: _____

_____

_____

_____ _____

Printed Name Signature

_____

Date

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
http://www.wataugatx.org

Owners within 200 feet of Subject Property-6200 Watauga Rd

Owner	Owner_Address	Owner_City State	Owner_Zip	Situs _Address
Diaz, Gloria	6232 Maurie Dr	Watauga TX	76148-3128	6232 Maurie Dr
Barrow, Lloyd G	6201 Jackie Terrace	Watauga TX	76148-3669	6201 Jackie Terrace
Pardo, Juana	6208 Maurie Dr	Watauga TX	76148	6208 Maurie Dr
Clay, Brandi M	6228 Maurie Dr	Watauga TX	76148	6228 Maurie Dr
Nguyen, Vinh T Etux Hanh	8005 Lake Tahoe Trl	Fort Worth TX	76137	6224 Maurie Dr
Bond, Ulysses S	6220 Maurie Dr	Watauga TX	76148-3128	6220 Maurie Dr
McCarty Family Partnership LP	1972 Casa Loma Ct	Grapevine TX	76051	6216 Maurie Dr
Grafals, Aurora M	6212 Maurie Dr	Watauga TX	76148-3128	6212 Maurie Dr
Przybylski Dawn M	6217 Maurie Dr	Watauga TX	76148-3129	6217 Maurie Dr
Mendez Lisseth	6221 Maurie Dr	Watauga TX	76148-3129	6221 Maurie Dr
Parsons James A & Sarah A	6225 Maurie Dr	Watauga TX	76148-3129	6225 Maurie Dr
Stillwell Dennis R & Judy	6229 Maurie Dr	Watauga TX	76148-3129	6229 Maurie Dr
Weir Johnnie	6233 Maurie Dr	Watauga TX	76148-3129	6233 Maurie Dr
Burke Mack N Jr	8409 Northshore Dr	Hackett AR	72937-5326	6120 Watauga Rd
Kim's Tang Soo Do School/R Garwood LLC	6120 Watauga Rd Ste B	Watauga TX	76148-2807	6120 Watauga Rd Ste B
Watauga, City Of	7105 Whitley Rd	Watauga TX	76148	
Watauga, City Of	7105 Whitley Rd	Watauga TX	76148	
Birdville I S D	6205 Broadway Ave	Fort Worth TX	76117-4211	6300 Maurie Dr
Dao, Lien T & Hung V Nguyen	136 Frank Ln	Keller TX	76248-3001	6124 Watauga Rd
Geek Hero LLC	6124 Watauga Rd Ste A	Watauga TX	76248-2809	6124 Watauga Rd Ste A
JS Family Trust, WM Stevens, Trustee	PO Box 5505	Orange CA	92863-5505	6217 Stardust Dr S
Lehnert, Jim C/O Ken Norton	PO Box 820052	Fort Worth TX	76182	6213 Stardust Dr S
Lytle, Andrea L	6257 Stardust Dr S	Watauga TX	76148-3235	6257 Stardust Dr S
Vernon, Jackie B & Cynthia	6253 Stardust Dr S	Fort Worth TX	76148-3235	6253 Stardust Dr S
Snyder, Jennifer D	6245 Stardust Dr S	Watauga TX	76148-3235	6245 Stardust Dr S
Shupp, Amy Sue	6241 Stardust Dr S	Watauga TX	76148-3235	6241 Stardust Dr S
Hall, Ralph E Etux Claudia R	6237 Stardust Dr S	Watauga TX	76148	6237 Stardust Dr S
Kovar, Dennis	6233 Stardust Dr S	Fort Worth TX	76148-3235	6233 Stardust Dr S
Maglicco, John D	6229 Stardust Dr S	Watauga TX	76148-3235	6229 Stardust Dr S
Stith Marital Exemption Trust, LC Suda	17856 Andrews St	Los Gatos CA	95030	6225 Stardust Dr S
Chambers, Tiffany & Beebe, Patrick W	6221 Stardust Dr S	Watauga TX	76148	6221 Stardust Dr S

To: City of Watauga, Texas

From: William Stevens
6264 Stardust Dr.

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Change Case No. Z-19-05, **6200 Watauga Road:** Consider recommendation from GU (Government Use) to GB (General Business) City of Watauga, owner/applicant

☒ I RECOMMEND APPROVAL OF THE REQUEST

☐ I RECOMMEND DENIAL OF THE REQUEST

Comments: Please mitigate noise and crime with extra space/separation, landscaping (trees) and/or block wall.

William Stevens — Printed Name

Wm S, Trustee — Signature

4/12/19 — Date

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
http://www.wataugatx.org

RECEIVED
APR 16 2019
BY:

To: City of Watauga, Texas

From: ~~Jennifer~~ 6245 Stardust Dr. S.
Watauga, TX 76148

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Change Case No. Z-19-05, **6200 Watauga Road:** Consider recommendation from GU (Government Use) to GB (General Business) City of Watauga, owner/applicant

☐ I RECOMMEND APPROVAL OF THE REQUEST

☑ I RECOMMEND DENIAL OF THE REQUEST

Comments: I do not wish to have businesses more directly behind my home! I have lived in my home over 25 yrs & have faced raising Taxes with a plus of increased property values, however business traffic will cause that value to plummet, Plus it will ruin the view I have!

Jennifer D. Snyder (covered 4th) [signature]

Printed Name Signature

4/9/19

Date

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
http://www.wataugatx.org

RECEIVED
APR 16 2019
BY: [signature]

To: City of Watauga, Texas

From: Judy & Dennis Stillwell
6229 Prairie Dr

(Address of Your Property that Could Be Impacted by this Request)

RE: Zoning Change Case No. Z-19-05, **6200 Watauga Road:** Consider recommendation from GU (Government Use) to GB (General Business) City of Watauga, owner/applicant

☐ I RECOMMEND APPROVAL OF THE REQUEST

☑ I RECOMMEND DENIAL OF THE REQUEST

Comments: Watauga needs more green space. We also believe more green space will be a positive impact particularly as the middle school students located across Watauga Rd.

Judy Stillwell
Printed Name

Judy Stillwell
Signature

DENNIS STILLWELL
4-14-19
Date

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
http://www.wataugatx.org

RECEIVED
APR 17 2019
BY: J Garcia

DA

WATAUGA
TEXAS
7105 Whitley Road • Watauga, TX 76148

RECEIVED
APR 23 2019
BY: .....

TAUGA
X A S

tice – Zoning Change

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contact me at 817-514-5827 or e-mail

Lennert, Jim C/O Ken Norton
PO Box 820052
Fort W[illegible] TX 76182

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UTF 76148x2024 76148202405 BC01

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
http://www.wataugatx.org

"A GREAT PLACE TO LIVE"

NOTICE OF PUBLIC HEARINGS

PLANNING AND ZONING COMMISSION
CITY HALL COUNCIL CHAMBER
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
APRIL 23, 2019
6:30 P.M.

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Zolaina R. Parker, City Secretary

CITY OF WATAUGA, TEXAS

NOTICE OF PUBLIC HEARINGS

WATAUGA CITY COUNCIL
CITY HALL COUNCIL CHAMBER
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
MAY 13, 2019
6:30 P.M.

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CITY OF WATAUGA, TEXAS

Zolaina R. Parker, City Secretary


ZONING
CHANGE
REQUESTED
FOR INFORMATION
CALL
817-514-5827

MARY LOUISE GARCIA
COUNTY CLERK
100 West Weatherford Fort Worth, TX 76196-0401
PHONE (817) 884-1195

CITY OF WATAUGA
7105 WHITLEY RD
WATAUGA,, TX 76148

Submitter: CITY OF WATAUGA

DO NOT DESTROY
WARNING - THIS IS PART OF THE OFFICIAL RECORD.

Filed For Registration:	5/25/2018 8:41 AM			
Instrument #:	D218112802			
	WD	5	PGS	$28.00

By: Mary Louise Garcia

D218112802

ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

CORRECTION GENERAL WARRANTY DEED

Date April 23, 2018

Grantor Roger Brooks

Grantor's Mailing Address

2841 Manorwood Trail
Fort Worth, Texas 76109-5559
Tarrant County

Grantee City of Watauga

Grantee's Mailing Address

7105 Whitley Road
Watauga, Texas 76148
Tarrant County

Consideration

The correction deed and conveyance made herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged

Property Description See Exhibit "B" attached hereto and incorporated by reference for all purposes

This deed is made as a correction general warranty deed in substitution of the deed titled "General Warranty Deed' ("Corrected Deed") dated May 30, 1996 and recorded under Instrument Number 12400 1190 of the real property records of Tarrant County, Texas (attached hereto as Exhibit "A" and incorporated by reference for all purposes) This correction general warranty deed is made in order to correct the following information The Corrected Deed included a restriction in favor of the Grantor stipulating that the property was to be utilized as a city park to be named "Nat Brooks Park ' That restriction should be eliminated

All references to the restrictions for use associated with the property and name for the park, if such property is used as a city park, are deleted from the Corrected Deed Grantor and Grantee

hereby release each other of such restrictions and waive any claims against each other related, directly or indirectly, to the restrictions referenced herein

Other than the stated correction, this correction general warranty deed is intended to restate in all respects the Corrected Deed, and the effective date of this correction deed relates back to the effective date of the Corrected Deed

This information was prepared based on information furnished by the parties, and no independent title search has been made

Executed effective as of the date first written above

GRANTOR

ROGER BROOKS

GRANTEE

PAT SHELBOURNE, MAYOR PRO TEM
CITY OF WATAUGA

STATE OF TEXAS §
§
§
COUNTY OF TARRANT §

The foregoing instrument was acknowledged before me on the 1st day of May, 2018

NOTARY PUBLIC, STATE OF TEXAS

MY COMMISSION EXPIRES
12/23/2020

PRINTED NAME OF NOTARY
Aaron Michael Hill

AARON MICHAEL HILL
Notary Public
STATE OF TEXAS
My Comm Exp 12/23/2020
ID# 13094181 9

DESCRIPTION OF PROPERTY
3 238 ACRES
W J MILLER SURVEY ABSTRACT NO 1020

SITUATED in the city of Watauga, Tarrant County, Texas and being a tract of land out of the W J Miller Survey, Abstract No 1020 said tract being a portion of a tract of land conveyed to Nat Brooks, Roger D Brooks, and Effie B. Brooks Trust, (Brooks tract) by deed as recorded in Volume 5888, Page 370 of the Deed Records of Tarrant County , Texas (D R.T C T.), and being more particularly described by metes and bounds as follows

BEGINNING at a one half inch iron rod found in place in the westerly property line of said Brooks tract and the east line of Block 26 of Browning Heights North Section Seven an addition to the City of Watauga as recorded in Volume 388-42, Page 58 of the Plat Records of Tarrant County, Texas (P R T C.T.), said point of beginning being at the southwest property corner of a tract of land conveyed to the City of Watauga as Right-of-Way for Watauga Road by deed as recorded in Volume 6722, Page 1155 of the D R T C T., said point of beginning being on a curve to the right whose center bears South 01 degrees 18 minutes 45 seconds West, 5679 58 feet,

THENCE, Easterly along said curve to the right and the south Right-of-way line of Watauga Road through a central angle of 2 degrees 01 minutes 37 seconds and an arc length of 200 92 feet to a one half inch iron rod found in place at the end of said curve,

THENCE, South 86 degrees 40 minutes 43 seconds East, continuing along the south Right-of-Way line of Watauga road, 211 54 feet to a one half inch iron rod found in place at the beginning of a curve to the left whose center bears North 03 degrees 17 minutes 59 seconds East, 5779 58 feet,

THENCE, Easterly along said curve to the left and along the south Right-of-Way line of said Watauga road through a central angle of 0 degrees 19 minutes 49 5 seconds and an arc length of 33 33 feet to a point at the northwest corner of a tract of land conveyed to the City of Watauga (City tract) by deed as recorded in Volume 11035, Page 1171 of the D R T C T ,

THENCE, South 24 degrees 42 minutes 06 seconds West, along the west line of said City tract, 88 92 feet,

THENCE, South 05 degrees 10 minutes 09 seconds West, continuing along the west line of said City tract, 53 10 feet to a point on a curve to the right whose center bears North 54 degrees 39 minutes 02 seconds West, 570 0 feet,

THENCE, westerly along the northerly line of said City Tract and said curve to the right through a central angle of 11 degrees 26 minutes 56 5 seconds and an arc length of 113 90 feet to a point at the end of said curve,

DESCRIPTION OF PROPERTY
3 238 ACRES
W J MILLER SURVEY ABSTRACT NO 1020

THENCE, South 46 degrees 47 minutes 56 seconds West, continuing along the northerly line of said City tract, 104 67 feet,

THENCE, South 50 degrees 50 minutes 06 seconds West,continuing along the north line of said City tract, 332 05 feet to southeast corner of the aforesaid Block 26 of said Browning Heights North Section Seven,

THENCE, North 00 degrees 34 minutes 04 seconds East, along the east line of said Block 26, 523 01 feet to the POINT OF BEGINNING

The Tract of land herein described contains 3 238 acres (141,048 square feet) of which 0 159 (6,931 square feet) acres falls within existing easements dedicated to the public leaving a net acreage of 3 079 acres (134,117 square feet) of land more or less

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FROM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUND AND THAT SAME IS TRUE AND CORRECT

Company Name Eddie L. Dunn R P L S

By Eddie L Dunn
Eddie L Dunn
Registered Professional Land Surveyor
Texas No 4580
Date of survey January 1996



LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

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

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

April 22, 2019

Via Email

Ms. Terri Johnson, Interim City Secretary
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

Re: Ordinance amending Chapter 40 of the Code of Ordinances

Dear Ms. Johnson:

Please find enclosed an Ordinance by the City Council of the City of Watauga amending Chapter 40, Sections 40-210(3), 40-211(a) and 40-212 regarding certain vehicles allowed on the City streets. I would recommend that this Ordinance be included on the next City Council meeting agenda for consideration and approval.

Thank you for the opportunity to be of assistance. Please do not hesitate to contact me should you have any questions concerning this matter.

Sincerely,

MARK G. DANIEL, City Attorney
City of Watauga

MGD/tp

cc: Mayor Pro tem David Griffin
Ms. Andrea Gardner, City Manager

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

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

I.

Section 40-210(3) of the Code of Ordinances for the City of Watauga, Texas shall be amended to read as follows:

Section 40-210 Commercial Vehicles

(3) Commercial vehicles with no more than two axles, and with a gross weight of less than 14,000 pounds, and which are parked entirely on a private drive behind a sidewalk in the City.

II.

Section 40-211(a) of the Code of Ordinances for the City of Watauga, Texas shall be amended to read as follows:

Section 40-211 Recreational Vehicles

(a) It shall be unlawful to leave, park or stand any trailer, major recreational equipment, race car, off-road vehicle, recreational vehicle, towable recreational vehicle or equipment similar to those defined in Section 40-208 upon any public street, road, alley, parkway, boulevard, or public place in the City. This provision shall not apply to a trailer, major recreational vehicle or equipment similar to those defined in Section 40-208 parked on a public street, road, alley, parking boulevard, or public place in the City for not more than three consecutive hours.

III.

Section 40-212 of the Code of Ordinances for the City of Watauga, Texas shall be amended to read as follows:

Section 40-212 Exceptions

The provisions of this division shall not apply to street construction, maintenance and repair equipment, trucks, rollers and implements of truck equipment, trailers and vehicles used by public service utility companies engaged in repairing or extending public service utilities, or emergency vehicles operating in response to an emergency call, or to motor buses when boarding or discharging passengers, or to trailers parked on public streets or roadways between 7:00 a.m. and 7:00 p.m. while contractors or construction crews are actively working on site and such trailer is essential to the work or labor being performed. Further, the provisions of this division shall not prohibit the parking or standing of the above-described vehicles in properly zoned areas for the purposes of expeditiously loading and unloading passengers, freight or merchandise.

IV.

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

V.

Should any portion or part of this Ordinances be held for any reasons to be invalid or unenforceable, the same shall not be construed to affect any other valid portion thereof, but all valid portions hereof shall remain in full force and effect.

VI.

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

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

APPROVED:

_____
DAVID GRIFFIN, MAYOR PRO-TEM

ATTEST:

_____
TERRI JOHNSON, INTERIM CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, CITY ATTORNEY

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

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

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

May 8, 2019

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

Via E-mail

Re: *Ordinance adopting Chapter 6, Article VII, Division 3 of the Watauga Code of Ordinances, providing for regulations concerning Backyard Chickens*

Dear Ms. Gardner:

Attached you will find the most recent draft of the ordinance adopting regulations for backyard chickens. This ordinance incorporates the various amendments requested at previous City Council meetings, including changing the fine for crowing hens and roosters from $1,000.00 to $200.00 per violation under the proposed Section 6-379. This draft also incorporates grammatical and stylistic changes suggested by both your office and our office.

This ordinance may be submitted for consideration at the next City Council meeting.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv
cc:
Ms. Terri Johnson, Interim *City Secretary*
Mr. Paul Hackleman, *Public Works Director*
Mr. Bobby Parker, *Police Chief*

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

WHEREAS, the City Council of the City of Watauga, Texas ("City") recognizes that there is a desire amongst its residents to keep and harbor backyard chickens for the purpose of providing organic egg production; and

WHEREAS, the City acknowledges that thorough regulation and enforcement for keeping and harboring backyard chickens is necessary to prevent potential nuisances related to the harboring of such animals; and

WHEREAS, the City recognizes the necessity of establishing and regulating: the type of backyard chickens allowed, the related permitting process, the standards for keeping backyard chickens including construction standards for coops and exercise yards, public nuisances concerning backyard chickens, the keeping of prohibiting fowl, and the revocation process of related permits.

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

I.

Chapter 6, Article VII, Division 3 of the Code of Ordinances for the City of Watauga, Texas, concerning Backyard Chickens, is hereby adopted to read as follows:

ARTICLE VII. – LIVESTOCK AND FOWL
DIVISION 3. BACKYARD CHICKENS

Sec. 6-374. – Definitions.

Backyard chicken means a female chicken (hen) which is possessed or harbored for providing organic egg production in compliance with this Article.

Chicken coop means an enclosed structure which meets the construction standards set forth in Section 6-378 ("Construction standards for chicken coops and exercise yards").

Exercise yard means the enclosure attached to the chicken coop that provides exercise for the backyard chickens and prohibits the backyard chickens from escaping such enclosure, which meets the construction standards set forth in Section 6-378 ("Construction standards for chicken coops and exercise yards").

Prohibited fowl means roosters, chickens, turkeys, pheasants, quail, guineas, geese, ducks, pigeons, peacocks, emu, ostriches and other similar feathered animals regardless of age or sex which are kept on property within the City but which shall not include backyard chickens kept in accordance with this Article.

Sec. 6-375. - Backyard Chickens Allowed; Permits.

(a) A person may harbor or possess not less than three (3) and no more than six (6) backyard chickens on residential property or on property owned or leased by the City, a school, or an educational facility within the City after first having obtained a permit from the City for such location and payment of a nonrefundable application fee set forth in the fee schedule found in Chapter 12.

(b) *Permit application.* A person who desires to harbor or possess backyard chickens on residential property within the City on which the person identifies as the person's primary residence shall:

(1) Submit an application for a permit to Animal Services on a form provided by the City accompanied by a site plan showing the proposed location for the chicken coop on the property, and a floor plan and side elevations for the chicken coop to be located on the property. The site plan shall also include all property lines, building lines, yard setbacks, right-of-way, easements and/or other structures located on the property;

(2) Pay a nonrefundable registration fee in the amount set forth in the fee schedule found in Chapter 12;

(3) If the applicant is a person other than the owner of the property on which the backyard chicken(s) will be kept, submit with the permit application written authorization from the property owner to keep backyard chickens on the property identified in the permit application, which authorization must bear the property owner's notarized signature;

(4) Successfully attend and complete an education program offered by the City for the keeping of backyard chickens and submit the certificate of completion of the program with the application for permit;

(5) The premises for which an application is submitted shall be inspected upon initial application to determine a backyard is large enough for the construction of a chicken coop and exercise yard that will meet the standards set forth in this Article. Further, upon completion of the construction of the chicken coop, the structure shall be inspected again to ensure compliance with the requirements of this Article.

(c) Not more than one permit may be issued for an individual property, tract or residential lot.

(d) The permit is non-transferable and shall be valid and effective until the permit holder no longer resides at the property for which the permit was issued, in the event the person ceases to harbor or keep backyard chickens on the property, or the permit is otherwise revoked pursuant to this Article.

(e) The permit shall not supersede, replace or control over any recorded deed restrictions, covenants or other restrictions applicable to such residential property.

Sec. 6-376. - Standards for Keeping Backyard Chickens.

A person keeping backyard chickens on residential property or on property owned or leased by the City, a school district, or an educational facility within the City shall comply with the following:

(a) Not less than three (3) and not more than six (6) backyard chickens may be kept on an individual property, tract or residential lot;

(b) Backyard chickens shall be kept within a secure chicken coop constructed with three (3) or more sides with a roof or other cover capable of allowing the chickens within the coop to remain dry and protected from the elements and which provides for direct access by an enclosed passage between the roosting area and exercise yard. Backyard chickens shall be kept within the chicken coop and exercise yard except when being removed to be transported off the property, or returned from a location off the property; provided, however, during day light hours, backyard chickens, under the direct supervision and control of a responsible person, may be allowed to roam in the rear yard outside of the chicken coop and exercise yard if the entire rear yard is secured by an enclosed perimeter fence not less than four (4) feet in height prior to allowing a permit for a backyard chicken coop;

(c) No more than one (1) chicken coop and one (1) exercise yard shall be allowed on the property and must be located in the rear half of the lot. The coop and exercise yard may not be located less than five (5) feet from any property line or any other structure and must not be placed within any building line, yard setback, right-of-way, and/or easement. The property plat and the zoning district regulations in Section 115-62 of the Watauga Code of Ordinances should be referenced when determining where these lines, setbacks and easements may exist during the initial inspection of the premises and prior to obtaining a permit under this Article;

(d) The rear yard of the residence or location must be properly fenced and not less than six (6) feet in height prior to allowing a permit for a backyard chicken coop;

(e) The height of the chicken coop shall not exceed the greater of eight (8) feet or the lowest height of the existing fence enclosing the rear yard where the chicken coop is located, but in no case greater than eight (8) feet in height;

(f) The chicken coop shall provide at least five (5) square feet of area per backyard chicken, but in no case, exceed a total of eighty (80) square feet of area;

(g) The exercise yard shall be not less than fifteen (15) square feet in area per backyard chicken not exceed a total of one hundred and twenty (120) square feet in area;

(h) Chicken coops and exercise yards must be maintained in a sanitary condition and the accumulation of backyard chicken waste on the property is prohibited;

(i) Adequate food, shelter, water, and care shall be provided in a humane manner to the backyard chicken(s);

(j) All hay, grain and feed shall be enclosed in such a manner that the same is not accessible to rats, flies, mosquitos or other rodents and insects;

(k) The feeding of vegetables, meat scraps and garbage shall be done only in impervious containers on an impervious platform;

(l) Watering troughs or tanks shall be provided by the permit owner, which shall be equipped with adequate facilities for draining the overflow so as to prevent the breeding of flies, mosquitos or other insects;

(m) Nuisance odors or excessive noise shall not be allowed to travel beyond the property line and disturb neighbors of ordinary sensibilities;

(n) Manure and droppings shall be removed from pens, yards, coops and other enclosures regularly and handled or disposed of in such a manner as to keep the premises free of any nuisance;

(o) No backyard chicken or backyard chicken byproducts, including, but not limited to eggs, may be sold by, under the direction of, or with the consent of the permit holder;

(p) Medical treatment from a Texas-licensed veterinarian must be timely obtained by the permit holder and provided to any backyard chicken(s) showing symptoms of illness or injury;

(q) Any processing of deceased backyard chickens shall not occur in any area visible from the public right-of-way; and

(r) Properly clip and maintain the wings of the backyard chickens so as to prevent the backyard chickens from flying over the backyard fence.

Sec. 6-377. - Construction Standards for Chicken Coops and Exercise Yards.

(a) *Chicken coops.* Chicken coops shall be constructed in accordance with the following requirements:

(1) The chicken coop must be constructed in a workmanship like manner of naturally decay-resistant wood, or wood that has been pressure treated to resist decay or galvanized steel or aluminum;

(2) The chicken coop may be located above the exercise yard; and

(3) The tallest part of the chicken coop shall not exceed the greater of eight (8) feet above grade or the lowest height above grade of the existing fence enclosing the rear yard where the chicken coop is located, but in no case greater than eight (8) feet in height above grade, measured at the lowest elevation property line in the rear yard, even if located on top of the exercise yard.

(b) *Exercise yard construction.* Exercise yards shall be constructed in accordance with the following requirements:

(1) The exercise yard shall be constructed in a workmanship like manner of a frame of naturally decay resistant wood, wood that has been pressure treated to resist decay, galvanized steel or aluminum;

(2) The exercise yard frame shall be maintained in good and sound condition; and

(3) The exercise yard frame shall securely hold the wire enclosure on all edges of the enclosure.

Sec. 6-378. – Keeping of Prohibited Fowl Unlawful.

It shall be unlawful for any person to keep, stable, board, possess, harbor or house any prohibited fowl on premises under the person' s control within the city limits of the City of Watauga.

Sec. 6-379. - Roosters and Crowing Backyard Chickens not Authorized.

(a) A permit issued pursuant to this Article does not authorize the possession or keeping of a rooster on any property within the City. It is an offense for any person to keep, harbor or possess a rooster within the City. A person convicted of such offense shall be subject to a penalty of a fine in an amount not to exceed two hundred dollars ($200.00).

(b) It shall be a defense to a violation of this Section if on the date of the offense if the permit holder did not reasonably know the sex of the fowl, and the rooster was sixty (60) days old or younger.

(c) A permit issued pursuant to this Article does not authorize the possession or keeping of a crowing backyard chicken on any property within the City. It is an offense for any person to knowingly and intentionally keep, harbor or possess a crowing backyard chicken within the City. A person convicted of such offense shall be subject to a penalty of fine in an amount not to exceed two hundred dollars ($200.00). A crowing backyard chicken shall mean:

(1) A backyard chicken which crows in a similar manner to a rooster; and

(2) creates excessive noise which travels beyond the property line and disturbs neighbors of ordinary sensibilities; and

(3) for which a noise violation complaint has been sustained in Municipal Court.

Sec. 6-380. - Keeping Excess Backyard Chickens.

A person commits an offense if the person possesses or keeps more than six (6) backyard chickens on any property within the City. Each day that a person keeps or possesses more than six (6) backyard chickens on property within the City shall constitute a separate offense. A person convicted of an offense under this section shall be subject to a penalty or fine in an amount not to exceed one hundred dollars ($100.00) for each backyard chicken in excess of six (6) that the person has possessed or kept on property within the City.

Sec. 6-381. —Other Violations; Enforcement.

The Animal Services officer shall have the authority to issue citations for any violation(s) under this Article.

Sec. 6-382. - Revocation of Permit.

(a) A permit issued by the City pursuant to this Article may be revoked upon a finding by the Animal Services Manager or other applicable City staff after written notice to the permit holder that the permit holder has violated any provision of this Article. The permit holder may appeal the revocation to the City Manager, or designee whose decision shall be final. The permit holder shall have until 5:00 p.m. of the fifth business day following receipt of the notice of revocation to appeal the permit revocation to the City Manager by submitting such appeal in writing to the City Manager (email shall constitute "writing" for the purposes of this Section). The appeal shall be heard by the City Manager within ten (10) business days following receipt of a timely notice of appeal at a hearing at which the Animal Services and permit holder may submit oral and documentary evidence and testimony, and are provided an opportunity to ask questions of witnesses. No rules of evidence will apply to the conduct of such hearing. The City Manager, or designee, shall make a final determination to either repeal or uphold the permit revocation, which decision shall be final. If the permit holder fails to timely file an appeal of the permit revocation, or if the City Manager, or designee upholds the permit revocation following an appeal, the permit holder will have seventy-two (72) hours to remove the backyard chickens from the City following the date the notice of revocation is delivered to the permit holder or the date the City Manager, or designee denies the appeal of the permit revocation, whichever is later.

(b) A permit issued by the City pursuant to this Article shall be revoked upon a finding by Animal Services or other applicable City staff that the permit holder has been convicted of three (3) or more violations of the Code of Ordinances including this Article. A permit revoked pursuant to this subsection (b) is not appealable and such person (and such premises while owned or occupied by any such person) shall not be eligible for a permit for back yard chickens under this Article.

Sec. 6-383. – Fee schedule

Application for permit for keeping backyard chickens, including education program, shall be $60.00, or as increased by the City Council.

Secs. 6-384—6-400. - Reserved.

II.

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

III.

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

IV.

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

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

APPROVED:

_____

Arthur L. Miner, Mayor

ATTEST:

_____

Terri Johnson, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____

Mark G. Daniel, City Attorney

AGENDA MEMORANDUM

DATE: May 7, 2019

TO: Honorable City Council Members

FROM: Robert Parker, Chief of Police
Sandra Gibson, CGFO, CGFM, Director of Finance

THROUGH: Andrea Gardner, City Manager

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

BACKGROUND/INFORMATION:

At the March Council Meeting, a fee schedule was provided in regards to backyard chickens in which no action was taken. The fee schedule for backyard chickens was developed to keep fees and fines in line with those associated with other animals. The only changes to the fee schedule provided in March are as follows: 1) the lowering of the rooster or crowing hen fine from $1,000.00 to $200.00; 2) the lowering of the no permit fine from $1000.00 to $200.00; and 3) a change in the term "registration fee" to "permit fee" for clarification purposes

The attached proposed ordinance, Chapter 12, Section 12-6, section (i) incorporates the following fees with regard to backyard chickens:

Permit Fee (annual)	$17.00
1st Impoundment of chicken	$17.00
2nd Impoundment of chickens	$81.00
3rd and Subsequent Impoundments of chickens	$100.00
Surrender of chicken (dead or alive)	$27.00
Adoption Fee- None - (educational program completing required)	N/A
Boarding per Night	$12.00
Loose chicken fine	$171.00
Too many chickens fine	$271.00
Rooster or crowning hen fine	$200.00
No permit fine	$200.00
Failure to provide care fine	$571.00

AGENDA MEMORANDUM

Should Council wish to add or modify any fees, this can be done during the discussion of the item.

FINANCIAL IMPLICATIONS:
N/A

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

ATTACHMENTS/ SUPPORTING DOCUMENTATION:
1. May 2019 Ordinance adopting BYC fees and fines_
2. March 2019 Proposed Ordinance adopting BYC fees and fines

REVIEWED BY:

Sandra Gibson, CGFO, CGFM, Director of Finance	Approved - 5/8/2019
Andrea Gardner, City Manager	Approved - 5/8/2019
Terri Johnson, City Secretary	Final Approval - 5/8/2019

Approved as to form for inclusion on Agenda

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

WHEREAS, the City Council of the City of Watauga, Texas ("City") recognizes that there is a desire amongst its residents to keep and harbor backyard chickens for the purpose of providing organic egg production; and

WHEREAS, the City acknowledges that thorough regulation and enforcement for keeping and harboring backyard chickens is necessary to prevent potential nuisances related to the harboring of such animals; and

WHEREAS, the City recognizes that an amendment of the fee schedule located in Chapter 12 of the Code of Ordinances of the City of Watauga is required in order to create fees and fines related to the keeping and harboring of backyard chickens and also to make minor revisions to the existing fees and fines related to all animals.

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

I.

Chapter 12, Section 12-6 of the Code of Ordinances for the City of Watauga, Texas, establishing the fee schedule in relation to animals, is hereby amended to read as follows:

Section 12-6. – Chapter 6, Animals

(a) Violation notice and fees.

(1) *Issuance; contents*. When violations of the licensing, rabies vaccination, or "animal at large" requirements of Chapter 6 are observed by any animal control officer or police officer, the officer may issue a violation notice in lieu of a citation. The violation notice will stipulate a compliance date and an associated fee and late fee, as well as a waiver provision providing that the person to whom the violation notice is issued waives all rights to contest such violation and waives all rights to a hearing on the issues relating to that violation. Failure to pay associated fees and/or late fees by the compliance date shall constitute a violation of Chapter 6 and may result in the issuance of a citation.

(2) Fees.

a. Licensing requirements $20.00
b. Rabies vaccination requirements $40.00
c. "Animal at large" violation $50.00

(b) *Multiple pet ownership permit.* Such a permit shall be issued through the office of permits for a fee of $17.00 and shall be valid for one year from date of issuance.

(c) Dog and cat impoundment fees.

(1) Impoundment of altered animal:

a. First impoundment $17.00
b. Second impoundment $81.00
c. Third and subsequent impoundments $100.00

(2) Impoundment of unaltered animal:

a. First impoundment $44.00
b. Second impoundment $81.00
c. Third and subsequent impoundments $100.00

(3) *Boarding.* Per night: $12.00.

(4) *Quarantine.* Per night: $14.00.

(5) *Reduction of fee for licensed animal.* A dog or cat bearing a current license tag and impounded for the first time is eligible for a 50 percent (50%) reduction of the impoundment fee.

(6) *Partial refund.* When an unaltered animal has been impounded, a $15.00 refund will be provided to the owner in the event written evidence that the animal has been altered is presented to the City within 30 days of the initial impoundment.

(d) Surrender of animal by owner; adoption fee.

(1) Per animal, whether alive or dead $27.00

(2) Surrender for rabies analysis $52.00

(3) Adoption fee (includes a voucher for spay/neuter and rabies vaccination, microchip implanting, yearly booster shot and heartworm test) $80.00

(e) *Kennel permit.* The permit fee shall be $81.00.

(f) Animal licenses and microchip implanting.

(1) *Pet licenses*. Pet license fees are provided for in subsection (b) of this Section and shall be valid for a period of one year from the date of issuance.

(2) Fees for animal licenses and microchip implanting.

a. Unaltered animal $22.00

b. Altered animal $6.00

c. Altered animal whose primary owner is 65 years of age or older at the time of issuance of license ..... No fee.

d. Guard dog $25.00

e. Service dog ..... No fee.

f. Microchip implanting $20.00

(g) Dangerous dog registration fees.

(1) The initial registration and permit fee shall be $350.00 per dangerous dog. For every year thereafter, an owner of a registered dangerous dog must also pay $200.00 for the City to verify and insure compliance with the standards and requirements of Chapter 6, Article III, Division 7. This amount is payable on the anniversary date of the initial registration of the dangerous dog.

(2) If an owner of a registered dangerous dog sells or moves the dog to a new address, the owner, not later than the 14th day after the date of the sale or move, shall notify the Watauga Police Department of the new address. On presentation by the current owner of the dangerous dog's prior registration tag and payment of a fee of $50.00, the Watauga Police Department shall issue a new registration tag to be placed on the dangerous dog's collar.

(h) *Estray impoundment fees.* For each and every estray taken and impounded, there shall be paid to the City by the owner thereof, or his agent, the sum of $50.00 for the taking and impounding of the estray and the further sum of $15.00 per day, except for the first day and for every subsequent day that the animal shall remain in the custody of the animal control officer, such fee being charged for the care and feeding of such animal. The owner shall also pay for any veterinarian or drug fees incurred on behalf of the animal while it is in the custody of the City.

(i) Backyard chicken fees.

(1) Permit fee. The initial permit fee is $17.00 per household. For every year thereafter, a flat fee of $17.00 per household shall be required. This amount is payable on the anniversary date of the initial permit of the backyard chickens.

(2) Impoundment of backyard chicken:

a. First impoundment $17.00
b. Second impoundment $81.00
c. Third and subsequent impoundments $100.00

(3) Surrender of animal by owner.

a. Per chicken, whether alive or dead $27.00

(4) Adoption fee.

a. There is no adoption fee. But adoption of backyard chickens is only available for residents who have completed the education program and requirements per Chapter 6, Article VII, Division 3 (Backyard Chickens).

(5) *Boarding.* Per night: $12.00.

(6) *Loose chicken fine …..* $171.00

(7) *Too many chickens fine …..* $271.00

(8) *Rooster or crowing hen fine …..* $200.00

(9) *No permit fine …..* $200.00

(10) *Failure to provide care fine …..* $571.00

II.

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

III.

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

IV.

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

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas, on the _____ day of _____, 2018.

APPROVED:

_____

Arthur L. Miner, Mayor

ATTEST:

_____

Terri Johnson, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____

Mark G. Daniel, City Attorney

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

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

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

February 20, 2019

Ms. Zolaina Parker
City Secretary
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

Via E-mail

Re: Ordinance amending Chapter 12, Section 12-6 of the Watauga Code of Ordinances, establishing fees and fines in relation to Backyard Chickens

Dear Ms. Parker:

Please find attached an Ordinance prepared by my office amending Section 12-6 of the Code of Ordinances for the City of Watauga. Section 12-6 of the Code has been amended to incorporate fees and fines in relation to the keeping and harboring of backyard chickens. The Ordinance provides for fees in relation to the registration, impoundment, surrender, adoption, boarding as well as various fines for violations of the Code in connection to backyard chickens. Minor grammar and stylistic revisions were also made to the existing fees and fines related to all animals.

Please submit this Ordinance to the City Council for consideration and possible approval. I am attaching two versions: (1) a clean version of the Ordinance displaying how the final version will read and (2) a red-lined version highlighting significant amendments. Please provide both copies to Council.

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

Sincerely,

MARK G. DANIEL

MGD/jjv
cc:
Ms. Andrea Gardner, *City Manager*
Ms. Sandra Gibson, *Director of Finance and Administration*
Mr. Bobby Parker, *Police Chief*
City Council Members

1 Ordinance amending Fee Schedule in relation to Backyard Chickens

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

WHEREAS, the City Council of the City of Watauga, Texas ("City") recognizes that there is a desire amongst its residents to keep and harbor backyard chickens for the purpose of providing organic egg production; and

WHEREAS, the City acknowledges that thorough regulation and enforcement for keeping and harboring backyard chickens is necessary to prevent potential nuisances related to the harboring of such animals; and

WHEREAS, the City recognizes that an amendment of the fee schedule located in Chapter 12 of the Code of Ordinances of the City of Watauga is required in order to create fees and fines related to the keeping and harboring of backyard chickens and also to make minor revisions to the existing fees and fines related to all animals.

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

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Section 12-6. – Chapter 6, Animals

(a) Violation notice and fees.

(1) *Issuance; contents.* When violations of the licensing, rabies vaccination, or "animal at large" requirements of Chapter 6 are observed by any animal control officer or police officer, the officer may issue a violation notice in lieu of a citation. The violation notice will stipulate a compliance date and an associated fee and late fee, as well as a waiver provision providing that the person to whom the violation notice is issued waives all rights to contest such violation and waives all rights to a hearing on the issues relating to that violation. Failure to pay associated fees and/or late fees by the compliance date shall constitute a violation of Chapter 6 and may result in the issuance of a citation.

(2) Fees.

a. Licensing requirements $20.00
b. Rabies vaccination requirements $40.00
c. "Animal at large" violation $50.00

(b) *Multiple pet ownership permit.* Such a permit shall be issued through the office of permits for a fee of $17.00 and shall be valid for one year from date of issuance.

(c) Dog and cat impoundment fees.

(1) Impoundment of altered animal:

a. First impoundment $17.00
b. Second impoundment $81.00
c. Third and subsequent impoundments $100.00

(2) Impoundment of unaltered animal:

a. First impoundment $44.00
b. Second impoundment $81.00
c. Third and subsequent impoundments $100.00

(3) *Boarding.* Per night: $12.00.

(4) *Quarantine.* Per night: $14.00.

(5) *Reduction of fee for licensed animal.* A dog or cat bearing a current license tag and impounded for the first time is eligible for a 50 percent (50%) reduction of the impoundment fee.

(6) *Partial refund.* When an unaltered animal has been impounded, a $15.00 refund will be provided to the owner in the event written evidence that the animal has been altered is presented to the City within 30 days of the initial impoundment.

(d) Surrender of animal by owner; adoption fee.

(1) Per animal, whether alive or dead $27.00

(2) Surrender for rabies analysis $52.00

(3) Adoption fee (includes a voucher for spay/neuter and rabies vaccination, microchip implanting, yearly booster shot and heartworm test) $80.00

(e) *Kennel permit.* The permit fee shall be $81.00.

(f) Animal licenses and microchip implanting.

(1) *Pet licenses.* Pet license fees are provided for in subsection (b) of this Section and shall be valid for a period of one year from the date of issuance.

(2) Fees for animal licenses and microchip implanting.

a. Unaltered animal $22.00

b. Altered animal $6.00

c. Altered animal whose primary owner is 65 years of age or older at the time of issuance of license ..... No fee.

d. Guard dog $25.00

e. Service dog ..... No fee.

f. Microchip implanting $20.00

(g) Dangerous dog registration fees.

(1) The initial registration and permit fee shall be $350.00 per dangerous dog. For every year thereafter, an owner of a registered dangerous dog must also pay $200.00 for the City to verify and insure compliance with the standards and requirements of Chapter 6, Article III, Division 7. This amount is payable on the anniversary date of the initial registration of the dangerous dog.

(2) If an owner of a registered dangerous dog sells or moves the dog to a new address, the owner, not later than the 14th day after the date of the sale or move, shall notify the Watauga Police Department of the new address. On presentation by the current owner of the dangerous dog's prior registration tag and payment of a fee of $50.00, the Watauga Police Department shall issue a new registration tag to be placed on the dangerous dog's collar.

(h) *Estray impoundment fees.* For each and every estray taken and impounded, there shall be paid to the City by the owner thereof, or his agent, the sum of $50.00 for the taking and impounding of the estray and the further sum of $15.00 per day, except for the first day and for every subsequent day that the animal shall remain in the custody of the animal control officer, such fee being charged for the care and feeding of such animal. The owner shall also pay for any veterinarian or drug fees incurred on behalf of the animal while it is in the custody of the City.

(i) *Backyard chicken fees.*

(1) Registration fee. The initial registration fee shall be included with the required permit fee. For every year thereafter, a flat fee of $17.00 per household shall be required. This amount is payable on the anniversary date of the initial registration of the backyard chickens.

(2) Impoundment of backyard chicken:

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(3) Surrender of animal by owner.

a. Per chicken, whether alive or dead $27.00

(4) Adoption fee.

a. There is no adoption fee. But adoption of backyard chickens is only available for residents who have completed the education program and requirements per Chapter 6, Article VII, Division 3 (Backyard Chickens).

(5) *Boarding.* Per night: $12.00.

(6) *Loose chicken fine* $171.00

(7) *Too many chickens fine* $271.00

(8) *Rooster or crowing hen fine* $1,000.00

(9) *No permit fine* $1,000.00

(10) *Failure to provide care fine* $571.00

II.

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

III.

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

IV.

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

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas, on the _____ day of _____, 2018.

APPROVED:

_____

David Griffin, Mayor Pro Tem

ATTEST:

_____

Zolaina R. Parker, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____

Mark G. Daniel, City Attorney

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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(f) Animal licenses and microchip implanting.

(1) *Pet licenses*. Pet license fees are provided for in subsection (b) of this Section and shall be valid for a period of one year from the date of issuance.

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(2) If an owner of a registered dangerous dog sells or moves the dog to a new address, the owner, not later than the 14th day after the date of the sale or move, shall notify the Watauga Police Department of the new address. On presentation by the current owner of the dangerous dog's prior registration tag and payment of a fee of $50.00, the Watauga Police Department shall issue a new registration tag to be placed on the dangerous dog's collar.

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a. First impoundment $17.00

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II.

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

III.

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

IV.

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

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas, on the _____ day of _____, 2018.

APPROVED:

_____

David Griffin, Mayor Pro Tem

ATTEST:

_____

Zolaina R. Parker, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____

Mark G. Daniel, City Attorney

AGENDA MEMORANDUM

DATE: April 2, 2019

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

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

BACKGROUND/INFORMATION:

Proposed changes to Section 30 of the Code of Ordinances were presented to the City Council on March 7, 2019 with direction received to present an ordinance for Council consideration that incorporates the changes.

On March 19, 2019, the changes were presented to the WEDC Board with a vote to recommend approval of the ordinance changes to the City Council.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

City staff respectfully requests approval of an Ordinance to amend Sections 30-19, 30-20 and 30-21 of the City of Watauga Code of Ordinances.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Ordinance Amending Chapter 30 WEDC

REVIEWED BY:

Andrea Gardner, City Manager — Approved - 5/9/2019
Terri Johnson, City Secretary — Final Approval - 5/9/2019
Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

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

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

April 12, 2019

VIA E-MAIL

Ms. Terri Johnson
Interim City Secretary
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

Re: Code of Ordinances amendments to Chapter 30, Article II in connection with renaming the Parks Development Corporation to the Watauga Economic Development Corporation

Dear Ms. Johnson:

Our office has received and reviewed the proposed amendments to Chapter 30, Article II of the Code of Ordinances for the City of Watauga in connection with the renaming of the Parks Development Corporation to the Watauga Economic Development Corporation. The amendments to Sections 30-19, 30-20 and 30-21 provide for this name change as well as provide for necessary revisions to the Sections governing the Corporation's new members, responsibilities and duties.

Please find enclosed an Ordinance approving such amendments. This Ordinances may be submitted for consideration at the next City Council meeting. For the Council's convenience, I am also including a red-lined version of the amendments made to Chapter 30, Article II.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv

cc: David Griffin, *Mayor Pro Tem*
Ms. Andrea Gardner, *City Manager*

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

WHEREAS, the City Council of the City of Watauga, Texas ("City") recognizes the Council recently approved the renaming of the City's Type B Corporation from the Parks Development Corporation to the Watauga Economic Development Corporation in order for the name to be more closely aligned with the Corporation's purpose and intent to encourage economic development and advancement in the City; and

WHEREAS, the City Council of the City of Watauga, Texas ("City") recognizes that the renaming of the Parks Development Corporation to the Watauga Economic Development Corporation was formalized with the necessary filings through the Texas Secretary of State; and

WHEREAS, the City Council of the City of Watauga, Texas ("City") realizes that amendments are required to Chapter 30, Article II as a consequence of said name change.

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

I.

Chapter 30, Article II, Section 30-19, of the Code of Ordinances for the City of Watauga, Texas is hereby amended to read as follows:

ARTICLE II. - THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION

Sec. 30-19. - New members.

Upon completion of the appointment process, new Directors shall be encouraged to become familiar with all aspects, duties and responsibilities of the Watauga Economic Development Corporation ("WEDC"). The WEDC Secretary is encouraged to furnish the telephone numbers of all WEDC Board Members and staff, the governing regulations, and any other pertinent information concerning the WEDC to the new Board Member within seven days of the new Director's appointment.

II.

Chapter 30, Article II, Section 30-20, of the Code of Ordinances for the City of Watauga, Texas is hereby amended to read as follows:

Sec. 30-20. - Responsibilities.

Responsibilities of the Watauga Economic Development Corporation ("WEDC") are as follows:

(1) Establish policies and administer the programs and services within the confines of state law and under the direction of the City Council.
(2) Devise and update as necessary a strategic plan for economic development.
(3) Collect the sales tax as provided in the most recent sales tax election.
(4) Prepare an annual budget for approval by the City Council.
(5) Conduct public hearings and receive citizen input regarding proposed projects within the jurisdiction of the Corporation as required by Texas Local Government Code.
(6) Ensure that the financial affairs of the Corporation are conducted in accordance with the established policies of state law and the City Council.
(7) The following items shall be forwarded to the City Council for approval prior to any commitment by the WEDC:
    a. All new projects;
    b. Changes in size, scope or location of existing or planned projects;

c. Request for use of any land or facilities owned by the City or the WEDC for temporary use for organized events, etc.; and
d. Purchase or sale of land or facilities.

III.

Chapter 30, Article II, Section 30-21, of the Code of Ordinances for the City of Watauga, Texas is hereby amended to read as follows:

Sec. 30-21. - Duties of members.

The specific duties of a member of the Board of Directors of the Watauga Economic Development Corporation ("WEDC") shall be as follows:

(1) Attend all board meetings regularly and actively participate in discussion and action on agenda items.
(2) Become well informed of all agenda items in advance of the meeting.
(3) Express points of view based on knowledgeable input.
(4) Consider other points of view, make constructive suggestions, and help make group decisions which reflect the thinking of the group as a whole.
(5) Assume Board leadership responsibilities as requested, such as Elected Officer or Committee Chair.
(6) Keep informed about the Corporation's programs, policies, responsibilities, and budget status, as well as changes in state law affecting operations of the Board.
(7) Make all decisions and take all actions based on the principles of reasonable prudence, acting in good faith, with the well-being of citizens always of paramount importance.
(8) Avoid any conflict of interest.
(9) Complete the State of Texas Open Meetings Act Training within 90 days of appointment to the WEDC Board.
(10) Complete the State of Texas Public Information Act Training within 90 days of appointment to the WEDC Board.
(11) Complete the State of Texas required/approved Basic Economic Development Training Course within 12 months of appointment to the WEDC Board.

IV.

This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Watauga, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the

provisions of this Ordinance, in which event such conflicting provisions, if any, in such other ordinance(s) are hereby repealed.

V.

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

VI.

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

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

APPROVED:

_____

DAVID GRIFFIN, Mayor Pro Tem

ATTEST:

_____

TERRI JOHNSON, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____

MARK G. DANIEL, City Attorney

RED-LINED VERSION OF AMENDMENTS TO CHAPTER 30, ARTICLE II.

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Secs. 30-1—30-18. - Reserved.

ARTICLE II. - ~~PARKS DEVELOPMENT CORPORATION~~ "THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION"

Sec. 30-19. - New members.

Upon completion of the appointment process, new Ddirectors shall be encouraged to become familiar with all aspects, duties and responsibilities of the Watauga Economic Development Corporation ("WEDC"). ~~city parks development~~Type B ~~corporation (WPDC).~~ The WEDC ~~Type B Corporation~~WPDC Ssecretary is encouraged to furnish ~~to new members~~ the telephone numbers of all ~~other~~ WEDC ~~WPDCType B Corporation~~ Bboard Mmembers and staff, the governing regulations, and any other pertinent information concerning the WEDC ~~WPDCType B Corporation~~ to the new Bboard Mmember within seven days of the new Ddirector's appointment.

(Code 2001, § 9.1001(a); Code 2010, § 1.04.181)

Sec. 30-20. - Responsibilities.

Responsibilities of the Watauga Economic Development Corporation ("WEDC") ~~city parks development~~Type B ~~corporation~~ are as follows:

(1) Establish policies and administer the programs and services within the confines of state law and under the direction of the Ceity Ceouncil.

(2) Devise and update as necessary a ~~master plan showing locations for all current and proposed park and recreation facilities in the city.~~ strategic plan for economic development.

(3) Collect the ~~one-half cent~~ sales tax as provided in the ~~May 7, 1994~~most recent sales tax election.

(4) Prepare an annual budget for approval by the Ceity Ceouncil.

(5) Conduct public hearings and receive citizen input regarding proposed projects within the jurisdiction of the Ceorporation as required by Texas Local Government Code.

(6) Ensure that the financial affairs of the Ceorporation are conducted in accordance with the established policies of state law and the Ceity Ceouncil.

(7) The following items shall be forwarded to the Ceity Ceouncil for approval prior to any commitment by the ~~WEDC parks development~~Type B ~~corporation~~:

a. All new projects;~~.~~

b. Changes in size, scope or location of existing or planned projects;~~.~~

c. Request for use of any land or facilities owned by the Ceity or the ~~PDC~~Type B ~~Corporation~~WEDC for temporary use for organized ~~athletic~~ events, etc.; and

d. Purchase or sale of land or facilities.

(Code 2001, § 9.1001(b); Code 2010, § 1.04.182)

Sec. 30-21. - Duties of members.

The specific duties of a member of the Bboard of Ddirectors of the ~~parks development~~~~Type B corporation~~ Watauga Economic Development Corporation ("WEDC") shall be as follows:

(1) Attend all board meetings regularly and actively participate in discussion and action on agenda items.

(2) Become well informed of all agenda items in advance of the meeting.

(3) Express points of view based on knowledgeable input.

(4) Consider other points of view, make constructive suggestions, and help make group decisions which reflect the thinking of the ~~total~~ group as a whole.

(5) Assume Bboard leadership responsibilities as requested, such as Eelected Oefficer or Ceommittee Cehair.

(6) Keep informed about the Ceorporation's programs, policies, responsibilities, and budget status, as well as changes in state law affecting operations of the Board. ~~board.~~

(7) Make all decisions and take all actions based on the principles of reasonable prudence, acting in good faith, with the well-being of citizens always of paramount importance.

(8) Avoid any conflict of interest.

(9) Complete the State of Texas Open Meetings Act Training within 90 days of appointment to the WEDC Board ~~Type B Board.~~

(10) Complete the State of Texas Public Information Act Training within 90 days of appointment to the ~~Type B Board.~~WEDC Board.

(11) Complete the State of Texas required/approved Basic Economic Development Training Course within 12 months of appointment to the ~~Type B Board.~~ WEDC Board.

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(Code 2001, § 9.1001(c); Code 2010, § 1.04.183)

Secs. 30-22—30-45. - Reserved.

AGENDA MEMORANDUM

DATE: April 8, 2019

TO: Honorable City Council Members

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

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

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BACKGROUND/INFORMATION:

A Planning & Zoning Application was submitted to the City on March 13, 2019. The application was discussed with the Development Review Team per procedures. Once all requirements were satisfied, the required notices were provided to the public and the case presented to the Planning & Zoning Commission for review..

April 2, 2019, the Planning & Zoning Commission voted to forward a recommendation of approval to the City Council for a change in zoning at 6000 and 6001 Hightower Drive from Single Family 6000 square feet (SF6) to Planned Development (PD) for a new 70-lot single family home subdivision named Hightower Estates with various lot sizes.

The development requirements are shown in the Hightower Estates Narrative (Attached).

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Approval of a proposed ordinance for a Zoning Change for a new 70-lot single family home subdivision named Hightower Estates, from SF-6 to Planned Development. The subject property is located at 6000 and 6001 Hightower Drive.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. PZ Case Z-19-03 Attorney Letter

AGENDA MEMORANDUM

2. PZ Case Z-19-03 Zoning Code Change Ordinance
3. Planning and Zoning Application
4. Memo - Hightower Estates -Street and Utility Capacity
5. Development Plan
6. Hightower Estates - Staff Report
7. PZ Approved Recommendation to Council
8. Hightower Estates Narrative
9. Conceptual Landscape
10. Hightower Properties - Current Zoning
11. Hightower Properties - Proposed Zoning

REVIEWED BY:

Randy Richards, Building Official	Approved - 5/1/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/8/2019
Andrea Gardner, City Manager	Approved - 5/8/2019
Terri Johnson, City Secretary	Final Approval - 5/8/2019

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

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

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

May 8, 2019

Mr. Randy Richards
City of Watauga
7800 Virgil Anthony Sr. Blvd.
Watauga, Texas 76148

VIA E-MAIL

Re: Ordinance regarding Planning & Zoning Case #Z-19-03, approving zoning change from Single Family District (SF-6) to Planned Development District (PD)

Dear Mr. Richards:

Please find attached an Ordinance prepared by our office authorizing approval of the rezoning for Planning and Zoning Case #Z-19-03. This zoning change from Single Family District (SF-6) to Planned Development District (PD) would provide way for a new 70-lot single family home division to be named Hightower Estates to be built on the property located at 6000 and 6001 Hightower Drive. The proposed PD zoning district is compatible with existing adjacent residential neighborhoods and light commercial uses. Case #Z-19-03 was approved by the Planning and Zoning Commission on April 2, 2019.

The Ordinance may be submitted for consideration at the next City Council meeting.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv
cc: Andrea Gardner, *City Manager*
Paul Hackleman, *Director of Public Works*
Terri Johnson, *Interim City Secretary*

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

WHEREAS, the City of Watauga, Texas has adopted a comprehensive Zoning Code providing for the planned development of the City; and

WHEREAS, the City of Watauga, Texas recognizes a zoning change from Single Family District (SF-6) to Planned Development District (PD) would provide way for a new 70-lot single family home division to be named Hightower Estates to be built on the property located at 6000 and 6001 Hightower Drive. The proposed PD zoning district is compatible with existing adjacent residential neighborhoods and light commercial uses; and

WHEREAS, such amendments have been presented to and approved by the Planning and Zoning Commission as Planning and Zoning Case #Z-19-03 on April 2, 2019.

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

I.

The City of Watauga, Texas hereby authorizes approval of the rezoning for Planning and Zoning Case #Z-19-03, regarding property located at 6000 and 6001 Hightower Drive, allowing for a zoning change of the property from Single Family District (SF-6) to Planned Development District (PD).

II.

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

III.

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

IV.

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

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

APPROVED:

_____

DAVID GRIFFIN, Mayor Pro Tem

ATTEST:

_____

TERRI JOHNSON, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____

MARK G. DANIEL, City Attorney

PLANNING AND ZONING COMMISSION

RECOMMENDATION TO COUNCIL

PLANNING AND ZONING MEETING: April 2, 2019

PLANNING AND ZONING CASE NO: Z-19-03

Consideration and action on P&Z Case #Z-19-03: Consider request a Zoning Change for a new 70-lot single family home subdivision to be named Hightower Estates, from SF-6 to PD (Planned Development). The subject property is located at 6000 and 6001 Hightower Drive. Watauga Commons, LLC and Sunny Partovi, owner/applicant

RECOMMEND APPROVAL OR DENIAL:
APPROVAL N **DENIAL**_____

COMMENTS:
(REQUIRED FOR DISAPPROVALS)

Larry R Clark

Larry Clark – Chairman

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ASSOCIATES, INC.
CONSULTING ENGINEERS
LANDSCAPE ARCHITECTS

March 12, 2019

City of Watauga
7105 Whitley Road
Watauga, Texas 76148

Re: Hightower Estates Narrative

The project is to develop two vacant tracts of land into a single family residential neighborhood. The two lots are known as Lot 1R Block 16 and Lot 15R Block 13 of Echo Hills IV and their addresses are 6000 and 6001 Hightower Drive. The two lots are 11.907 acres in size. The proposed development includes 70 lots with a density of 5.88 lots/acre.

The development will enhance the parkway along Hightower Drive with greenspace and a Masonry screening wall. Additionally, the development will provide sidewalks along Echo Hills, Hightower, and Quail Run connecting to the existing neighborhoods.

The development will need to add infrastructure to serve the proposed lots. The plan is to connect to the existing water/sewer and storm drain lines and extend the city mains into the new subdivision. Water and sewer service taps, meter-boxes and meters will be provided to each lot. Conceptual engineering layouts have been provided with this application to show the proposed infrastructure improvements to serve the proposed subdivision.

The future land use plan calls for a mixed use development. A recent rezoning case on the site has revealed the citizens of the area prefer single family residential. The proposed use will enhance the existing neighborhoods. The enhancements will bring about new homes and residents to the City of Watauga. There will be new sidewalks connecting the neighborhood and an improved street scape along Hightower Drive, Echo Hill and Quail Run Drives.

The adjacent uses are similar housing, a fire station, a dance shop and a car wash. These uses are adjacent to the existing housing and they appear to be compatible with the proposed development.

The proposed use creates a significant benefit by adding new homes and residents. The use will provide compatibility to the existing area and new resident / neighbors to the City. The project seeks to capture a similar look to the Park View housing project. The project will improve the safety and welfare of the city by adding quality housing, new residents, and a total value of

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nearly 25 million in value to the community.

Transmittal Includes copies of the following:

10 – Development Plan
10 – Landscape Plan
10 – Written Narrative

Charles F. Dibrell III, PE

2000 E Lamar Boulevard • Suite 150 • Arlington, Texas 76006 • 817.635.0066
HOUSTON • SAN ANTONIO • DALLAS/FT. WORTH

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PLANNING AND ZONING APPLICATION

THE PROPERTY

Hightower Estates is located at 6000 and 6001 Hightower Drive. The properties have approximately 915 feet of frontage on Hightower Drive. The site is bounded by the Fire Station and Dance Studio to the west and existing homes and a car wash to the east. The northern half will belong to Keller's ISD and the southern half will belong to Birdville ISD. The properties are bordered by existing neighborhoods to the north and south.

THE DEVELOPMENT

Hightower Estates is located on 11.907 acres of land which will be developed into 70 single family homes with greenspace along Hightower Drive. The typical lot size will be 51 x 100 with a minimum of 5,100 square feet; half of the homes will be restricted to a minimum of 2,000 square feet and the remaining half of the homes will be restricted to a minimum of 1,600 square feet.

A homeowner's association will be created to ensure deeds restrictions and architectural standards are maintained and provide for maintenance and upkeep of the subdivision and all greenspaces. The greenspace will be adjacent to Hightower Drive and will provide an entry façade, landscaping, irrigation and hard wood trees canopy trees, evergreen trees and low shrubs and ornament shrub; these improvements are reflected on the Landscaping Plan. A 6-foot masonry & wrought Iron wall will separate the Hightower greenspace from the adjacent lots.

SUBDIVISION IDENTIFICATION

Developer will install 4 stone insert signs; one sign on each end of the project along Hightower Drive.

PROPOSED ZONING

The approval of this PD will replace the existing development standards with the proposed PD standards as follows:

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LANDSCAPE ARCHITECTS

Comparison of SF-6 and Proposed PD

Zoning	SF-6	Planned Development
Overall Density	5.8 lots/acre	5.88 lots/acre
Minimum Lot Area	6,000	5,100
Minimum Lot Width	60 feet	52 Feet
Minimum Lot Depth	100 Feet	98 Feet
Minimum Front Yard	20 Feet	Building line may be 15' while Garage Front Setback shall be minimum 20'
Minimum Side Yard	5 Feet - Interior lot line 10 Feet - along street side of corner lots	6 Feet – adjacent to interior lot lines and open spaces 10 Feet – corner adjacent to right-of-ways
Minimum Rear Yard	5 Feet	5 Feet
Maximum Building Height	35 Feet	35 Feet
Bulk controls (min. Floor Space per area)	1,600 Square Feet	50% - 1,600 SF 50% - 2,000 SF
Masonry requirement	90% Brick or Stone	90% Brick or Stone
Maximum Imperpervious Coverage	Certain percentage not required	75%
Parking	2 per dwelling unit	2 per dwelling unit

ADDITIONAL REQUIREMENTS:

Driveways and Garages – Each residence will be constructed with a 5" thick driveway consisting of #3 rebar 18" o.c.e.w. and a 2-car garage. The 2-car garage shall be attached to the house and used primarily for the storage of motor vehicles with an entrance door not less than 16 feet in width. No garage conversions or carports will be allowed. Cole Lane South will be designated as

a "No Parking" zone.

Screening and Fencing – Unless adjacent to the greenspace, all lot fencing shall be constructed from 6' stained (both sides) wooden pickets with metal posts. No fencing shall be allowed within sight triangles. Side yard fences must be set back a minimum of 10' from the front edge of the house.

Landscaping – Landscaping will be installed in the front, rear and side yards of the lot prior to a certificate of occupancy being issued. The landscaping requirements are to sod all yards, install one 3" caliper trees in the front yard with fourteen shrubs and to install an underground irrigation system with wind and freeze sensors. Irrigation shall not have pop up heads within the Right of Way area, or within 2' of the sidewalk. Right of Way area may use drip irrigation only.

Sidewalks – A 4-foot wide sidewalk will be built within the street right-of-way by the builder during the construction of each home. All sidewalks in the designated greenspace areas will be built by the developer during the construction of the infrastructure. All sidewalks and entire Right of Way area will be built to City of Watauga specifications and have a compacted subgrade meeting 95% density on a standard proctor, and a moisture content of + or – 2% of optimum.

No boarding or lodging homes will be allowed.

In addition to the PD approved ordinance, all other zoning and building requirements will adhere to SF-6 District Regulations.

HOME OWNERS ASSOCIATION

A home owners association will be formed and shall be responsible for the maintenance of all entry features, masonry screening walls, landscaping and irrigation within the greenspace and the street right-of-way along Hightower, Echo Hill and Quail Run Drive. The greenspace shall be dedicated to the homeowner's association.

ADEQUACY OF PUBLIC FACILITIES AND SERVICES

City water and sewer service is available to the site. The proposed subdivision will be served by an existing water main in Echo Hills and Quail Run. Sanitary Sewer along Hightower will be used to serve the site. All water/sewer utilities shall be verified for sufficient capacity to carry the proposed loads. An underground storm drain pipe will be built to capture the onsite runoff and tied-in to the existing systems along Hightower and Echo Hills and shall have capacity verified to carry the proposed loads. All proposed infrastructure will be designed per city specifications.

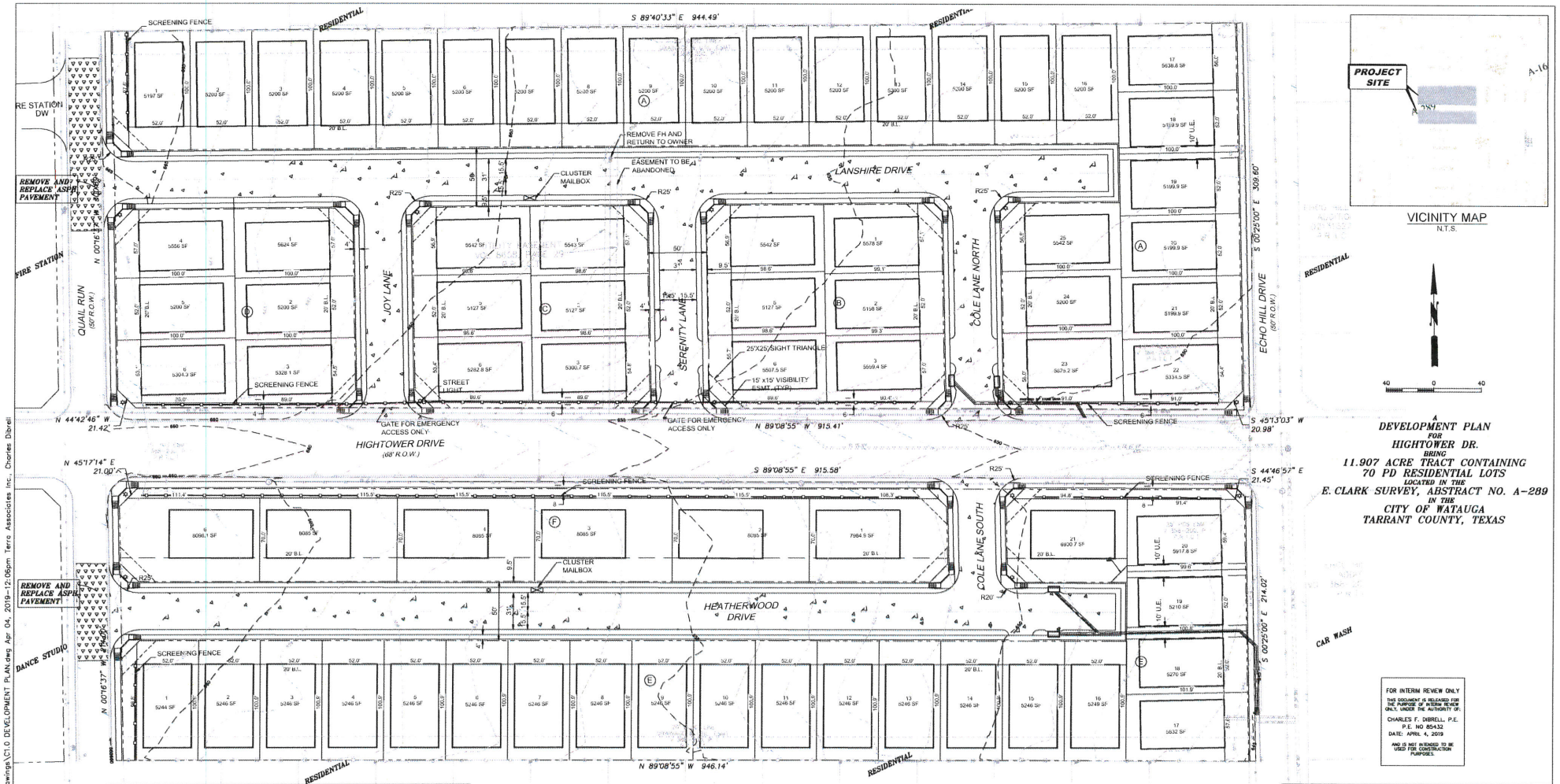
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LANDSCAPE ARCHITECTS

PROJECT SCHEDULING AND PHASING

Upon approval of the zoning, the project will proceed to preliminary design and platting of the properties. It is anticipated the project will be developed in a single phase. Estimated build out time of the housing will be 2-3 years with an anticipated absorption rate of 15 homes per quarter.

COMPATIBILITY

The proposed PD zoning for Echo Hills Estates is compatible with the existing adjacent residential neighborhoods and light commercial uses. The master plan for the city calls out for mixed use development of these two sites. The city is nearing build out and that creates infill opportunities such as this one. This development will bring high quality residential neighborhoods vital to the future value of the City of Watauga.



VICINITY MAP
N.T.S.

A
DEVELOPMENT PLAN
FOR
HIGHTOWER DR.
BRING
11.907 ACRE TRACT CONTAINING
70 PD RESIDENTIAL LOTS
LOCATED IN THE
E. CLARK SURVEY, ABSTRACT NO. A-289
IN THE
CITY OF WATAUGA
TARRANT COUNTY, TEXAS

FOR INTERIM REVIEW ONLY
THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW ONLY, UNDER THE AUTHORITY OF:
CHARLES F. DIBRELL, P.E.
P.E. NO 85432
DATE: APRIL 4, 2019
AND IS NOT INTENDED TO BE USED FOR CONSTRUCTION PURPOSES.

NOTES:
1. LOTS SHALL BE A MINIMUM OF 5,100 SQ. FT.
2. SF 6.0 ZONING REGULATIONS SHALL APPLY TO ALL LOTS WITHIN THE DEVELOPMENT.
3. THE PROJECT SHALL BE BUILT IN ONE PHASE.
4. LOT DIMENSIONS SHOWN ARE PLANNING AND SUBJECT TO MINOR CHANGES ON THE FINAL PLAT.
5. ALL FRANCHISE UTILITIES SHALL BE UNDERGROUND.
6. ALL HOMES SHALL BE MINIMUM 90% MASONRY.
7. SIDE YARD A/C UNITS SHALL BE MINIMIZED TO ONE PER TWO COMMON SIDE YARDS. SIDE YARD A/C UNITS MUST MAINTAIN A 10 FOOT SEPARATION.
8. A 6' I/FT. STAINED FENCE SHALL BE INSTALLED TO REPLACE THE EXISTING FENCE BETWEEN ADJACENT RESIDENTIAL PROPERTIES. FENCE SHALL BE INSTALLED BY DEVELOPER.
9. 50% OF THE HOMES SHALL BE 1600 SQ. FT. MINIMUM AND 50% SHALL BE 2000 SQ. FT. MINIMUM.
10. STREETLIGHTS, SIGNS AND POLES SHALL BE DECORATIVE STYLE.
11. LOTS MAY USE A REDUCED 15' FRONT SETBACK FOR THE BUILDING FRONT WITH A 20' GARAGE FRONT SETBACK.
12. NO STREET PARKING SHALL BE ALLOWED ON COLE LANE SOUTH.
13. ENGINEERING LOT GRADING PLANS SHALL BE REQUIRED AT BUILDING PERMIT FOR EACH INDIVIDUAL LOT.

EXISTING ZONING SF-6
PROPOSED ZONING: PD

ENGINEER:

TERRA ASSOCIATES, INC.
2001 E. LAMAR BLVD. - SUITE 150
ARLINGTON, TX 76006
Phone: (817) 635-0066
CONTACT: CHARLES F. DIBRELL III, P.E.
TBPE FIRM #F-003832

OWNER/DEVELOPER:

WATAUGA COMMONS, LLC
6628 MEADOW WEST DRIVE S
FORT WORTH, TX 76132
Email: Sunny.Partovi@gmail.com
CONTACT: SUNNY PARTOVI

OCTOBER 2018
JOB NO. 2601-1801
FILE NAME: DEVELOPMENT PLAN
ZONING CASE NO. _____

REV.NO.	DESCRIPTION	DATE	APP.

HIGHTOWER ESTATES

PD SITE PLAN

TERRA ASSOCIATES, INC.
CONSULTING ENGINEERS
LANDSCAPE ARCHITECTS
2000 E. LAMAR BLVD. - SUITE 150
ARLINGTON, TEXAS 76006
817-635-0066
TBPE Registration No. F-003832

DRAWN BY: EFD	SCALE: 1"=40'	PROJECT No. CONTRACT
CHECKED BY: CFD III	DATE: APRIL 2019	SHEET C1.0 OF

S:\2601-Watauga Commons\D-2601-1801 River Oaks\Drawings\C1.0 DEVELOPMENT PLAN.dwg Apr 04, 2019 - 12:06pm Terra Associates Inc., Charles Dibrell

Planning & Zoning Application

CASE NO. Z-19-03

P&Z Fee: $500.00
Date Paid: 3/12/2019
Receipt #: 19-00271

SELECT ZONING APPLICATION TYPE:

■ Zoning Change ❑ Special Use Permit ■ Planned Development

PROPOSED USE OF PROPERTY: Single Family Residential

EXISTING USE OF PROPERTY: Vacant Land

ZONING INFORMATION: From Existing SF-6 District to Proposed PD District

PROPERTY ADDRESS: 6000 & 6001 Hightower Drive

Legal Description: (Abstract)_____ (Tract)_____ (Block) 13 & 16 (Lot) 15R & 1R

(Survey)_____ (Addition) Echo Hills IV Addition

IF PROPERTY IS NOT PLATTED, PLEASE PROVIDE METES AND BOUNDS DESCRIPTION.
Property is platted

COMPLIANCE OF PROPOSED PROJECT TO ONE WATAUGA/COMPREHENSIVE MASTER PLAN: If Yes then skip to next section of application if no then provide answers to the questions below:

- ■ Will the proposed change enhance the site and the surrounding area? ☑ Yes ☐ No
- ■ Is the necessary infrastructure already in place? ☐ Yes ☑ No (if not, explain in narrative)
- ■ Is the proposed change a better use than that is recommended by Future Land Use Plan/Map? ☑ Yes ☐ No
- ■ ❑ Will the proposed use impact adjacent residential areas in a negative manner or may it enhance it?
  ☐ Yes ☑ No No negative impacts, the proposed use will enhance the residential areas
- ■ Are uses adjacent to proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility?
  ☑ Yes ☐ No
- ■ Does the proposed use present a significant benefit to public health, safety and welfare of community?
  ☐ Yes ☑ No

OWNER INFO NAME: Sunny Partovi (owner of 6001 Hightower Drive)
(Please Print)

ADDRESS: 6628 Meadow West Drive South, Fort Worth, Texas 76132

PHONE: 817.881.6608 sunny.partovi@gmail.com EMAIL: 817.881.6608 sunny.partovi@gmail.com

For additional owners, please include additional copies of this page. The property owner may sign the application or submit a notarized letter of authorization.

Planning & Zoning Application

REPRESENTATIVE/AGENT INFORMATION: NAME: _____
(Please Print)

BUSINESS NAME (If applicable): _____
(Title)

BUSINESS ADDRESS: _____

PHONE: _____ EMAIL: _____

*I have read the completed application and know the same is true and correct and hereby agree that if a permit is issued all provisions of the City Ordinances and State Laws will be complied with whether herein specified or not. I agree to comply with all property restrictions. I am the owner of the property or the duly authorized agent.

*Submittal of false information or omission as required by this application may result in any permit, license, or approval being revoked.

*Signatures certify that all information provided is true and correct.

*Application will be considered filed when project is set on an appropriate agenda.

SOROUR PARTAVI	3/13/19	
Owner Name (Print)	Date	Owner Signature
Agent Name (Print)	Date	Agent Signature

APPLICATION SUBMITTAL REQUIREMENTS

- ☐ **Ten (10) folded copies of 24"x36" of a Site Plan (Technical requirements provided on separate sheet), Landscaping Plan, Elevations in color and one digital (PDF) copy of zoning exhibit.**
- ☐ **The following items are required with all types of applications:**
- ☐ **Planning and Zoning Application form.**
- ☐ **Application fee of $300 – Zoning Change; $500 – Planned Development; $200 – Specific Use Permit, plus costs incurred by the City for postage, mailing, copying and other related expenses. This is non-refundable.**
- ☐ **One 11"x17" copy of subdivision plat (if the property is platted).**
- ☐ **One digital (PDF) copy of subdivision plat (if property is platted).**
- ☐ **If request is for (i) a portion of a platted lot, or (ii) an un-platted lot, surveyed site boundary dimensions (metes and bounds) and gross acreage determined by licensed surveyor must be provided electronically in Microsoft Word format and in paper copy.**
- ☐ **Additional information may be requested by the Development Review Team if deemed essential for review and consideration by Planning and Zoning Commission and City Council.**
- ☐ **Written narrative explaining in detail the proposal.**

OFFICE USE ONLY: CASE APPROVED BY:

PLANNING & ZONING COMMISSION: _____ **Yes** _____ **No** **DATE:** _____

CITY COUNCIL: _____ **Yes** _____ **No** **DATE:** _____

ADDITIONAL P&Z FEE: _____ **RECEIPT #:** _____ **DATE:** _____

WATAUGA
TEXAS

Statement of Owner Verification

I, Sunny Partovi hereby certify that the statements furnished on my
(PLEASE PRINT NAME HERE)

Planning & Zoning Application for Planning & Zoning Case Z-19-03 and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

By signing this application, I certify that I am the legal title holder for the property concerned in the application for the above mentioned Planning & Zoning Case.

Compliance with written requirements. No specific use permit shall be granted unless the applicant, owner, and grantee of the specific use permit shall be willing to accept and agree to be bound by and comply with the written requirements of the specific use permit as attached to the site plan drawing (or drawings) and recommendation by the planning and zoning commission and approved by the city council.

I understand that it is necessary for me or my agent to be present at the Planning and Zoning Commission and City Council public meetings to represent this request.

Sunny Partovi — 3/12/19

Applicant Signature **Date**

State of Texas
County of TARRANT

Before me, the undersigned authority, on this day personally appeared Sonnar Partovi, known to me, or proved to me on the oath of Driver License Verification, or through description to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 12 day of March, 2019

Patricia Ann Rodriguez
Signature of Notary Public

My commission expires the 11 day of July, 2020.

PATRICIA ANN RODRIGUEZ
Notary Public
STATE OF TEXAS
ID#10560770
My Comm. Exp. July 11, 2020

WATAUGA TEXAS

Planning & Zoning Application

CASE NO. Z-19-03

P&Z Fee: #500.00
Date Paid: 3/12/2019
Receipt #: 19-00271

SELECT ZONING APPLICATION TYPE:

☑ Zoning Change ☐ Specific Use Permit ☑ Planned Development

PROPOSED USE OF PROPERTY: Single Family Residential

EXISTING USE OF PROPERTY: Vacant Land

ZONING INFORMATION: From Existing SF-6 District to Proposed PD District

PROPERTY ADDRESS: 6000 and 6001 Hightower Drive

Legal Description: (Abstract) _____ (Tract) _____ (Block) 13+16 (Lot) 15R+1R

(Survey) _____ (Addition) Echo Hills IV Addition

IF PROPERTY IS NOT PLATTED, PLEASE PROVIDE METES AND BOUNDS DESCRIPTION.
Property is Platted.

COMPLIANCE OF PROPOSED PROJECT TO THE CITY OF WATAUGA COMPREHENSIVE USE PLAN: If Yes then skip to next section of application if No then provide answers to the questions below:

- Will the proposed change enhance the site and the surrounding area? ✓Yes No
- Is the necessary infrastructure already in place? Yes ✓ No (if not, explain in narrative)
- Is the proposed change a better use than that is recommended by Future Land Use Plan/Map? ✓Yes No (if yes, explain in narrative)
- Will the proposed use impact adjacent residential areas in a negative manner or may it enhance it? Yes ✓No
- Are uses adjacent to proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility? ✓Yes No
- Does the proposed use present a significant benefit to public health, safety and welfare of community? Yes ✓No

OWNER INFORMATION: NAME: ELIAS SHIBER
(Please Print)

ADDRESS: 4637 PANGOLIN DR Ft WORTH TX 76244

PHONE: 682-234-3114 EMAIL: Elias.Shiber@ATT.NET

For additional owners, please include additional copies of this page. The property owner may sign the application or submit a notarized letter of authorization.

Planning & Zoning Application

REPRESENTATIVE/AGENT INFORMATION: NAME: _____
(Please Print)

BUSINESS NAME (If applicable): _____
(Title)

BUSINESS ADDRESS: _____

PHONE: _____ EMAIL: _____

*I have read the completed application and know the same is true and correct and hereby agree that if a permit is issued all provisions of the City Ordinances and State Laws will be complied with whether herein specified or not. I agree to comply with all property restrictions. I am the owner of the property or the duly authorized agent.

*Submittal of false information or omission as required by this application may result in any permit, license, or approval being revoked.

*Signatures certify that all information provided is true and correct.

*Application will be considered filed when project is set on an appropriate agenda.

ELIAS SHIBER	3-13-2019	Elias Shiber
Owner Name (Print)	Date	Owner Signature
Agent Name (Print)	Date	Agent Signature

APPLICATION SUBMITTAL REQUIREMENTS

- ☐ **Ten (10) folded copies of 24"x36" of a Site Plan (Technical requirements provided on separate sheet), Landscaping Plan, Elevations in color and one digital (PDF) copy of zoning exhibit.**
- ☐ **The following items are required with all types of applications:**
- ☐ **Planning and Zoning Application form.**
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- ☐ **One digital (PDF) copy of subdivision plat (if property is platted).**
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- ☐ **Additional information may be requested by the Development Review Team if deemed essential for review and consideration by Planning and Zoning Commission and City Council.**
- ☐ **Written narrative explaining in detail the proposal.**

OFFICE USE ONLY: CASE APPROVED BY:

PLANNING & ZONING COMMISSION: _____ **Yes** _____ **No** **DATE:** _____

CITY COUNCIL: _____ **Yes** _____ **No** **DATE:** _____

ADDITIONAL P&Z FEE: _____ **RECEIPT #:** _____ **DATE:** _____

Statement of Owner Verification

I, ELIAS SHIBER hereby certify that the statements furnished on my
(PLEASE PRINT NAME HERE)

Planning & Zoning Application for Planning & Zoning Case Z-19-03 and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

By signing this application, I certify that I am the legal title holder for the property concerned in the application for the above mentioned Planning & Zoning Case.

Compliance with written requirements. No specific use permit shall be granted unless the applicant, owner, and grantee of the specific use permit shall be willing to accept and agree to be bound by and comply with the written requirements of the specific use permit as attached to the site plan drawing (or drawings) and recommendation by the planning and zoning commission and approved by the city council.

I understand that it is necessary for me or my agent to be present at the Planning and Zoning Commission and City Council public meetings to represent this request.

Elias Shiber — **Applicant Signature**

3-13-2019 — **Date**

State of Texas
County of Tarrant

Before me, the undersigned authority, on this day personally appeared Elias Shiber, known to me, or proved to me on the oath of Driver License Verification, or through description to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 13 day of March, 20 19

Jeannette Garcia
Signature of Notary Public

JEANNETTE GARCIA
Notary Public
STATE OF TEXAS
ID#129554782
My Comm. Exp. Feb. 19, 2022

My commission expires the 19 day of February 2022

Planning & Zoning Application

CASE NO. Z-19-03

P&Z Fee: $500.00
Date Paid: 3/12/2019
Receipt #: 19-00271

SELECT ZONING APPLICATION TYPE:

■ Zoning Change ❑ Specific Use Permit ■ Planned Development

PROPOSED USE OF PROPERTY: Single Family Residential

EXISTING USE OF PROPERTY: Vacant Land

ZONING INFORMATION: From Existing SF-6 District to Proposed PD District

PROPERTY ADDRESS: 6000 and 6001 Hightower Drive

Legal Description: (Abstract)_____ (Tract)_____ (Block) 13 & 16 (Lot) 15R & 1R

(Survey)_____ (Addition) Echo Hills IV Addition

IF PROPERTY IS NOT PLATTED, PLEASE PROVIDE METES AND BOUNDS DESCRIPTION.

Property is Platted.

COMPLIANCE OF PROPOSED PROJECT TO THE CITY OF WATAUGA COMPREHENSIVE USE PLAN: If Yes then skip to next section of application if No then provide answers to the questions below:

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- ■ Is the necessary infrastructure already in place? Yes ✓No (if not, explain in narrative)
- ■ Is the proposed change a better use than that is recommended by Future Land Use Plan/Map? ✓Yes No (if yes, explain in narrative)
- ■ Will the proposed use impact adjacent residential areas in a negative manner or may it enhance it? Yes ✓No
- ■ Are uses adjacent to proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility? ✓Yes No
- ■ Does the proposed use present a significant benefit to public health, safety and welfare of community? Yes ✓No

---

OWNER INFORMATION: NAME: ANTON N. ZACHLOUL
(Please Print)

ADDRESS: 7605 Ozradia Trl Ft. Worth TX 76137

PHONE: 817-7151901 EMAIL: _____

For additional owners, please include additional copies of this page. The property owner may sign the application or submit a notarized letter of authorization.

Planning & Zoning Application

REPRESENTATIVE/AGENT INFORMATION: NAME: _____
(Please Print)

BUSINESS NAME (If applicable): _____
(Title)

BUSINESS ADDRESS: _____

PHONE: _____ EMAIL: _____

***I have read the completed application and know the same is true and correct and hereby agree that if a permit is issued all provisions of the City Ordinances and State Laws will be complied with whether herein specified or not. I agree to comply with all property restrictions. I am the owner of the property or the duly authorized agent.**
***Submittal of false information or omission as required by this application may result in any permit, license, or approval being revoked.**
***Signatures certify that all information provided is true and correct.**
***Application will be considered filed when project is set on an appropriate agenda.**

ANTON-N-ZACHLOUL 3-13-19 _____
Owner Name (Print) Date Owner Signature

_____ _____ _____
Agent Name (Print) Date Agent Signature

APPLICATION SUBMITTAL REQUIREMENTS

- ☐ **Ten (10) folded copies of 24"x36" of a Site Plan (Technical requirements provided on separate sheet), Landscaping Plan, Elevations in color and one digital (PDF) copy of zoning exhibit.**
- ☐ **The following items are required with all types of applications:**
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- ☐ **One digital (PDF) copy of subdivision plat (if property is platted).**
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- ☐ **Written narrative explaining in detail the proposal.**

OFFICE USE ONLY: CASE APPROVED BY:

PLANNING & ZONING COMMISSION: _____ **Yes** _____ **No** **DATE:** _____
CITY COUNCIL: _____ **Yes** _____ **No** **DATE:** _____

ADDITIONAL P&Z FEE: _____ **RECEIPT #:** _____ **DATE:** _____

Statement of Owner Verification

I, ANTON-N-ZAGHLOUL hereby certify that the statements furnished on my
(PLEASE PRINT NAME HERE)

Planning & Zoning Application for Planning & Zoning Case _____ and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

By signing this application, I certify that I am the legal title holder for the property concerned in the application for the above mentioned Planning & Zoning Case.

Compliance with written requirements. No specific use permit shall be granted unless the applicant, owner, and grantee of the specific use permit shall be willing to accept and agree to be bound by and comply with the written requirements of the specific use permit as attached to the site plan drawing (or drawings) and recommendation by the planning and zoning commission and approved by the city council.

I understand that it is necessary for me or my agent to be present at the Planning and Zoning Commission and City Council public meetings to represent this request.

Anton N- Zaghloul — **Applicant Signature**

3-13-19 — **Date**

State of Texas
County of Tarrant

Before me, the undersigned authority, on this day personally appeared Anton N. Zaghoul known to me, or proved to me on the oath of Driver License Verification, or through description to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 13 day of March, 2019

Jeannette Garcia
Signature of Notary Public

JEANNETTE GARCIA
Notary Public
STATE OF TEXAS
ID#129554702
My Comm. Exp. Feb. 19, 2022

My commission expires the 19 day of February, 2022.

WATAUGA
TEXAS

OFFICE OF THE DIRECTOR OF PUBLIC WORKS

DATE: March 13, 2019

TO: Planning and Zoning Commission

THROUGH: Randy Richards, Building Official

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

Subject: Hightower Estates – Street and Utility Capacity

Section 115-62 (12) – District Regulations of the Zoning Ordinance states a PD (Planned Development) District shall be reviewed by the Director of Public Works to determine that the proposed development will not generate more traffic than the streets in the vicinity can carry without congestion and the development will not overload utilities.

In February 2012, Burgess and Niple completed a 2011 Traffic Study for the intersection of Hightower Drive and Whitley Road with projections for future traffic until 2025 at 1.5% growth per year. The newest 2014 traffic counts are lower than the 2011 Traffic Study. Therefore, traffic volume has decreased since 2011.

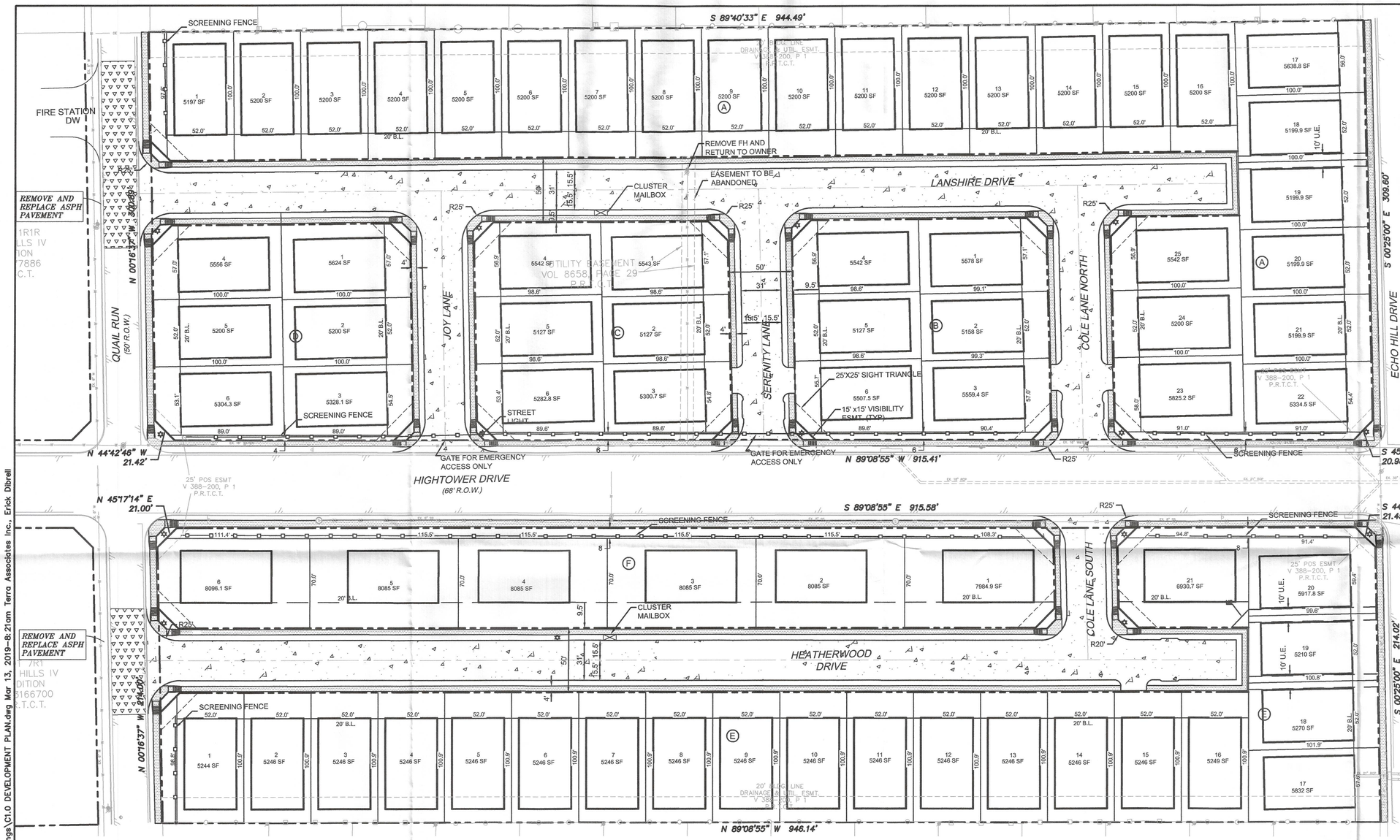
The majority of the traffic would use Hightower Drive to travel east/west and some would use Quail Run Drive and Echo Hill Drive to travel north/south. Hightower Drive, Quail Run Drive, and Echo Hill Drive have adequate capacity to not be considered congested after these properties develop. Hightower Drive currently is not utilizing its full paving width for driving lanes; restriping Hightower Drive in this area would increase it capacity and should remain an option in the future. The adjoining side residential streets would also have adequate capacity for the increase in traffic to be considered not congested.

The Water System in the vicinity of this development will not be overloaded.

The Wastewater System pipe sizes are adequate to handle the demand from this development, but a detailed analysis shall be prepared by the developer to ensure the slopes and sizes of the pipes are adequate. Any improvements needed would be made by the developer at their expense.

The Storm Water System and street drainage may be able to handle the demand, but an engineering analysis shall be done by the developer and any improvements needed would be made by the developer.

Our policy calls for the developer to analyze the existing infrastructure within the city while designing their project. Any public improvements needed to better service the new development shall be designed, constructed, and funded by the developer.



NOTES:

1. LOTS SHALL BE A MINIMUM OF 5,100 SQ. FT.
2. SF 6.0 ZONING REGULATIONS SHALL APPLY TO ALL LOTS WITHIN THE DEVELOPMENT.
3. THE PROJECT SHALL BE BUILT IN ONE PHASE.
4. LOT DIMENSIONS SHOWN ARE PLANNING AND SUBJECT TO MINOR CHANGES ON THE FINAL PLAT.
5. ALL FRANCHISE UTILITIES SHALL BE UNDERGROUND.
6. ALL HOMES SHALL BE MINIMUM 90% MASONRY.
7. SIDE YARD A/C UNITS SHALL BE MINIMIZED TO ONE PER TWO COMMON SIDE YARDS. SIDE YARD A/C UNITS MUST MAINTAIN A 10 FOOT SEPARATION.
8. A 6' (FT) STAINED FENCE SHALL BE INSTALLED TO REPLACE THE EXISTING FENCE BETWEEN ADJACENT RESIDENTIAL PROPERTIES. FENCE SHALL BE INSTALLED BY DEVELOPER.
9. 50% OF THE HOMES SHALL BE 1600 SQ. FT. MINIMUM AND 50% SHALL BE 2000 SQ. FT. MINIMUM.
10. STREETLIGHTS, SIGNS AND POLES SHALL BE DECORATIVE STYLE.
11. LOTS MAY USE A REDUCED 15' FRONT SETBACK FOR THE BUILDING FRONT WITH A 20' GARAGE FRONT SETBACK.
12. NO STREET PARKING SHALL BE ALLOWED ON COLE LANE SOUTH.
13. ENGINEERING LOT GRADING PLANS SHALL BE REQUIRED AT BUILDING PERMIT FOR EACH INDIVIDUAL LOT.

EXISTING ZONING SF-6
PROPOSED ZONING: PD

ENGINEER:

TERRA ASSOCIATES, INC.
2001 E. LAMAR BLVD. - SUITE 150
ARLINGTON, TX 76006
Phone: (817) 635-0066
CONTACT: CHARLES F. DIBRELL III, P.E.
TBPE FIRM #F-003832

OWNER/DEVELOPER:

WATAUGA COMMONS, LLC
6628 MEADOW WEST DRIVE S
FORT WORTH, TX 76132
Email: Sunny.Partovi@gmail.com
CONTACT: SUNNY PARTOVI

OCTOBER 2018
JOB NO. 2601-1801
FILE NAME: DEVELOPMENT PLAN
ZONING CASE NO. _____

A
DEVELOPMENT PLAN
FOR
HIGHTOWER DR.
BRING
11.907 ACRE TRACT CONTAINING
70 PD RESIDENTIAL LOTS
LOCATED IN THE
E. CLARK SURVEY, ABSTRACT NO. A-289
IN THE
CITY OF WATAUGA
TARRANT COUNTY, TEXAS

STATE OF TEXAS
CHARLES F. DIBRELL
85432
LICENSED PROFESSIONAL ENGINEER
DOCUMENT WAS AUTHORIZED BY CHARLES F. DIBRELL, P.E. 85432
ON MAR 13, 2019

REV.NO.	DESCRIPTION	DATE	APP.

HIGHTOWER ESTATES

DEVELOPMENT PLAN

TERRA ASSOCIATES, INC.
CONSULTING ENGINEERS
LANDSCAPE ARCHITECTS
2000 E. LAMAR BLVD. - SUITE 150
ARLINGTON, TEXAS 76006
617-635-0066
TBPE Registration No.: F-003832

DRAWN BY: CFD	SCALE: 1"=40'	PROJECT No. CONTRACT:
CHECKED BY: EFD	DATE: MARCH, 2019	SHEET C1.0 OF

RECEIVED
MAR 13 2019
BY:

S:\2601-Watauga Commons\D-2601-1801 River Oaks\Drawings\C1.0 DEVELOPMENT PLAN.dwg Mar 13, 2019-8:21am Terra Associates Inc., Erick Dibrell

Staff Report for Z 19-03

Hightower Estates

The Hightower Estates is proposed in one phase as a Single Family development. The properties located at 6000 and 6001 Hightower Drive are currently zoned SF6 (low density detached family housing). The developer is proposing to change the zoning to PD (Planned Development) for all parcels. Upon approval of the zoning change the developer will proceed to preliminary design and platting of the properties including submittal of construction plans for the development of the infrastructure of the subdivision (water, sewer, streets and storm drain lines). The development is approximately 11.907 acres in size and includes seventy (70) lots with a density of 5.88 lots/acre.

The proposed development of single family residential is in line with citizen input from a recent rezoning case on the site.

The City's Zoning Ordinance requires that a Planned Development District's height, area and density regulations shall be determined by the standards adopted in the approved site plan by the City Council upon recommendation by the Planning and Zoning Commission. The following are required to be considered when considering a proposed planned development:

1. The proposed height, area, and density regulations of this development substantially meet the intent of the PD regulations chapter and the comprehensive land use plan.

    - The height, area, and density regulations shall be determined by the standards adopted in the approved site plan by the city council upon recommendation by the planning and zoning commission.

2. The proposed height, area and density regulations of this development shall provide for better project design;

    - This proposed development does provide for better project design.

3. The dwelling type and land use in the proposed planned development will be compatible with existing land uses in the vicinity; and

    - The development dwelling type does complement development within the surrounding area as recommended in the Comprehensive Plan.

4. The proposed development will not generate more traffic than the streets in the vicinity can carry without congestion and the development will not overload utilities as determined by the Director of Public Works.

    - See attached Memorandum from the City of Watauga's Public Works Director.

    - The developer will present in its design, street layouts that will enhance the mobility of the area to be developed, to include improvements to Quail Run Dr.

It is important to note that Texas Local Government Code Sec. 211.006(d) states:

"If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either:

(1) the area of the lots or land covered by the proposed change; or

(2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

(e) In computing the percentage of land area under Subsection (d), the area of streets and alleys shall be included.

(f) The governing body by ordinance may provide that the affirmative vote of at least three-fourths of all its members is required to overrule a recommendation of the municipality's zoning commission that a proposed change to a regulation or boundary be denied."

The Commission's options are as follows:

1. Recommend approval to the Council as presented.
2. Recommend denial without prejudice to the Council.
3. Recommend approval to the Council, with conditions.

PLANNING AND ZONING COMMISSION

RECOMMENDATION TO COUNCIL

PLANNING AND ZONING MEETING: **April 2, 2019**

PLANNING AND ZONING CASE NO: **Z-19-03**

Consideration and action on P&Z Case #Z-19-03: Consider request a Zoning Change for a new 70-lot single family home subdivision to be named Hightower Estates, from SF-6 to PD (Planned Development). The subject property is located at 6000 and 6001 Hightower Drive. Watauga Commons, LLC and Sunny Partovi, owner/applicant

RECOMMEND APPROVAL OR DENIAL:
APPROVAL X **DENIAL**_____

COMMENTS:
(REQUIRED FOR DISAPPROVALS)

Larry Clark – Chairman

TERRA ASSOCIATES, INC.
CONSULTING ENGINEERS
LANDSCAPE ARCHITECTS

March 12, 2019

City of Watauga
7105 Whitley Road
Watauga, Texas 76148

Re: Hightower Estates Narrative

The project is to develop two vacant tracts of land into a single family residential neighborhood. The two lots are known as Lot 1R Block 16 and Lot 15R Block 13 of Echo Hills IV and their addresses are 6000 and 6001 Hightower Drive. The two lots are 11.907 acres in size. The proposed development includes 70 lots with a density of 5.88 lots/acre.

The development will enhance the parkway along Hightower Drive with greenspace and a Masonry screening wall. Additionally, the development will provide sidewalks along Echo Hills, Hightower, and Quail Run connecting to the existing neighborhoods.

The development will need to add infrastructure to serve the proposed lots. The plan is to connect to the existing water/sewer and storm drain lines and extend the city mains into the new subdivision. Water and sewer service taps, meter-boxes and meters will be provided to each lot. Conceptual engineering layouts have been provided with this application to show the proposed infrastructure improvements to serve the proposed subdivision.

The future land use plan calls for a mixed use development. A recent rezoning case on the site has revealed the citizens of the area prefer single family residential. The proposed use will enhance the existing neighborhoods. The enhancements will bring about new homes and residents to the City of Watauga. There will be new sidewalks connecting the neighborhood and an improved street scape along Hightower Drive, Echo Hill and Quail Run Drives.

The adjacent uses are similar housing, a fire station, a dance shop and a car wash. These uses are adjacent to the existing housing and they appear to be compatible with the proposed development.

The proposed use creates a significant benefit by adding new homes and residents. The use will provide compatibility to the existing area and new resident / neighbors to the City. The project seeks to capture a similar look to the Park View housing project. The project will improve the safety and welfare of the city by adding quality housing, new residents, and a total value of

nearly 25 million in value to the community.

Transmittal Includes copies of the following:

10 – Development Plan
10 – Landscape Plan
10 – Written Narrative

Charles F. Dibrell III, PE

TERRA ASSOCIATES, INC.
CONSULTING ENGINEERS
LANDSCAPE ARCHITECTS

PLANNING AND ZONING APPLICATION

THE PROPERTY

Hightower Estates is located at 6000 and 6001 Hightower Drive. The properties have approximately 915 feet of frontage on Hightower Drive. The site is bounded by the Fire Station and Dance Studio to the west and existing homes and a car wash to the east. The northern half will belong to Keller's ISD and the southern half will belong to Birdville ISD. The properties are bordered by existing neighborhoods to the north and south.

THE DEVELOPMENT

Hightower Estates is located on 11.907 acres of land which will be developed into 70 single family homes with greenspace along Hightower Drive. The typical lot size will be 51 x 100 with a minimum of 5,100 square feet; half of the homes will be restricted to a minimum of 2,000 square feet and the remaining half of the homes will be restricted to a minimum of 1,600 square feet.

A homeowner's association will be created to ensure deeds restrictions and architectural standards are maintained and provide for maintenance and upkeep of the subdivision and all greenspaces. The greenspace will be adjacent to Hightower Drive and will provide an entry façade, landscaping, irrigation and hard wood trees canopy trees, evergreen trees and low shrubs and ornament shrub; these improvements are reflected on the Landscaping Plan. A 6-foot masonry & wrought Iron wall will separate the Hightower greenspace from the adjacent lots.

SUBDIVISION IDENTIFICATION

Developer will install 4 stone insert signs; one sign on each end of the project along Hightower Drive.

PROPOSED ZONING

The approval of this PD will replace the existing development standards with the proposed PD standards as follows:

TERRA ASSOCIATES, INC.
CONSULTING ENGINEERS
LANDSCAPE ARCHITECTS

Comparison of SF-6 and Proposed PD

Zoning	SF-6	Planned Development
Overall Density	5.8 lots/acre	5.88 lots/acre
Minimum Lot Area	6,000	5,100
Minimum Lot Width	60 feet	52 Feet
Minimum Lot Depth	100 Feet	98 Feet
Minimum Front Yard	20 Feet	Building line may be 15' while Garage Front Setback shall be minimum 20'
Minimum Side Yard	5 Feet - Interior lot line 10 Feet - along street side of corner lots	6 Feet – adjacent to interior lot lines and open spaces 10 Feet – corner adjacent to right-of-ways
Minimum Rear Yard	5 Feet	5 Feet
Maximum Building Height	35 Feet	35 Feet
Bulk controls (min. Floor Space per area)	1,600 Square Feet	50% - 1,600 SF 50% - 2,000 SF
Masonry requirement	90% Brick or Stone	90% Brick or Stone
Maximum Imperpervious Coverage	Certain percentage not required	75%
Parking	2 per dwelling unit	2 per dwelling unit

ADDITIONAL REQUIREMENTS:

Driveways and Garages – Each residence will be constructed with a 5" thick driveway consisting of #3 rebar 18" o.c.e.w. and a 2-car garage. The 2-car garage shall be attached to the house and used primarily for the storage of motor vehicles with an entrance door not less than 16 feet in width. No garage conversions or carports will be allowed. Cole Lane South will be designated as

a “No Parking” zone.

Screening and Fencing – Unless adjacent to the greenspace, all lot fencing shall be constructed from 6’ stained (both sides) wooden pickets with metal posts. No fencing shall be allowed within sight triangles. Side yard fences must be set back a minimum of 10’ from the front edge of the house.

Landscaping – Landscaping will be installed in the front, rear and side yards of the lot prior to a certificate of occupancy being issued. The landscaping requirements are to sod all yards, install one 3” caliper trees in the front yard with fourteen shrubs and to install an underground irrigation system with wind and freeze sensors. Irrigation shall not have pop up heads within the Right of Way area, or within 2’ of the sidewalk. Right of Way area may use drip irrigation only.

Sidewalks – A 4-foot wide sidewalk will be built within the street right-of-way by the builder during the construction of each home. All sidewalks in the designated greenspace areas will be built by the developer during the construction of the infrastructure. All sidewalks and entire Right of Way area will be built to City of Watauga specifications and have a compacted subgrade meeting 95% density on a standard proctor, and a moisture content of + or – 2% of optimum.

No boarding or lodging homes will be allowed.

In addition to the PD approved ordinance, all other zoning and building requirements will adhere to SF-6 District Regulations.

HOME OWNERS ASSOCIATION

A home owners association will be formed and shall be responsible for the maintenance of all entry features, masonry screening walls, landscaping and irrigation within the greenspace and the street right-of-way along Hightower, Echo Hill and Quail Run Drive. The greenspace shall be dedicated to the homeowner’s association.

ADEQUACY OF PUBLIC FACILITIES AND SERVICES

City water and sewer service is available to the site. The proposed subdivision will be served by an existing water main in Echo Hills and Quail Run. Sanitary Sewer along Hightower will be used to serve the site. All water/sewer utilities shall be verified for sufficient capacity to carry the proposed loads. An underground storm drain pipe will be built to capture the onsite runoff and tied-in to the existing systems along Hightower and Echo Hills and shall have capacity verified to carry the proposed loads. All proposed infrastructure will be designed per city specifications.

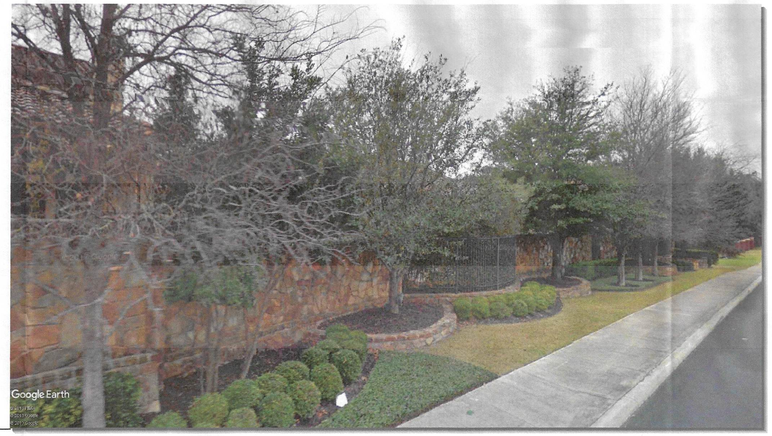
TERRA ASSOCIATES, INC.
CONSULTING ENGINEERS
LANDSCAPE ARCHITECTS

PROJECT SCHEDULING AND PHASING

Upon approval of the zoning, the project will proceed to preliminary design and platting of the properties. It is anticipated the project will be developed in a single phase. Estimated build out time of the housing will be 2-3 years with an anticipated absorption rate of 15 homes per quarter.

COMPATIBILITY

The proposed PD zoning for Echo Hills Estates is compatible with the existing adjacent residential neighborhoods and light commercial uses. The master plan for the city calls out for mixed use development of these two sites. The city is nearing build out and that creates infill opportunities such as this one. This development will bring high quality residential neighborhoods vital to the future value of the City of Watauga.



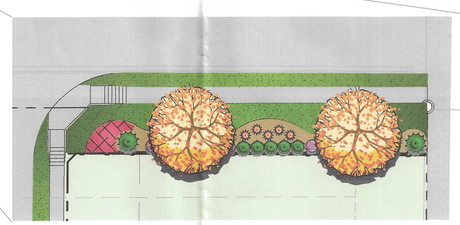


PROPOSED STONE WALL W/ WROUGHT IRON

(TYPICAL SIDE YARD ALONG QUAIL RUN & HIGHTOWER)

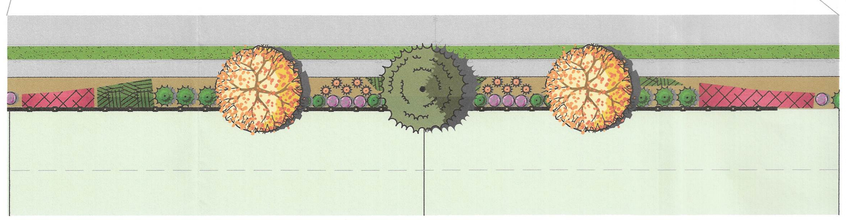
DEVELOPMENT STREETSCAPE PLAN

SCALE 1:40



TYPICAL QUAIL RUN PLANTING

SCALE 1:20



TYPICAL HIGHTOWER DR. PLANTING

SCALE 1:20

CONCEPT PLANT SCHEDULE

- CANOPY TREE
- EVERGREEN TREE
- EVERGREEN TALL SHRUB
- EVERGREEN LOW SHRUB
- ORNAMENTAL SHRUB
- ORNAMENTAL GRASS
- LAWN
- PERENNIAL COLOR
- EVERGREEN GROUND COVER

RECEIVED
MAR 13 2019
BY:

SHEET
L1.0
CONCEPTUAL LANDSCAPE

ISSUE / REVISION RECORD

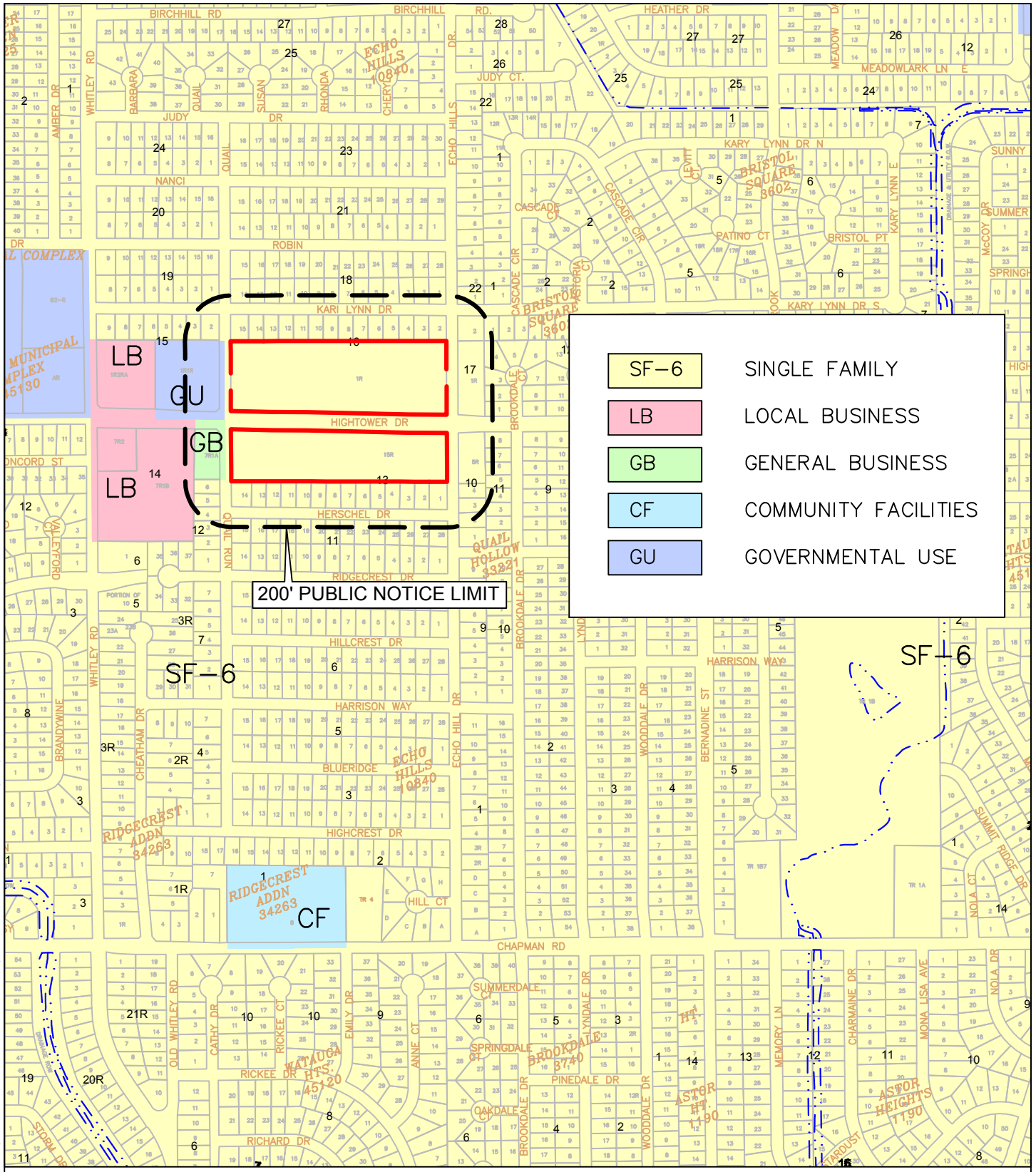
XX-XX-XX	-

G. I. JOSEPH VAUGHN
LANDSCAPE ARCHITECT
LIC# 2422

PRELIMINARY PLAN NOT INTENDED FOR CONSTRUCTION OR REGULATORY APPROVAL

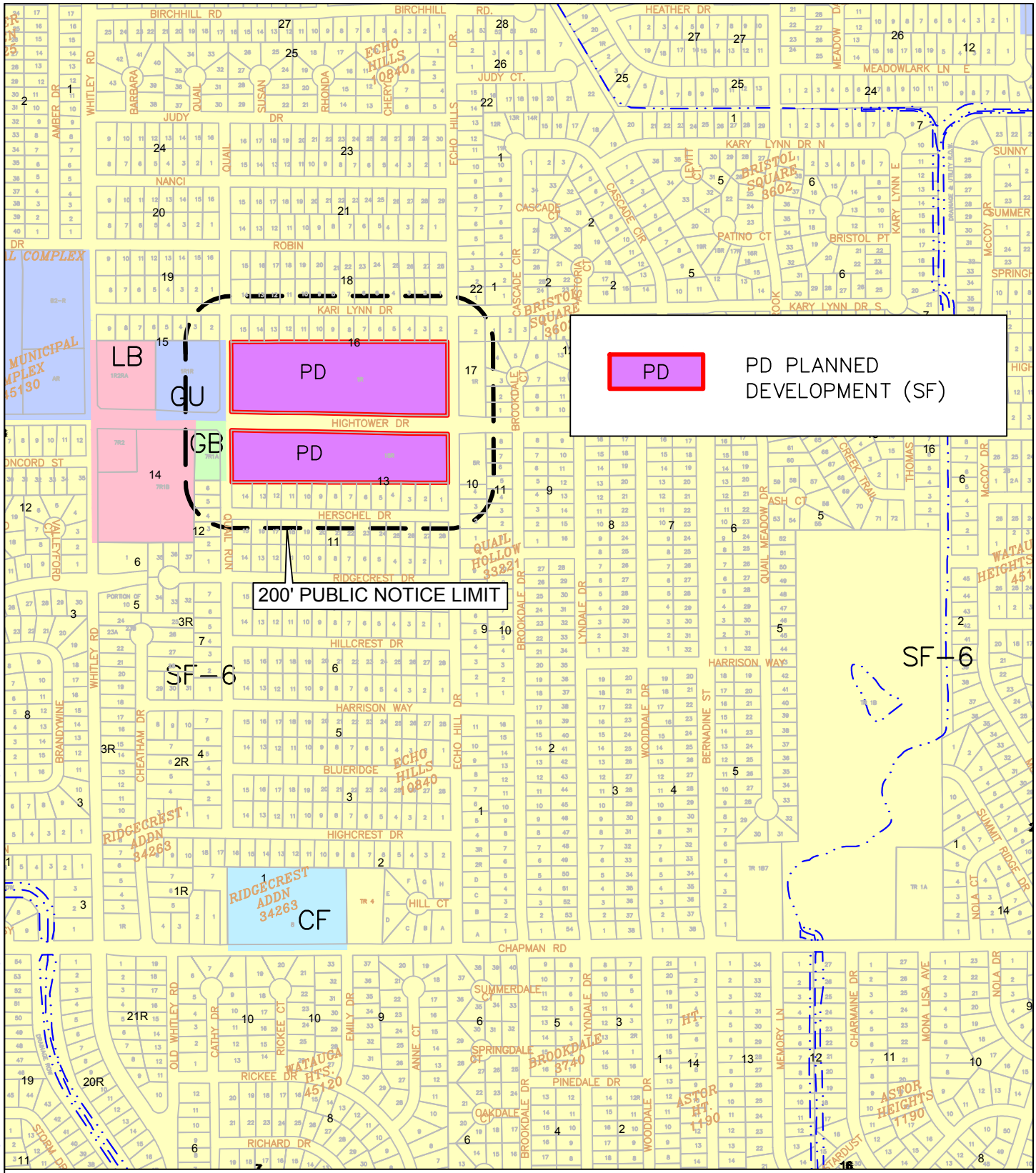
WATAUGA COMMONS
WATAUGA, TX

G. I. Joseph Vaughn
480 Cloud View Ct
Prosper, TX 75078
t 972-827-5677



CURRENT ZONING WITH 200' PERIMETER BUFFER

H:\New Business\2015\Watauga\2015 Zoning Map Update\Zone Color 2015 - Hightower Properties - Current Zoning.dwg



PROPOSED ZONING WITH 200' PERIMETER BUFFER

H:\New Business\2015\Watauga\2015 Zoning Map Update\Zone Color 2015 - Hightower Properties - Proposed Zoning.dwg

AGENDA MEMORANDUM

DATE: April 12, 2019

TO: Honorable City Council Members

FROM: Marcia Reyna, Human Resources and Civil Service Director

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consideration and action on approval of a proposed resolution to establish a City Secretary Search Sub-Committee and select three (3) members to serve on this sub-committee

---

BACKGROUND/INFORMATION:

On March 26, 2019 during a Special Meeting, City Council provided staff direction to conduct a search to fill the position of City Secretary. A job description and position profile for the position of City Secretary were approved on April 8, 2019 by Council. A resolution to establish a City Secretary Search Sub-Committee is being presented for your review and consideration. It is recommended that City Council select three (3) members to serve on the Committee. The City Manager will serve as the fourth member. The Committee will review the applications for the position of City Secretary and bring the top candidates for the entire Council to review and possibly interview.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

It is respectfully requested that Council consider approving the resolution to establish a City Secretary Search Sub-Committee and select three (3) members to serve on this sub-committee.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. City Secretary Search Sub-Committee Resolution and Approval

REVIEWED BY:

Andrea Gardner, City Manager — Approved - 4/22/2019
Terri Johnson, City Secretary — Final Approval - 4/23/2019
Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

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

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

April 22, 2019

Via Email

Ms. Marcia Reyna
Director of Human Resources
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

Re: Resolution re City Secretary Search Sub-Committee

Dear Ms. Reyna:

Pursuant to your request, I have reviewed the Resolution by the City Council of the City of Watauga providing for the creation of a city secretary search sub-committee to screen applicants for the position of City Secretary of the City of Watauga and make recommendations to the City Council. I approve of this Resolution and would recommend that the same be presented to the next City Council for consideration and approval.

Thank you for your attention to the above and the opportunity to be of assistance. Please do not hesitate to contact my office should you have any questions concerning this matter.

Sincerely,

MARK G. DANIEL

MGD/tp

cc: Mayor Pro tem David Griffin
City Attorney's Office
City Secretary's Office

CITY OF WATAUGA, TEXAS
RESOLUTION NO. _____

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

WHEREAS, Article VII, Section 7.07 of the Home Rule Charter of the City of Watauga, Texas provides that the City Council shall create committee necessary to carry out the functions of the City and shall prescribe the purpose, composition and function of each committee

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

I.

A. Membership

(1) The City of Watauga City Secretary Search Sub-Committee (hereinafter "the Committee") is hereby created and shall consist of three members of the City Council and the City Manager.

(2) The Committee shall exist, and the Committee members shall serve on the Committee until the current vacancy in the position of City Secretary is filled.

(3) Committee members serve without compensation.

B. Officers

(1) The Mayor shall elect from among its members a Chair to serve in such position until the Committee is dissolved. The Human Resources Director will serve as Secretary. The Secretary shall perform the duties of maintaining records and minutes of the Committee along with other responsibilities the Committee may authorize. The Secretary is not a member of the Committee and does not vote.

C. Voting

A majority of the members of the Committee is necessary in matters relating to the business of the Committee.

D. Jurisdiction

(1) The Committee shall review all applications for the position of City Secretary that are submitted to the City after the Human Resources Department has reviewed said applications and determined whether the applicants meet the minimum qualifications for the position.

(2) The Committee shall review and rank the applicants and submit top applications to the City Council for consideration and action.

II.

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

III.

All resolutions, or portions therefore, of the City of Watauga in conflict with the provisions of this Resolution, to the extent that such are in conflict, are hereby repealed.

To the extent that such resolutions, or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

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 and upon approval thereof by the Mayor and the City of Watauga, Texas.

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

APPROVED:

_____
DAVID GRIFFIN, Mayor Pro Tem

ATTEST:

_____
TERRI JOHNSON, Interim City Secretary

APPROVED AS TO LEGALITY AND FORM:

_____
MARK G. DANIEL, City Attorney

AGENDA MEMORANDUM

DATE: April 22, 2019

TO: Honorable City Council Members

FROM:

THROUGH:

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

BACKGROUND/INFORMATION:

Each year after the regular City Council Election, the Council must choose a member of the governing body to serve as the Mayor Pro Tem for the next year.

Section 3.06(d) of the Watauga City Charter reads:

"At its first regular meeting following the regular city council election, the city council shall elect from its members (in accordance with the voting procedure set forth in section 3.09(c) of this Charter a mayor pro tem who shall serve for a term of one year."

Resolution 02-12-09-03 recommends that the Mayor Pro Tem position is rotated among Council Members.

As part of our financial internal control, it is recommended checks be signed by authorized signers other than the Director of Finance and Administration. Authorized check signers are designated as a combination of two of the following: the Mayor, Mayor Pro Tem, City Secretary, and Director of Finance and Administration. Our preferred combination is the Mayor and Mayor Pro Tem.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

None

REVIEWED BY:

AGENDA MEMORANDUM

Approved as to form for inclusion on Agenda

AGENDA MEMORANDUM

DATE: April 23, 2019

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

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

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BACKGROUND/INFORMATION:

On February 11, 2019, the City Manager provided a report on the Comprehensive Plan Update. Since that meeting, a more detailed plan has been created to address the process for completing the update.

A workgroup will allow for greater involvement from stakeholders and will ensure the public involvement process of the update is sufficient.

The workgroup is proposed to consist of two members from the City Council, two members from the Planning & Zoning Commission, two members from the Type B Corporation Board, staff members as assigned by the City Manager and a minimum of four Watauga residents.

The WEDC, P&Z and City Council appointed members to serve on the Workgroup, thus the remaining action needed is to appoint citizen members. Applications received from citizens are attached for Council consideration.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

City staff respectfully requests the City Council appoint citizen members to serve on the City Manager's Workgroup for the purposes of completing the Comprehensive Plan Update.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Citizen Applications for Workgroup
2. Tucker, Danielle - CM Workgroup
3. Hubbard, Chuck - CM Workgroup

AGENDA MEMORANDUM

4. Renfrow, Wendy - CM Workgroup
5. Isbell, Whitney - CM Workgroup
6. Sieja, Lissa - CM Workgroup

REVIEWED BY:

Andrea Gardner, City Manager	Approved - 5/8/2019
Terri Johnson, City Secretary	Final Approval - 5/9/2019

Approved as to form for inclusion on Agenda

Terri Johnson

From: noreply@civicplus.com
Sent: Thursday, April 11, 2019 4:24 PM
To: City Secretary's Office
Subject: Online Form Submittal: Application for Boards, Committees, Commissions

Application for Boards, Committees, Commissions

Applicant Information

One way for Watauga citizens to actively participate in local government is to become involved as a member of a board, committee, or commission. All members of these active groups are volunteers who are tasked to make decisions and advise the City Council on several issues from expenditure of public funds to zoning questions. The City Charter and Ordinances authenticate the existence of each board, committee, or commission and establishes them as legal arms of City government. Residents interested in serving on a board, commitee, or commission are invited to fill out the form below.

The City of Watauga understands and supports balanced representation in regard to filling vacancies on Boards, Committees and Commissions. With this in mind, every effort is made to appoint members who represent Watauga's vibrant community, including citizens of all ethnic groups as well as people with disabilities.

**All appointments will be subject to residency requirements.*

First Name	Sharon
Last Name	Gehle
Address1	7725 Partridge
City	Watauga
State	Texas
Zip	76148
Phone (Home)	8174984918
Phone (Office)	8174984918
Phone (Cell)	*Field not completed.*
Phone (Other)	*Field not completed.*

Length of Continuous Residency

Years	20+

Previous Municipal Experience (Positions, Dates, Where)	Economic Development Board January-August 1998 (Left because Goldman Sachs does not allow outside political interests for employees); Watauga Public Library - Homework Help Volunteer (since 1995)
What personal qualifications can you bring to this board?	On a Committee for Comprehensive Zoning Plan while on Economic Development Board
What is your personal vision for the City?	To see Watauga continue to flourish and look for ways to make it better.
Why do you want to serve on this board?	To help ensure that Watauga stays a great place to live.
Is there anything else you would like for us to know?	I have lived in Watauga since 1992, and have watched Watauga grow to where it is today. I believe in Watauga, and want to contribute my expertise.

Public Access Option Form

The Public Information Act allows employees, public officials and former employees to elect whether to keep certain information about them confidential. Some information cannot be released by law and other information is exempt only if the government official or employee elects to have it exempted. Under Local Government Code Section 552.024, government officials or employees must specify in writing that the information listed below be exempt from public disclosure if they do not want it released.

Home Address	No, do not release this information
Home Telephone Number	No, do not release this information
Social Security Number	No, do not release this information
Emergency Contact Information	No, do not release this information
Whether or not there are family members	No, do not release this information

ALL APPLICATIONS WILL BE KEPT ON FILE WITH THE CITY SECRETARY'S OFFICE FOR ONE (1) YEAR FROM THE DATE SUBMITTED AND DISPOSED OF PER THE CITY OF WATAUGA RECORDS RETENTION SCHEDULE.

By submitting this form, you are digitally signing and verifying that the information provided is accurate and belongs to you.

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Terri Johnson

From: noreply@civicplus.com
Sent: Thursday, April 11, 2019 8:42 PM
To: City Secretary's Office
Subject: Online Form Submittal: Application for Boards, Committees, Commissions

Application for Boards, Committees, Commissions

Applicant Information

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**All appointments will be subject to residency requirements.*

First Name	Mary
Last Name	Stormer
Address1	6545 Old Mill Circle
City	Watauga
State	TX
Zip	76148
Phone (Home)	8173122811
Phone (Office)	*Field not completed.*
Phone (Cell)	*Field not completed.*
Phone (Other)	*Field not completed.*

Length of Continuous Residency

Years	5-10

Previous Residence Address	*Field not completed.*
Do You Own Real Property in Watauga	Yes
Are you a Registered Voter of Watauga	Yes
Voter Registration Number	*Field not completed.*

Emergency Contact

First Name	Irasema
Last Name	Tafoya
Address2	Storm Dr
City	Watauga
State	TX
Zip	76148
Phone (Cell)	2062189781
Phone (Other)	*Field not completed.*

Boards

Boards	City Manager's Comprehensive Plan Workgroup, Animal Services Advisory Committee, Library Board, Parks Development Corporation, Planning and Zoning Commission, Watauga Improving Neighborhoods Committee

Qualifications

Upload your resume	*Field not completed.*
Are you a Watauga 101 Citizens' Academy Graduate?	Yes
Employer	Retired
Position	Volunteer, Certified Melanoma Educator
Secondary Education and/or Professional Licenses	BBA Dallas Baptist University DoD Security Clearance Volunteer with Senator Cruz's office for Vietnam Rights and Benefits Certified Melanoma Educator Multiple Awards over the years
Current Municipal and	Residential Volunteer identifying local issues and working to

Civic Organization Memberships (Positions and Dates)	educate others to the needs of citizens of Watauga whose voices are not heard all the time. By participating in the Watauga Academy and currently attending the Fire and Police Public Safety Academy to learn and discover what else we can do to assist in educating citizens and offering suggestions from previous employment and consulting positions.
Previous Municipal Experience (Positions, Dates, Where)	All the way back to High School I have been involved in various positions and environments that have provided me with experiences and opportunities that are somewhat unique. From lead in my Senior Class Play (y'all might realize the irony in the Play, "The Mouse That Roared!") I was Student Council President. A frequent visitor to the Principal, Vice Principal and Student Counselor's offices. I was raised in a country store/service station/used cars and Christmas Tree farming environment. We lived at the building with only a glass-panes door between where we slept and where I was with the public from day one. Sunday mornings all the men in the community would come by early. Since I was the eldest I was right there observing and listening. I learned a lot about politics from those Sunday mornings. And farming and hunting! I was runner up in Queen Evergreen contest. I knew about trees, but I had been pumping gas, selling groceries and planting trees as soon as I could reach the counter and hold the gas pumps! Not real well trained in the social graces of smiling and waving and telling the group and judges how much I appreciated them. Instead my speech was about planting, raising, trimming, cutting and selling Christmas trees! At least I placed!!!! My father ran for School Board. I was addicted. I wanted to be a corporate attorney and fix the world. My father passed a few months after I graduated from high school. I was attending the local University in Business and Criminology. I dropped out since I had 3 younger brothers. Youngest was 4. I went to work to make sure we were okay. That was life. But, the bug was still there. I ran as a Council Woman (we still had genders!) and won! I was back taking University courses in the evening. My Business Law Professor was an elected official and he introduced me to everyone as his "A" law student! I learned a lot. I lived in Sweetwater, TX for a couple years. I got involved with a Council Election. Quite an interesting story there! I learned a LOT about Texas Politics! I arrived in the Mid-Cities in 1980. Soon went to work for SWBT and then chose to move to AT&T. 10 years. Several awards. Edited a weekly newsletter along with staying in the top 10%....no matter what task they gave me. As a single mother I promised myself I would stay employed until my son graduated from high school. Soon after that, I started my journey to becoming a consultant...training, program manager, analyst....oh, almost forgot! I was a Park Ranger, also!
What personal qualifications can you	Experience in multiple business and government in multiple positions. As a Melanoma Mentor, I understand the importance

bring to this board?	of listening more than in any other position. From my experiences I have come to respect the importance of honesty and truthfulness. And do a lot of research before making statements or decisions. I have learned teams can be a great thing. Or a disaster. Sometimes I have had to "visit" with a team member. The old "No I in Team!" Everyone needs to be heard. If we don't hear all sides, how can we make a fair decision? And one we can justify? That was a challenge in a couple of Government projects. I learned the power of the soft, quiet voice of rationality while others were shouting their opinions....without consideration of other possible solutions. "We can't always do it the same way we always have!"
What is your personal vision for the City?	I know the comfort of a family community. I hope there are ways we can bring more families together. More interaction and socialization. Not just a couple times a year, but ongoing. Sgt. Gochal is going to be able to do more community building. I asked if Bicycle Patrol was ever considered. Yes! Chief Parker is on that! Neighborhood Watches. Sgt Gochal was responsible for that previously, but was pulled for patrol I think. Due to shortage of qualified officers. That is building up. In a good way. I want to see several neighborhoods gathering and just enjoying some time with neighbors who become friends. Seniors are living longer and so many are living a very solitary life. We need to know they are okay. Recently a neighbor's tree fell. It was mentioned on FB. This man was worried how he was going to take care of it. (Someone learned about this problem. Neighbors popped up everywhere offering help. Money. Whatever was needed. Another gentleman who may be a hoarder needed help. It has been a long term problem and not being truly resolved. These folks shouldn't be living in the shadows. We need to be aware of each other. There are groups and people out there to help but we need to know who they are and what they need. That is not accomplished by knocking on doors and asking if you need anything. Our generation has a different history than those who are younger. We need more trees for health. There is a gentleman who offers seedlings. He starts them from seeds and gives them away! He deserves to be recognized and many could learn from him. Maybe some "gentle" activities that encourage parental responsibility. When I asked an officer a while back if they enforce the curfew, his response was a wake up call to me. Yes. They enforce the curfew but...if a kid or kids are out at 3 or 4 in the morning...calling or talking to their parents might suggest there needs to be some new "education." If the parents aren't aware or don't care, how will the lesson be learned and the next generation will have that as parental modeling. Just some thoughts.
Why do you want to serve on this board?	As we see, many volunteers are older. Retired. Just like me. Melanoma Cancer changed my life in 2010-2011. I was still working 60 to 70 hours a week. Flying home late Friday night

	and back out Sunday about noon Since I can't fly around helping companies or government and military entities, I want to be able to work with others who want to improve Watauga in so many ways. Whether it is chickens or a dog park or a Medical Facility to bring more money of course, but more services that we could have here. I still believe we need to brand so the rest of the world knows who we are. I reviewed the number of buildings, mall spaces and undeveloped lands there are in Watauga. I am hoping the Economic group will be proactive. We must do something more about signage in Watauga. For announcements of upcoming activities or welcome a new business. We need to feel like one C-O-M-M-U-N-I-T-Y! (There are groups of people who are not visibly included. I might be wrong about this, but it seems we need to be more inclusive. However, there are some elephants in the room that seem to be planted there!)
Is there anything else you would like for us to know?	Basically. I just want to be able to share and use what I have learned. Watauga is a family community. We need to all feel approachable to each other. It is worrisome when folks will use technology to complain to each other....but will not place a call or write an email. I hope there is forward motion on the interactive meetings so more can participate and make their voices heard. As many of y'all probably know by now, my energy is limited. Physically I am challenged to stand long times or to walk a lot. I am hoping to get a scooter! I even thought with a Scooter I could work at the school crossings! Nothing is completely impossible!! Thank y'all to anyone still reading my doctoral thesis!

Public Access Option Form

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Emergency Contact Information	No, do not release this information
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By submitting this form, you are digitally signing and verifying that the information provided is accurate and belongs to you.

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Terri Johnson

From: noreply@civicplus.com
Sent: Wednesday, April 10, 2019 5:04 PM
To: City Secretary's Office
Subject: Online Form Submittal: Application for Boards, Committees, Commissions

Application for Boards, Committees, Commissions

Applicant Information

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**All appointments will be subject to residency requirements.*

First Name	Cheneya
Last Name	Cruze
Address1	6013 Kary Lynn Drive South
City	Watauga
State	TX
Zip	76148
Phone (Home)	8174567222
Phone (Office)	*Field not completed.*
Phone (Cell)	8174567222
Phone (Other)	*Field not completed.*

Length of Continuous Residency

Years	10-15

Previous Residence Address	*Field not completed.*
Do You Own Real Property in Watauga	Yes
Are you a Registered Voter of Watauga	Yes
Voter Registration Number	*Field not completed.*

Emergency Contact

First Name	Richard
Last Name	Cruze
Address2	*Field not completed.*
City	Watauga
State	TX
Zip	76148
Phone (Cell)	8179058855
Phone (Other)	*Field not completed.*

Boards

Boards	City Manager's Comprehensive Plan Workgroup

Qualifications

Upload your resume	Cheneya Cruze Resume.doc
Are you a Watauga 101 Citizens' Academy Graduate?	No
Employer	Charlie and the Cookie Factory
Position	Owner
Secondary Education and/or Professional Licenses	*Field not completed.*
Current Municipal and Civic Organization Memberships (Positions and Dates)	*Field not completed.*

Previous Municipal Experience (Positions, Dates, Where)	*Field not completed.*
What personal qualifications can you bring to this board?	I have been a Watauga citizen for almost 15 years. I recently have take an interest in the City Council and Planning and Zoning Committee. I have either attended or watched the meetings online since last August.
What is your personal vision for the City?	I would like to see Watauga to continue to thrive and attract new, young families. Also, I would like to see Watauga attract more business to ensure our citizens spend their money locally versus going to the next city with better amenities to spend their money.
Why do you want to serve on this board?	I would like the opportunity to learn more about our city and the things planned for the future of Watauga. I would like to eventually become more involved with a committee or counsel. This will give me the change to get to know Watauga and it's vision on a more in depth level. By doing so, it will allow me to decide how I would further like to be involved in the City of Watauga.
Is there anything else you would like for us to know?	*Field not completed.*

Public Access Option Form

The Public Information Act allows employees, public officials and former employees to elect whether to keep certain information about them confidential. Some information cannot be released by law and other information is exempt only if the government official or employee elects to have it exempted. Under Local Government Code Section 552.024, government officials or employees must specify in writing that the information listed below be exempt from public disclosure if they do not want it released.

Home Address	No, do not release this information
Home Telephone Number	No, do not release this information
Social Security Number	No, do not release this information
Emergency Contact Information	No, do not release this information
Whether or not there are family members	No, do not release this information

ALL APPLICATIONS WILL BE KEPT ON FILE WITH THE CITY SECRETARY'S OFFICE FOR ONE (1) YEAR FROM THE DATE SUBMITTED AND DISPOSED OF PER THE CITY OF WATAUGA RECORDS RETENTION SCHEDULE.

By submitting this form, you are digitally signing and verifying that the information provided is accurate and belongs to you.

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This email was scanned by Bitdefender

Terri Johnson

From: noreply@civicplus.com
Sent: Monday, April 15, 2019 1:24 PM
To: City Secretary's Office
Subject: Online Form Submittal: Application for Boards, Committees, Commissions

Application for Boards, Committees, Commissions

Applicant Information

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The City of Watauga understands and supports balanced representation in regard to filling vacancies on Boards, Committees and Commissions. With this in mind, every effort is made to appoint members who represent Watauga's vibrant community, including citizens of all ethnic groups as well as people with disabilities.

**All appointments will be subject to residency requirements.*

First Name	Abdalla
Last Name	Zaher
Address1	8040 Berrybrook Dr
City	Watauga
State	TX
Zip	76148
Phone (Home)	8172285908
Phone (Office)	8172285908
Phone (Cell)	8172285908
Phone (Other)	8172285908

Length of Continuous Residency

Years	1-5

Previous Residence Address	8040 Berrybrook Dr
Do You Own Real Property in Watauga	No
Are you a Registered Voter of Watauga	No
Voter Registration Number	*Field not completed.*

Emergency Contact

First Name	ALI
Last Name	ZAHER
Address2	8040 Berrybrook Dr
City	Watauga
State	*Field not completed.*
Zip	76201
Phone (Cell)	8176902434
Phone (Other)	8176902434

Boards

Boards	City Manager's Comprehensive Plan Workgroup, Animal Services Advisory Committee, Board of Appeals, Charter Review Commission, Civil Service Commision, Parks Development Corporation, Planning and Zoning Commission, Watauga Improving Neighborhoods Committee, Zoning Board of Adjustment

Qualifications

Upload your resume	Abdalla123 Resume.doc
Are you a Watauga 101 Citizens' Academy Graduate?	No
Employer	*Field not completed.*
Position	*Field not completed.*
Secondary Education and/or Professional Licenses	*Field not completed.*

Current Municipal and Civic Organization Memberships (Positions and Dates)	*Field not completed.*
Previous Municipal Experience (Positions, Dates, Where)	*Field not completed.*
What personal qualifications can you bring to this board?	*Field not completed.*
What is your personal vision for the City?	*Field not completed.*
Why do you want to serve on this board?	*Field not completed.*
Is there anything else you would like for us to know?	*Field not completed.*

Public Access Option Form

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Home Address	No, do not release this information
Home Telephone Number	No, do not release this information
Social Security Number	No, do not release this information
Emergency Contact Information	No, do not release this information
Whether or not there are family members	No, do not release this information

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This email was scanned by Bitdefender

Terri Johnson

From: noreply@civicplus.com
Sent: Friday, April 19, 2019 10:13 AM
To: City Secretary's Office
Subject: Online Form Submittal: Application for Boards, Committees, Commissions

Application for Boards, Committees, Commissions

Applicant Information

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**All appointments will be subject to residency requirements.*

First Name	Robert
Last Name	Gaffney
Address1	7113 McCoy Drive
City	Watauga
State	Texas
Zip	76148
Phone (Home)	8179011127
Phone (Office)	2147202823
Phone (Cell)	8179011127
Phone (Other)	*Field not completed.*

Length of Continuous Residency

Years	20+

Previous Residence Address	*Field not completed.*
Do You Own Real Property in Watauga	Yes
Are you a Registered Voter of Watauga	Yes
Voter Registration Number	1051940015

Emergency Contact

First Name	Gloria
Last Name	Gaffney
Address2	7113 McCoy Drive
City	Watauga
State	Texas
Zip	76148
Phone (Cell)	8179668540
Phone (Other)	*Field not completed.*

Boards

Boards	City Manager's Comprehensive Plan Workgroup

Qualifications

Upload your resume	Bobs resume.doc
Are you a Watauga 101 Citizens' Academy Graduate?	No
Employer	Office of the Comptroller of the Currency
Position	Senior Licensing Analyst
Secondary Education and/or Professional Licenses	BBA from the University of Notre Dame in 1983
Current Municipal and Civic Organization Memberships (Positions and Dates)	None

Previous Municipal Experience (Positions, Dates, Where)	None
What personal qualifications can you bring to this board?	35+ year career analyzing the safety and soundness of financial institutions, reviewing business plans, presenting findings to boards, etc.
What is your personal vision for the City?	A safe place for families to live, and a great place for small business to thrive.
Why do you want to serve on this board?	To help the group make the best overall recommendation for the City's future plans.
Is there anything else you would like for us to know?	If selected, I would not be available to attend any meetings the last two weeks of May, 2019.

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Home Address	Yes, release this information
Home Telephone Number	Yes, release this information
Social Security Number	No, do not release this information
Emergency Contact Information	No, do not release this information
Whether or not there are family members	No, do not release this information

ALL APPLICATIONS WILL BE KEPT ON FILE WITH THE CITY SECRETARY'S OFFICE FOR ONE (1) YEAR FROM THE DATE SUBMITTED AND DISPOSED OF PER THE CITY OF WATAUGA RECORDS RETENTION SCHEDULE.

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This email was scanned by Bitdefender

Terri Johnson

From: noreply@civicplus.com
Sent: Sunday, May 5, 2019 10:45 AM
To: City Secretary's Office
Subject: Online Form Submittal: Application for Boards, Committees, Commissions

Application for Boards, Committees, Commissions

Applicant Information

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**All appointments will be subject to residency requirements.*

First Name	DANIELLE
Last Name	TUCKER
Address1	5952 HIGHCREST DRIVE
City	WATAUGA
State	TEXAS
Zip	76148
Phone (Home)	8176902587
Phone (Office)	*Field not completed.*
Phone (Cell)	8176902587
Phone (Other)	*Field not completed.*

Length of Continuous Residency

Years	20+

Previous Residence Address	*Field not completed.*
Do You Own Real Property in Watauga	Yes
Are you a Registered Voter of Watauga	Yes
Voter Registration Number	*Field not completed.*

Emergency Contact

First Name	ALLEN
Last Name	TUCKER
Address2	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip	*Field not completed.*
Phone (Cell)	817-8681601
Phone (Other)	*Field not completed.*

Boards

Boards	City Manager's Comprehensive Plan Workgroup, Animal Services Advisory Committee, Board of Appeals, Charter Review Commission, Civil Service Commision, Library Board, Planning and Zoning Commission, Watauga Economic Development Corporation, Zoning Board of Adjustment

Qualifications

Upload your resume	*Field not completed.*
Are you a Watauga 101 Citizens' Academy Graduate?	No
Employer	DEVA SERVICES
Position	OWNER
Secondary Education and/or Professional Licenses	*Field not completed.*
Current Municipal and	NONE

Civic Organization Memberships (Positions and Dates)	
Previous Municipal Experience (Positions, Dates, Where)	2017-CITY OF FORT WORTH ENVIRONMENTAL MASTER PLAN STAKEHOLDER 2018-ENVISION STAKEHOLDER, CITY OF FORT WORTH
What personal qualifications can you bring to this board?	I HAVE SKILLS TO COMMUNICATE EFFECTIVELY TO WHERE PEOPLE WILL UNDERSTAND AND GETTING PEOPLE INVOLVED IN A POSTIVE WAY, IF SELECTED FOR ANY AND ALL BOARDS
What is your personal vision for the City?	IT NEEDS TO BE GROWING AND VITAL TO CHANGE OR WE WILL LOSE VALUE, VALUE AS IN GOOD PEOPLE WHO LIVE HERE.
Why do you want to serve on this board?	TO BE ABLE TO HELP THE CITY GROW IN A EFFECTIVE WAY
Is there anything else you would like for us to know?	I HAVE OVER 20 YEARS IN COMMUNITY VOLUNTEER WORK. I WAS A VOLUNTEER AT THE LIBRARY FOR ABOUT 2 YEARS IN MY YOUTH.

Public Access Option Form

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Home Address	No, do not release this information
Home Telephone Number	No, do not release this information
Social Security Number	No, do not release this information
Emergency Contact Information	Yes, release this information
Whether or not there are family members	No, do not release this information

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By submitting this form, you are digitally signing and verifying that the information provided is accurate and belongs to you.

Terri Johnson

From: noreply@civicplus.com
Sent: Thursday, April 25, 2019 11:15 AM
To: City Secretary's Office
Subject: Online Form Submittal: Application for Boards, Committees, Commissions

Application for Boards, Committees, Commissions

Applicant Information

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**All appointments will be subject to residency requirements.*

First Name	Chuck
Last Name	Hubbard
Address1	5948 Hillglen Drive
City	Watauga
State	TX
Zip	76148
Phone (Home)	817-709-7169
Phone (Office)	*Field not completed.*
Phone (Cell)	*Field not completed.*
Phone (Other)	*Field not completed.*

Length of Continuous Residency

Years	10-15

Previous Residence Address	3200 La Casa Pl, Bakersfield, Ca. 93306
Do You Own Real Property in Watauga	Yes
Are you a Registered Voter of Watauga	Yes
Voter Registration Number	*Field not completed.*

Emergency Contact

First Name	Lori
Last Name	Hubbard
Address2	5948 Hillglen Dr
City	Watauga
State	TX
Zip	76148
Phone (Cell)	817-709-7168
Phone (Other)	*Field not completed.*

Boards

Boards	City Manager's Comprehensive Plan Workgroup, Animal Services Advisory Committee, Charter Review Commission, Planning and Zoning Commission, Watauga Economic Development Corporation, Zoning Board of Adjustment

Qualifications

Upload your resume	My_New_Resume 2018.pdf
Are you a Watauga 101 Citizens' Academy Graduate?	No
Employer	Mayer Electric
Position	Inside Sales
Secondary Education and/or Professional Licenses	Some College, no degree
Current Municipal and Civic Organization	Cowtown Bowmen Archeyr Club President, Webmaster & Newsletter Editor 6 yrs as president, 8-9 as web and

Memberships (Positions and Dates)	newlsletter editor
Previous Municipal Experience (Positions, Dates, Where)	*Field not completed.*
What personal qualifications can you bring to this board?	I am well rounded experience wise, relate to people with differing backgrounds and opinions well and can remain focused on a unified approach to solve difficult issues and being people together.
What is your personal vision for the City?	Make our city as best as each of us envisions it should be
Why do you want to serve on this board?	To sever my fellow Watauga citizens and help their issues and voices be heard.
Is there anything else you would like for us to know?	I have applied to the Fall 2019 Watauga 101 class and am hoping to be selected for it to continue my path of deeper community involvement in our amazing city and it's governing body.

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Home Address	Yes, release this information
Home Telephone Number	No, do not release this information
Social Security Number	No, do not release this information
Emergency Contact Information	Yes, release this information
Whether or not there are family members	No, do not release this information

ALL APPLICATIONS WILL BE KEPT ON FILE WITH THE CITY SECRETARY'S OFFICE FOR ONE (1) YEAR FROM THE DATE SUBMITTED AND DISPOSED OF PER THE CITY OF WATAUGA RECORDS RETENTION SCHEDULE.

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Terri Johnson

From: noreply@civicplus.com
Sent: Tuesday, April 16, 2019 8:16 AM
To: City Secretary's Office
Subject: Online Form Submittal: Application for Boards, Committees, Commissions

Application for Boards, Committees, Commissions

Applicant Information

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**All appointments will be subject to residency requirements.*

First Name	Wendy
Last Name	Renfrow
Address1	6708 Bernadine De
City	Watauga
State	Texas
Zip	76148
Phone (Home)	817-344-8868
Phone (Office)	*Field not completed.*
Phone (Cell)	*Field not completed.*
Phone (Other)	*Field not completed.*

Length of Continuous Residency

Years	10-15

Previous Residence Address	4255 Falcon Crest Dr, Flowery Branch, GA 30542
Do You Own Real Property in Watauga	Yes
Are you a Registered Voter of Watauga	Yes
Voter Registration Number	*Field not completed.*

Emergency Contact

First Name	John
Last Name	Renfrow
Address2	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip	*Field not completed.*
Phone (Cell)	817-448-3700
Phone (Other)	*Field not completed.*

Boards

Boards	City Manager's Comprehensive Plan Workgroup

Qualifications

Upload your resume	*Field not completed.*
Are you a Watauga 101 Citizens' Academy Graduate?	No
Employer	*Field not completed.*
Position	*Field not completed.*
Secondary Education and/or Professional Licenses	Bachelors degree in Business Administration with an emphasis in accounting
Current Municipal and Civic Organization Memberships (Positions and Dates)	I am the Women's Ministry Director at FBC Watauga

Previous Municipal Experience (Positions, Dates, Where)	None
What personal qualifications can you bring to this board?	Vision
What is your personal vision for the City?	I would like to see our city embrace the diversity we have here in our community. Activities and events for all ages. I would like to see us be more engaging of our special needs community. I would like us to keep hosting different genres of music in the park and special events there. I would like us to have a dog park or possibly a swimming pool so that we don't have to go to neighboring towns and spend our dollars there. Watauga is a great place to live and we should be showing that off to the communities around us.
Why do you want to serve on this board?	I want to be a part of my community and serve in any way I can.
Is there anything else you would like for us to know?	I have not been employed outside the home since moving to TX. Now that my children are grown, I want to serve my city. We moved here because it was a compromise of my husbands wanting to live in a big city and me wanting to live in a small one. We have the best of both worlds here in Watauga and I would like to keep it that way.

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Home Address	No, do not release this information
Home Telephone Number	No, do not release this information
Social Security Number	No, do not release this information
Emergency Contact Information	No, do not release this information
Whether or not there are family members	No, do not release this information

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Terri Johnson

From: noreply@civicplus.com
Sent: Tuesday, April 16, 2019 10:21 AM
To: City Secretary's Office
Subject: Online Form Submittal: Application for Boards, Committees, Commissions

Application for Boards, Committees, Commissions

Applicant Information

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**All appointments will be subject to residency requirements.*

First Name	Whitney
Last Name	Isbell
Address1	6821 Wooddale Dr
City	Watauga
State	Texas
Zip	76147
Phone (Home)	6822038556
Phone (Office)	*Field not completed.*
Phone (Cell)	*Field not completed.*
Phone (Other)	*Field not completed.*
Length of Continuous Residency	
Years	10-15

Previous Residence Address	*Field not completed.*
Do You Own Real Property in Watauga	Yes
Are you a Registered Voter of Watauga	Yes
Voter Registration Number	*Field not completed.*

Emergency Contact

First Name	Delaney
Last Name	Davis
Address2	6821 Wooddale Dr
City	Watauga
State	Texas
Zip	76148
Phone (Cell)	6822038556
Phone (Other)	*Field not completed.*

Boards

Boards	City Manager's Comprehensive Plan Workgroup, Board of Appeals, Charter Review Commission, Watauga Economic Development Corporation, Zoning Board of Adjustment

Qualifications

Upload your resume	*Field not completed.*
Are you a Watauga 101 Citizens' Academy Graduate?	No
Employer	Keller Public Library
Position	Technical Processing
Secondary Education and/or Professional Licenses	BS/Public Administration, BA/Government & Politics, M.Ed/ Educational Leadership
Current Municipal and Civic Organization Memberships (Positions	*Field not completed.*

and Dates)	
Previous Municipal Experience (Positions, Dates, Where)	*Field not completed.*
What personal qualifications can you bring to this board?	I have a background in public administration and leadership. My skill set is a strategic and informed decision maker.
What is your personal vision for the City?	Watauga is a traditional bedroom community in a large metroplex. This community embraces diversity and supports each other while promoting economic stability.
Why do you want to serve on this board?	I am called to serve as a citizen of Watauga and give back.
Is there anything else you would like for us to know?	*Field not completed.*

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Home Address	Yes, release this information
Home Telephone Number	Yes, release this information
Social Security Number	No, do not release this information
Emergency Contact Information	No, do not release this information
Whether or not there are family members	No, do not release this information

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Terri Johnson

From: noreply@civicplus.com
Sent: Friday, April 19, 2019 9:36 AM
To: City Secretary's Office
Subject: Online Form Submittal: Application for Boards, Committees, Commissions

Application for Boards, Committees, Commissions

Applicant Information

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**All appointments will be subject to residency requirements.*

First Name	Lissa
Last Name	Sieja
Address1	6605 Jerri Lynn Dr
City	Watauga
State	TX
Zip	76148
Phone (Home)	817-880-4300
Phone (Office)	817-595-9206
Phone (Cell)	817-880-4300
Phone (Other)	*Field not completed.*

Length of Continuous Residency

Years	15-20

Previous Residence Address	Santa Fe Trl. Keller
Do You Own Real Property in Watauga	Yes
Are you a Registered Voter of Watauga	Yes
Voter Registration Number	1012906560

Emergency Contact

First Name	Scott
Last Name	Sieja
Address2	6605 Jerri Lynn Dr
City	Watauga
State	TX
Zip	76148
Phone (Cell)	817-808-6868
Phone (Other)	*Field not completed.*

Boards

Boards	City Manager's Comprehensive Plan Workgroup

Qualifications

Upload your resume	Resume 2015.pdf
Are you a Watauga 101 Citizens' Academy Graduate?	No
Employer	Wellness Centers of Richland Hills
Position	Manager
Secondary Education and/or Professional Licenses	BS Computer Information Systems, 1998, Tarleton State University A&M Delta Mu Delta Honors Society in Business Administration BS Information Technology, 2001, DeVry Institute of Technology Dean's List
Current Municipal and Civic Organization Memberships (Positions and Dates)	Watauga Police Department Citizen Public Safety Academy April 2019

Previous Municipal Experience (Positions, Dates, Where)	My first experience.
What personal qualifications can you bring to this board?	I read and research contracts and ordinances.
What is your personal vision for the City?	What the people who pay the taxes and live in the City say they want. I personally want accountability and safety. I want to read real budgets and proof that work has been accomplished.
Why do you want to serve on this board?	I want to stay independent of cliques and self-serving clubs. I want to interview and discover by asking questions of authorities, residents and businesses. I want to experience the rules of City government rather than question the rules and learn from them.
Is there anything else you would like for us to know?	I want to thank you for your consideration of my application.

Public Access Option Form

The Public Information Act allows employees, public officials and former employees to elect whether to keep certain information about them confidential. Some information cannot be released by law and other information is exempt only if the government official or employee elects to have it exempted. Under Local Government Code Section 552.024, government officials or employees must specify in writing that the information listed below be exempt from public disclosure if they do not want it released.

Home Address	Yes, release this information
Home Telephone Number	Yes, release this information
Social Security Number	No, do not release this information
Emergency Contact Information	No, do not release this information
Whether or not there are family members	Yes, release this information

ALL APPLICATIONS WILL BE KEPT ON FILE WITH THE CITY SECRETARY'S OFFICE FOR ONE (1) YEAR FROM THE DATE SUBMITTED AND DISPOSED OF PER THE CITY OF WATAUGA RECORDS RETENTION SCHEDULE.

By submitting this form, you are digitally signing and verifying that the information provided is accurate and belongs to you.

Email not displaying correctly? View it in your browser.

AGENDA MEMORANDUM

DATE: April 24, 2019

TO: Honorable City Council Members

FROM: Sandra Gibson, CGFO, CGFM, Director of Finance
Paul Hackleman, P.E., CFM, Director of Public Works
Jennifer Walls, Purchasing Agent

THROUGH: Andrea Gardner, City Manager

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

BACKGROUND/INFORMATION:

During the Fiscal Year 2018-19 budget process a total of four trucks, one for each Public Works Streets, Building Maintenance, Storm Drain, and Water Distribution divisions, were approved as new requests by Council.

Quotes were obtained from Sam Pack's Five Star Ford for each of the trucks utilizing the Tarrant County Contract # 2019-041. The City of Watauga has an interlocal agreement in place with Tarrant County allowing us to purchasing utilizing the contract per Local Government Code Section 271.102 and Texas Government Code Chapter 791.

FINANCIAL IMPLICATIONS:

Total cost for the four trucks comes to $125,201.80. Funds are budgeted and available in Fiscal Year 2018-19 as approved by Council.

RECOMMENDATION/ACTION DESIRED:

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

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. SAM PACK FORD TRUCK QUOTES FOR PUBLIC WORKS (AGENDA MAY 2019)

REVIEWED BY:

Jennifer Walls, Purchasing Agent	Approved - 4/25/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/1/2019

AGENDA MEMORANDUM

Sandra Gibson, CGFO, CGFM, Director of Finance	Approved - 5/2/2019
Andrea Gardner, City Manager	Approved - 5/2/2019
Terri Johnson, City Secretary	Final Approval - 5/3/2019

Approved as to form for inclusion on Agenda

Sam Pack's Five Star Ford and Chevrolet
1635 (Ford) 1700 (Chevrolet) S. IH 35E Carrollton Texas, 75006
(888) 8 FLEET 9 (888-835-3389) - FAX 972-245-5278 - bidtx@spford.com

CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT

Cars and Light Trucks

Team Members -- Kevin Moore - Shauna Hood - Jorge Guerra - Alan Rosner - Jose Deanda

Contract NameTarrant County CONTRACT # 2019-041

End User: CITY OF WATAUGA **Sam Pack's Rep:** JORGE GUERRA

Contact: CLINT HARMON **Date:** 2/12/2019

Contact TN/Email CHARMON@WATAUGATX.ORG Phone # 817-514-5844

Product Description: 2019 Ford F-150 - SuperCab Exterior Color / Interior White

A. Bid Series: 2C **Base Price:** $ 24,251.00

B. Published Options (Itemize Each Below)

Code	Description	Bid Price	Code	Description	Bid Price
	Automatic Transmission	Included			
	Air Conditining	Included			
	Speed Control	Included			
	SYNC	Included		VEHICLE 1	
	5.0L V8	Included			
	POWER LOCKS AND WINDOWS	Included			

Total of B. - Published Options $ -

C. Ford Factory Published Options

Code	Description	Bid Price	Code	Description	Bid Price
	MAX TRACTION AXLE	$ 570.00			
X1E	4X4 OPTION	$ 3,645.00			
76R	REVERSE SENSING	$ 275.00			
	TRAILER TOW	$ 595.00			
	ELEC BRAKE CONTROLLER	$ 275.00			
163	LONG BED OPTION	$ 295.00			

Total of C. - Dealer Published Options $ 5,655.00

D. Fleet Quote

Code	Description	Bid Price	Code	Description	Bid Price
	Spray Liner	$495.00			

All Vehicles ordered are about 90-120 days ARO — **Total of D. - Off Menu Options** $ 495.00

F.	Delivery Charges	22 Miles @ $2.45/mile	$ 53.90
G.	Option Discounts	Delivery Credit	
H.	Total of A + B + C + D + E = F		$ 30,454.90
I.	Floor Plan Assistance		$0.00
J.	Lot Insurance Coverages		$0.00
K.	Quantity Ordered 1	X F =	$ 30,454.90
L.	Administrative Fee		$ -
M.	Non-Equip Charges & Credits		
N.	TOTAL PURCHASE PRICE INCLUDING ADMIN FEE		$30,454.90

Sam Pack's Five Star Ford and Chevrolet
1635 (Ford) 1700 (Chevrolet) S. IH 35E Carrollton Texas, 75006
(888) 8 FLEET 9 (888-835-3389) - FAX 972-245-5278 - bidtx@spford.com

CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT

Cars and Light Trucks

Team Members -- Kevin Moore - Shauna Hood - Jorge Guerra - Alan Rosner - Jose Deanda

Contract NameTarrant County CONTRACT # 2019-041

End User: CITY OF WATAUGA **Sam Pack's Rep:** JORGE GUERRA

Contact: CLINT HARMON **Date:** 2/20/2019

Contact TN/Email CHARMON@WATAUGATX.ORG Phone # 817-514-5844

Product Description: 2019 FORD F150 REGULAR CAB Exterior Color / Interior WHITE/VINYL

A. Bid Series: 2A **Base Price:** $ 22,286.00

B. Published Options (Itemize Each Below)

Code	Description	Bid Price	Code	Description	Bid Price
	Automatic	Included			
	Air Conditioning	Included			
	Power Group	Included			
	Speed Control	Included		VEHICLE #3	
	5.0L V8	Included			
	VINYL SEATS	Included			
	TRAILER TOW	$ 595.00			
	BRAKE CONTROLLER	$ 275.00			
	SYNC	Included			
	REARVIEW CAMERA	Included			

Total of B. - Published Options $ 870.00

C. Ford Factory Published Options

Code	Description	Bid Price	Code	Description	Bid Price
141	long bed option	$ 395.00			
76R	REVERSESENSING	$ 275.00			
	MAX TRACTION AXLE	$ 570.00			

Total of C. - Dealer Published Options $ 1,240.00

D. Fleet Quote

Code	Description	Bid Price	Code	Description	Bid Price
	DCU BODY WITH TOOL BOXES	$ 7,445.00			
	OVER THE CAB LADDERRACK	INCLUDED			

All Vehicles ordered are about 90-120 days ARO — Total of D. - Off Menu Options $ 7,445.00

F.	Delivery Charges	0 Miles @ $2.45/mile	$ -
G.	Option Discounts		
H.	Total of A + B + C + D + E = F		$ 31,841.00
I.	Floor Plan Assistance		$0.00
J.	Lot Insurance Coverages		$0.00
K.	Quantity Ordered 1	X F =	$ 31,841.00
L.	Administrative Fee		$ -
M.	Non-Equip Charges & Credits		
N.	TOTAL PURCHASE PRICE INCLUDING ADMIN FEE		$31,841.00

Sam Pack's Five Star Ford and Chevrolet
1635 (Ford) 1700 (Chevrolet) S. IH 35E Carrollton Texas, 75006
(888) 8 FLEET 9 (888-835-3389) - FAX 972-245-5278 - bidtx@spford.com

CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT

Cars and Light Trucks
Team Members -- Kevin Moore - Shauna Hood - Jorge Guerra - Alan Rosner - Jose Deanda
Contract NameTarrant County CONTRACT # 2019-041

End User: CITY OF WATAUGA **Sam Pack's Rep:** JORGE GUERRA

Contact: CLINT HARMON **Date:** 3/27/2019

Contact TN/Email CHARMON@WATAUGATX.ORG Phone # 817-514-5844

Product Description: 2019 Ford F-150 - SuperCab Exterior Color / Interior White

A. Bid Series: 2C **Base Price:** $ 24,251.00

B. Published Options (Itemize Each Below)

Code	Description	Bid Price	Code	Description	Bid Price
	Automatic Transmission	Included			
	Air Conditining	Included			
	Speed Control	Included			
	SYNC	Included		VEHICLE 1	
	5.0L V8	Included			

Total of B. - Published Options $ -

C. Ford Factory Published Options

Code	Description	Bid Price	Code	Description	Bid Price
	MAX TRACTION AXLE	$ 570.00			
X1E	4X4 OPTION	$ 3,645.00			
76R	REVERSE SENSING	$ 275.00			
	TRAILER TOW	$ 595.00			
	ELEC BRAKE CONTROLLER	$ 275.00			
163	LONG BED OPTION	$ 295.00			

Total of C. - Dealer Published Options $ 5,655.00

D. Fleet Quote

Code	Description	Bid Price	Code	Description	Bid Price
	Spray Liner	$495.00			

All Vehicles ordered are about 90-120 days ARO **Total of D. - Off Menu Options** $ 495.00

F.	Delivery Charges	22 Miles @ $2.45/mile	$ 53.90
G.	Option Discounts	Delivery Credit	
H.	Total of A + B + C + D + E = F		$ 30,454.90
I.	Floor Plan Assistance		$0.00
J.	Lot Insurance Coverages		$0.00
K.	Quantity Ordered 1	X F =	$ 30,454.90
L.	Administrative Fee		$ -
M.	Non-Equip Charges & Credits		
N.	TOTAL PURCHASE PRICE INCLUDING ADMIN FEE		$30,454.90

Sam Pack's Five Star Ford and Chevrolet
1635 (Ford) 1700 (Chevrolet) S. IH 35E Carrollton Texas, 75006
(888) 8 FLEET 9 (888-835-3389) - FAX 972-245-5278 - bidtx@spford.com

CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT

Cars and Light Trucks

Team Members -- Kevin Moore - Shauna Hood - Jorge Guerra - Alan Rosner - Jose Deanda

Contract NameTarrant County CONTRACT # 2019-041

End User: CITY OF WATAUGA **Sam Pack's Rep:** JORGE GUERRA

Contact: CLINT HARMON **Date:** 3/7/2019

Contact TN/Email CHARMON@WATAUGATX.ORG Phone # 817-514-5844

Product Description: 2019 Ford F-150 Exterior Color / Interior White

A. Bid Series: 2C **Base Price:** $ 24,251.00

B. Published Options (Itemize Each Below)

Code	Description	Bid Price	Code	Description	Bid Price
	Automatic Transmission	Included			
	Air Conditining	Included			
	Speed Control	Included			
	SYNC	Included			
	5.0L V8	Included			
145	SHORTBED	Included			
	Trailer Tow Package	$ 995.00			

Total of B. - Published Options $ 995.00

C. Ford Factory Published Options

Code	Description	Bid Price	Code	Description	Bid Price
W1E	UPGRADE FROM X1C TO 4WD W1E	$ 5,965.00			
XL9	3.55 AXLE	$ 470.00			
67T	BRAKE CONTROLLER	$ 275.00			

Total of C. - Dealer Published Options $ 6,710.00

D. Fleet Quote

Code	Description	Bid Price	Code	Description	Bid Price
	Spray Liner	$495.00			

All Vehicles ordered are about 90-120 days ARO **Total of D. - Off Menu Options** $ 495.00

F.	Delivery Charges	0 Miles @ $2.45/mile	$ -
G.	Option Discounts		
H.	Total of A + B + C + D + E = F		$ 32,451.00
I.	Floor Plan Assistance		$0.00
J.	Lot Insurance Coverages		$0.00
K.	Quantity Ordered 1	X F =	$ 32,451.00
L.	Administrative Fee		$ -
M.	Non-Equip Charges & Credits		
N.	TOTAL PURCHASE PRICE INCLUDING ADMIN FEE		$32,451.00

AGENDA MEMORANDUM

DATE: April 24, 2019

TO: Honorable City Council Members

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

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

BACKGROUND/INFORMATION:

The property was transferred to the City by General Warranty Deed on May 30, 1996 with stipulations that the property shall be utilized as a City of Watauga City Park and shall be named "Nat Brooks Park". The City Manager met with Roger Brooks to discuss the potential for the property. Thus, Mr. Brooks agreed to revise the 1996 Deed and remove the restrictions to develop as a park and name the property after Nat Brooks. The City Attorney provided the revised General Warranty Deed and Mr. Roger Brooks executed the document that was filed with Tarrant County.

Staff presented a zoning change request to the Planning and Zoning Commission in June 2018 to change the zoning from GU (Government Use) to GB (General Business) in order to market the property. The request was denied.

The Parks Development Corporation met on November 20, 2018 and voted to make a recommendation to the Planning & Zoning Commission as it pertains to changing the use of the 3.2444 acre property at 6200 Watauga Road from GU (Government Use) to GB (General Business). This change will require a revision to the "Future Land Use Map" from "Parks and Open Space" to "Local Office/Retail/Commercial". With the City approaching build out, it has become clear that a property of this size and prominent location on a principal arterial (Watauga Road) may be better suited to develop as a commercial property. The rezoning of this property positions it for a future commercial development.

March 7, 2019, City Council discussed and gave direction that the 3.244 acres at 6200 Watauga Road would be transferred to the Watauga Economic Development

AGENDA MEMORANDUM

Corporation.

On April 2, 2019, the Planning and Zoning Commission held a public hearing, discussed the revision to the FLUM and took no action.

On April 23, 2019, the Planning and Zoning Commission held a second public hearing and considered the revision to the FLUM. The Planning and Zoning Commission then voted to recommend the revision to the "Future Land Use Map" from "Parks and Open Space" to "Local Office/Retail/Commercial." The Planning and Zoning Commission Report is attached.

On May 13, 2019, the City Council held a Public Hearing to gather input from the general public.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Approval of a proposed ordinance for a FLUM (Future Land Use Map) revision for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020, from "Parks and Open Space" to "Local Office/Retail/Commercial".

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Archive - Minutes - PDC - 11_20_2018
2. PZ Case Z-19-04 FLUM Revision - Attorney Letter
3. May 2019 Amendment of FLUM rezoning ordinance
4. Location Map 6200 Watauga Road with subject
5. Revised Watauga FLUM - Nat Brooks
6. Z-19-04 PZ Approved Recommendation to Council
7. General Warranty Deeds 1996
8. Amended General Warranty Deed 2018

REVIEWED BY:

Randy Richards, Building Official	Approved - 5/8/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/8/2019
Andrea Gardner, City Manager	Approved - 5/8/2019
Terri Johnson, City Secretary	Final Approval - 5/8/2019

Approved as to form for inclusion on Agenda

MINUTES
WATAUGA PARKS DEVELOPMENT CORPORATION
REGULAR MEETING
TUESDAY, NOVEMBER 20, 2018
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
6:00 PM

CALL TO ORDER

The Watauga Parks Development Corporation convened the Regular Meeting at 6:01 p.m., with the following members present:

Art Miner, President
Becky Hartless, Secretary
Christopher Poorman, Director
Jan Hill, Director
Leah Chauvin, Director

with Director Joy Longerbeam, absent with notice and Vice-President Pete Beierschmitt, absent without notice,

and

Andrea Gardner, City Manager/Registered Agent
Sandra Gibson, Director of Finance/Treasurer
Sal Torres, Director of Parks and Community Services/Staff Liaison

CITIZEN'S OPEN FORUM

None

REPORTS FROM STAFF

1. Parks Staff Report for October 2018

   Sal Torres, Director of Parks and Community Services/Staff Liaison, provided the Parks Staff Report for October 2018.

2. Monthly Financial Report for the Period Ending September 30, 2018 (Pre-Audit)

   Sandra Gibson, Director of Finance/Treasurer, provided the Monthly Financial

Report for the Period Ending September 30, 2018 (Pre-Audit).

APPROVAL OF MINUTES

1. Approval of Minutes of Regular Meeting for July 17, 2018

   Secretary Hartless made a motion to approve the minutes as presented, Director Chauvin seconded the motion which passed unanimously.

2. Approval of August 21, 2018 Regular Meeting Minutes

   Secretary Hartless made a motion to approve the minutes as presented, Director Hill seconded the motion which passed unanimously.

NEW BUSINESS

1. Discussion and action on making a recommendation to the Planning & Zoning Commission as it pertains to changing the use of the property located at 6200 Watauga Road from GU (Government Use) to GB (General Business)

   Secretary Hartless made a motion to approve making a recommendation to the Planning & Zoning Commission as it pertains to changing the use of the property located at 6200 Watauga Road from GU (Government Use) to GB (General Business), Director Hill seconded the motion which passed 3 for (Hartless, Chauvin, Hill) and 1 against (Poorman).

2. Discussion, direction and possible action on scheduling Economic Development Training

   Director Poorman made a motion to approve moving forward with scheduling training for Economic Development, Director Hill seconded the motion which was approved unanimously.

ADJOURNMENT

With there being no further business to discuss, President Miner adjourned the meeting at 6:29 p.m.

APPROVED: this 19th day of March, 2019

SIGNED: this 19th day of March, 2019

APPROVED:

Art Miner, President

ATTEST:

Becky Hartless, Secretary

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

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

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

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

May 8, 2019

Mr. Randy Richards
City of Watauga
7800 Virgil Anthony Sr. Blvd.
Watauga, Texas 76148

VIA E-MAIL

Re: Ordinances regarding Planning & Zoning Case #Z-19-05, approving zoning change from Governmental Use District (GU) to General Business District (GB); Amending the Future Land Use Map ("FLUM")

Dear Mr. Richards:

Please find attached an ordinance prepared by our office authorizing approval of the rezoning for Planning and Zoning Case #Z-19-05. This zoning change from Governmental Use District (GU) to General Business District (GB) for the property located at 6200 Watauga Road is imperative as the size and location of the property is better suited to be developed as commercial property. The proposed rezoning of this property positions it for future commercial development. Case #Z-19-05 was approved by the Planning and Zoning Commission on April 23, 2019.

I am also including a related ordinance approving the amendment of the Future Land Use Map ("FLUM"). The rezoning of the property located at 6200 Watauga Road to General Business District (GB) necessitates the amendment of the Future Land Use Map ("FLUM"), wherein the rezoned property will need to be amended from "Parks and Open Space" to "Local Office/Retail/Commercial." This proposed amendment was approved by the Planning and Zoning Commission on April 23, 2019.

These two ordinances may be submitted for consideration at the next City Council meeting.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv
cc: Andrea Gardner, *City Manager*
Paul Hackleman, *Director of Public Works*
Terri Johnson, *Interim City Secretary*

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

WHEREAS, the City of Watauga, Texas has adopted a comprehensive Zoning Code providing for the planned development of the City; and

WHEREAS, the City of Watauga, Texas recognizes a zoning change from Governmental Use District (GU) to General Business District (GB) for the property located at 6200 Watauga Road is imperative as the size and location of the property is better suited to be developed as commercial property and such rezoning was approved by the Planning and Zoning Commission as Planning and Zoning Case #Z-19-05 on April 23, 2019; and

WHEREAS, the rezoning of the property located at 6200 Watauga Road to General Business District (GB) also necessitates the amendment of the Future Land Use Map ("FLUM"), wherein the rezoned 3.2444 acres out of the William J Miller Survey, Abstract No. 1020 will need to be amended on the FLUM from "Parks and Open Space" to "Local Office/Retail/Commercial;" and

WHEREAS, such amendments to the FLUM have been presented to and approved by the Planning and Zoning Commission on April 23, 2019.

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

I.

The City of Watauga, Texas hereby authorizes the amendment of the Future Land Use Map ("FLUM"), wherein the rezoned 3.2444 acres out of the William J Miller Survey, Abstract No. 1020 will now be labeled "Local Office/Retail/Commercial" in place of "Parks and Open Space." This amendment is in alignment with the rezoning for Planning and Zoning Case #Z-19-05, regarding this same property, which allows for the rezoning of the property from Governmental Use District (GU) to General Business District (GB).

II.

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

III.

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

IV.

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

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

APPROVED:

_____
DAVID GRIFFIN, Mayor Pro Tem

ATTEST:

_____
TERRI JOHNSON, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, City Attorney


Watauga Rd
6200 Watauga Rd
Douglas Dr
Macarthur Dr
Scott Ct
Brookside Dr
Google

Watauga Middle School
Maurie Dr
Watauga Rd
Maurie Dr
Stardust Dr S


Watauga Rd
6200 Watauga Rd
Douglas Dr
Brookside Dr
Scott Ct
Google Earth

Watauga Middle School

Watauga Rd

Maurie Dr

Maurie Dr

Stardust Dr S

PLANNING AND ZONING COMMISSION

RECOMMENDATION TO COUNCIL

PLANNING AND ZONING MEETING: April 23, 2019

PLANNING AND ZONING CASE NO: Planning & Zoning Case Z-19-04

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

RECOMMEND APPROVAL OR DENIAL:
APPROVAL X **DENIAL**_____

COMMENTS:
(REQUIRED FOR DISAPPROVALS)

Commission Voted 5-1 For Approval

Larry Clark – Chairman

GENERAL WARRANTY DEED

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TARRANT §

THAT THE UNDERSIGNED, ROGER D. BROOKS, (hereinafter referred to as "Grantor") for good and valuable consideration, the consideration for the conveyance of the property shall be the design, engineering and construction, at the sole cost and expense of the Buyer and cooperation with the City of North Richland Hills, of an underground storm drainage system necessary to alleviate any drainage problems that may arise with respect to water draining on to adjacent property and on and down Orchard Drive, Brookside Drive, Stardust Drive and Skylark Drive including waters from Rufe Snow Drive and lands on the east-side thereof, from the development as commercial property of the land owned by Seller on the West-side of the 6000 block of Rufe Snow between Orchard and Stardust Drive, all in the City of Watauga, Tarrant County, Texas. Such consideration shall have the agreed value of $50,000.00. Additionally, said property described herein on Exhibit "A" shall be utilized as a City of Watauga City Park and inasmuch shall be named "Nat Brooks Park". the receipt and sufficiency of which is hereby fully acknowledged, HAS GIVEN, GRANTED AND CONVEYED and by these presents DO HEREBY GIVE, GRANT AND CONVEY unto the City of Watauga, of the County of Tarrant, State of Texas, (hereinafter referred to as "Grantee") all of that certain real estate lying and being situated in Tarrant County, Texas more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes.

This conveyance, however, is made and accepted subject to any and all validly existing encumbrances, conditions and restrictions, relating to the hereinabove described property as now reflected by the records of the County Clerk of Tarrant County, Texas and all applicable zoning ordinances of Tarrant County, Texas.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in any wise belonging and any right, title, and interest in Grantor in and to adjacent streets, alleys and rights-of-way, unto the said Grantee, its heirs, personal representatives, successors, and assigns forever, and Grantor does hereby bind himself and his heirs, personal representatives, successors and assigns, to warrant and forever defend all and singular the Property unto Grantee and its heirs, personal representatives, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, subject, however, as aforesaid.

Current ad valorem taxes on said property having been prorated, the payment thereof is assumed by the City of Watauga.

Executed this 30 day of MAY, 1996.

Roger Brooks
ROGER BROOKS

1939 E. Price, Keller Tex 76248
Address

FILED
TARRANT COUNTY TEXAS
96 JUN 14 A9:50
SUZANNE HENDERSON
COUNTY CLERK
BY

Grantee address:
City of Watauga
7101 Whitley Road
Watauga, TX 76148

THIS DOCUMENT IS UNCLEAR IN THE RETURN ADDRESS.
THE RETURN ADDRESS WAS OBTAINED FROM:
(ENVELOPE) (CHECK) (FILE SLIP) (COVER LETTER)
(SUBMITTER) (OTHER) _____

THE STATE OF TEXAS §
§
COUNTY OF TARRANT §

The foregoing instrument was acknowledged before me on the 30th day of May, 1996.

Nancy J. Meadows
NOTARY PUBLIC, STATE OF TEXAS
PRINTED NAME OF NOTARY
Nancy J. Meadows

MY COMMISSION EXPIRES:
4-16-97

12400 1190

MARY LOUISE GARCIA
COUNTY CLERK
100 West Weatherford Fort Worth, TX 76196-0401
PHONE (817) 884-1195

CITY OF WATAUGA
7105 WHITLEY RD
WATAUGA,, TX 76148

Submitter: CITY OF WATAUGA

DO NOT DESTROY
WARNING - THIS IS PART OF THE OFFICIAL RECORD.

Filed For Registration:	5/25/2018 8:41 AM			
Instrument #:	D218112802			
	WD	5	PGS	$28.00

By: Mary Louise Garcia

D218112802

ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

CORRECTION GENERAL WARRANTY DEED

Date April 23, 2018

Grantor Roger Brooks

Grantor's Mailing Address

2841 Manorwood Trail
Fort Worth, Texas 76109-5559
Tarrant County

Grantee City of Watauga

Grantee's Mailing Address

7105 Whitley Road
Watauga, Texas 76148
Tarrant County

Consideration

The correction deed and conveyance made herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged

Property Description See Exhibit "B" attached hereto and incorporated by reference for all purposes

This deed is made as a correction general warranty deed in substitution of the deed titled "General Warranty Deed' ("Corrected Deed") dated May 30, 1996 and recorded under Instrument Number 12400 1190 of the real property records of Tarrant County, Texas (attached hereto as Exhibit "A" and incorporated by reference for all purposes) This correction general warranty deed is made in order to correct the following information The Corrected Deed included a restriction in favor of the Grantor stipulating that the property was to be utilized as a city park to be named "Nat Brooks Park ' That restriction should be eliminated

All references to the restrictions for use associated with the property and name for the park, if such property is used as a city park, are deleted from the Corrected Deed Grantor and Grantee

hereby release each other of such restrictions and waive any claims against each other related, directly or indirectly, to the restrictions referenced herein

Other than the stated correction, this correction general warranty deed is intended to restate in all respects the Corrected Deed, and the effective date of this correction deed relates back to the effective date of the Corrected Deed

This information was prepared based on information furnished by the parties, and no independent title search has been made

Executed effective as of the date first written above

GRANTOR

ROGER BROOKS

GRANTEE

PAT SHELBOURNE, MAYOR PRO TEM
CITY OF WATAUGA

STATE OF TEXAS §
§
§
COUNTY OF TARRANT §

The foregoing instrument was acknowledged before me on the 1st day of May, 2018

NOTARY PUBLIC, STATE OF TEXAS

MY COMMISSION EXPIRES
12/23/2020

PRINTED NAME OF NOTARY
Aaron Michael Hill

AARON MICHAEL HILL
Notary Public
STATE OF TEXAS
My Comm. Exp. 12/23/2020
ID# 13094181 9

DESCRIPTION OF PROPERTY
3 238 ACRES
W J MILLER SURVEY ABSTRACT NO 1020

SITUATED in the city of Watauga, Tarrant County, Texas and being a tract of land out of the W J Miller Survey, Abstract No 1020 said tract being a portion of a tract of land conveyed to Nat Brooks, Roger D Brooks, and Effie B. Brooks Trust, (Brooks tract) by deed as recorded in Volume 5888, Page 370 of the Deed Records of Tarrant County , Texas (D R.T C T.), and being more particularly described by metes and bounds as follows

BEGINNING at a one half inch iron rod found in place in the westerly property line of said Brooks tract and the east line of Block 26 of Browning Heights North Section Seven an addition to the City of Watauga as recorded in Volume 388-42, Page 58 of the Plat Records of Tarrant County, Texas (P R T C.T.), said point of beginning being at the southwest property corner of a tract of land conveyed to the City of Watauga as Right-of-Way for Watauga Road by deed as recorded in Volume 6722, Page 1155 of the D R T C T., said point of beginning being on a curve to the right whose center bears South 01 degrees 18 minutes 45 seconds West, 5679 58 feet,

THENCE, Easterly along said curve to the right and the south Right-of-way line of Watauga Road through a central angle of 2 degrees 01 minutes 37 seconds and an arc length of 200 92 feet to a one half inch iron rod found in place at the end of said curve,

THENCE, South 86 degrees 40 minutes 43 seconds East, continuing along the south Right-of-Way line of Watauga road, 211 54 feet to a one half inch iron rod found in place at the beginning of a curve to the left whose center bears North 03 degrees 17 minutes 59 seconds East, 5779 58 feet,

THENCE, Easterly along said curve to the left and along the south Right-of-Way line of said Watauga road through a central angle of 0 degrees 19 minutes 49 5 seconds and an arc length of 33 33 feet to a point at the northwest corner of a tract of land conveyed to the City of Watauga (City tract) by deed as recorded in Volume 11035, Page 1171 of the D R T C T ,

THENCE, South 24 degrees 42 minutes 06 seconds West, along the west line of said City tract, 88 92 feet,

THENCE, South 05 degrees 10 minutes 09 seconds West, continuing along the west line of said City tract, 53 10 feet to a point on a curve to the right whose center bears North 54 degrees 39 minutes 02 seconds West, 570 0 feet,

THENCE, westerly along the northerly line of said City Tract and said curve to the right through a central angle of 11 degrees 26 minutes 56 5 seconds and an arc length of 113 90 feet to a point at the end of said curve,

12400 1191

DESCRIPTION OF PROPERTY
3 238 ACRES
W J MILLER SURVEY ABSTRACT NO 1020

THENCE, South 46 degrees 47 minutes 56 seconds West, continuing along the northerly line of said City tract, 104 67 feet,

THENCE, South 50 degrees 50 minutes 06 seconds West,continuing along the north line of said City tract, 332 05 feet to southeast corner of the aforesaid Block 26 of said Browning Heights North Section Seven,

THENCE, North 00 degrees 34 minutes 04 seconds East, along the east line of said Block 26, 523 01 feet to the POINT OF BEGINNING

The Tract of land herein described contains 3 238 acres (141,048 square feet) of which 0 159 (6,931 square feet) acres falls within existing easements dedicated to the public leaving a net acreage of 3 079 acres (134,117 square feet) of land more or less

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FROM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUND AND THAT SAME IS TRUE AND CORRECT

Company Name Eddie L. Dunn R P L S

By Eddie L Dunn
Eddie L Dunn
Registered Professional Land Surveyor
Texas No 4580
Date of survey January 1996



12400 1192

AGENDA MEMORANDUM

DATE: April 24, 2019

TO: Honorable City Council Members

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

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

BACKGROUND/INFORMATION:

Applicant	City of Watauga
General Location	6200 Watauga Road
Applicable Zoning Ordinance Section	Code of Ordinances Section 115-62 District regulations. (11) GU Governmental Use District to (7) GB General Business District
Zoning Change for Property	Governmental Use (GU) to General Business (GB)
Nearest Intersection	Watauga Road and between Maurie Drive & Stardust Drive
Notification Requirements	15-day legal ad in Ft. Worth Star Telegram; Notification by letter to property owners within 200 feet of subject property; Posting of sign with public hearing notification.

Properties adjacent to 6200 Watauga Rd.	Zoning	Current Land Use
North	N/A	Watauga Rd.
South	SF-6, Single Family	Single Family Residential Homes
East	SF-6, Single Family	Single Family Residential Homes
West	LB, Local Business & SF-6,	Inline Retail Center & Single

AGENDA MEMORANDUM

	Single Family	Family Homes

The property was transferred to the City by General Warranty Deed on May 30, 1996 with stipulations that the property shall be utilized as a City of Watauga City Park and shall be named "Nat Brooks Park". The City Manager met with Roger Brooks to discuss the potential for the property. Thus, Mr. Brooks agreed to revise the 1996 Deed and remove the restrictions to develop as a park and name the property after Nat Brooks. The City Attorney provided the revised General Warranty Deed and Mr. Roger Brooks executed the document that was filed with Tarrant County.

With the City approaching build out, staff presented a zoning change request to the Planning and Zoning Commission in June 2018 to change the zoning from GU (Government Use) to GB (General Business) in order to market the property. The request was denied.

On November 20, 2018, the Parks Development Corporation provided a recommendation to Planning and Zoning Commission to change the use of the property located at 6200 Watauga Road from GU (Government Use) to GB (General Business). With the City approaching build out, it has become clear that a property of this size and prominent location on a principal arterial (Watauga Road) may be better suited to develop as a commercial property. The rezoning of this property positions it for a future commercial development.

March 7, 2019, City Council discussed and gave direction that the 3.244 acres at 6200 Watauga Road would be transferred to the Watauga Economic Development Corporation.

On April 2, 2019, the Planning and Zoning Commission held a public hearing, discussed the rezoning and took no action. Prior to making its final report to the City Council, the Planning and Zoning Commission shall hold at least one public hearing thereon. The commission, after the public hearing is closed, shall prepare its final report on the requested change stating its findings, its evaluation of the request, and of the relationship of the request to the adopted city plan, and its recommendation thereon.

On April 23, 2019, the Planning and Zoning Commission held a second public hearing. The Planning and Zoning Commission should consider the request, make a motion to support or not support the requested zoning change and then prepare its final report for the City Council.

May 13, 2019, the City Council held a Public Hearing to gather input from the general public.

FINANCIAL IMPLICATIONS:

AGENDA MEMORANDUM

NA

RECOMMENDATION/ACTION DESIRED:

Approve a proposed ordinance for a Zoning Change for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020 from GU (Government Use) to GB (General Business). The property is located at 6200 Watauga Road.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. P&Z Application Case Z 19.05
2. PZ Case Z-19-05 Attorney Letter
3. PZ Case Z-19-05 Zoning Change Ordinance
4. Location Map 6200 Watauga Road Z-19-05
5. Z-19-05 PZ Recommendation to Council
6. General Warranty Deed-1996
7. Amended General Warranty Deed - 2018

REVIEWED BY:

Randy Richards, Building Official	Approved - 5/1/2019
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 5/8/2019
Andrea Gardner, City Manager	Approved - 5/8/2019
Terri Johnson, City Secretary	Final Approval - 5/8/2019

Approved as to form for inclusion on Agenda

WATAUGA
TEXAS

Planning & Zoning Application

CASE NO. Z-19-05

P&Z Fee: _____
Date ~~Paid~~: 3/12/19
Receipt #: _____

SELECT ZONING APPLICATION TYPE:

☑ Zoning Change ☐ Specific Use Permit ☐ Planned Development

PROPOSED USE OF PROPERTY: _____

EXISTING USE OF PROPERTY: _____

ZONING INFORMATION: From Existing GU District to Proposed GB District

PROPERTY ADDRESS: 6200 Watauga Rd.

Legal Description: (Abstract) 1020 (Tract) 3A (Block) _____ (Lot) _____

(Survey) William J Miller (Addition) _____

IF PROPERTY IS NOT PLATTED, PLEASE PROVIDE METES AND BOUNDS DESCRIPTION.

COMPLIANCE OF PROPOSED PROJECT TO THE CITY OF WATAUGA COMPREHENSIVE USE PLAN: If Yes then skip to next section of application if No then provide answers to the questions below:

- ☐ Will the proposed change enhance the site and the surrounding area? Yes No
- ☐ Is the necessary infrastructure already in place? Yes No (if not, explain in narrative)
- ☐ Is the proposed change a better use than that is recommended by Future Land Use Plan/Map? Yes No (if yes, explain in narrative)
- ☐ Will the proposed use impact adjacent residential areas in a negative manner or may it enhance it? Yes No
- ☐ Are uses adjacent to proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility? Yes No
- ☐ Does the proposed use present a significant benefit to public health, safety and welfare of community? Yes No

---

OWNER INFORMATION: NAME: City of Watauga
(Please Print)

ADDRESS: 7105 Whitley Rd. Watauga, TX

PHONE: 817 514 5840 EMAIL: rrichards@cowtx.org

For additional owners, please include additional copies of this page. The property owner may sign the application or submit a notarized letter of authorization.

WATAUGA
TEXAS

Planning & Zoning Application

REPRESENTATIVE/AGENT INFORMATION: NAME: Randy Richards (Please Print)

BUSINESS NAME (If applicable): City of Watauga Building Official (Title)

BUSINESS ADDRESS: 7105 Whitley Rd. Watauga, TX 76148

PHONE: 817 514-5840 EMAIL: rrichards@cowtx.org

***I have read the completed application and know the same is true and correct and hereby agree that if a permit is issued all provisions of the City Ordinances and State Laws will be complied with whether herein specified or not. I agree to comply with all property restrictions. I am the owner of the property or the duly authorized agent.**

***Submittal of false information or omission as required by this application may result in any permit, license, or approval being revoked.**

***Signatures certify that all information provided is true and correct.**

***Application will be considered filed when project is set on an appropriate agenda.**

Owner Name (Print)	Date	Owner Signature
Agent Name (Print)	Date	Agent Signature

APPLICATION SUBMITTAL REQUIREMENTS

- ❑ **Ten (10) folded copies of 24"x36" of a Site Plan (Technical requirements provided on separate sheet), Landscaping Plan, Elevations in color and one digital (PDF) copy of zoning exhibit.**
- ❑ **The following items are required with all types of applications:**
- ❑ **Planning and Zoning Application form.**
- ❑ **Application fee of $300 – Zoning Change; $500 – Planned Development; $200 – Specific Use Permit, plus costs incurred by the City for postage, mailing, copying and other related expenses. This is non-refundable.**
- ❑ **One 11"x17" copy of subdivision plat (if the property is platted).**
- ❑ **One digital (PDF) copy of subdivision plat (if property is platted).**
- ❑ **If request is for (i) a portion of a platted lot, or (ii) an un-platted lot, surveyed site boundary dimensions (metes and bounds) and gross acreage determined by licensed surveyor must be provided electronically in Microsoft Word format and in paper copy.**
- ❑ **Additional information may be requested by the Development Review Team if deemed essential for review and consideration by Planning and Zoning Commission and City Council.**
- ❑ **Written narrative explaining in detail the proposal.**

OFFICE USE ONLY: CASE APPROVED BY:

PLANNING & ZONING COMMISSION: _____ **Yes** _____ **No** **DATE:** _____

CITY COUNCIL: _____ **Yes** _____ **No** **DATE:** _____

ADDITIONAL P&Z FEE: _____ **RECEIPT #:** _____ **DATE:** _____

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

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

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

May 8, 2019

Mr. Randy Richards
City of Watauga
7800 Virgil Anthony Sr. Blvd.
Watauga, Texas 76148

VIA E-MAIL

Re: Ordinances regarding Planning & Zoning Case #Z-19-05, approving zoning change from Governmental Use District (GU) to General Business District (GB); Amending the Future Land Use Map ("FLUM")

Dear Mr. Richards:

Please find attached an ordinance prepared by our office authorizing approval of the rezoning for Planning and Zoning Case #Z-19-05. This zoning change from Governmental Use District (GU) to General Business District (GB) for the property located at 6200 Watauga Road is imperative as the size and location of the property is better suited to be developed as commercial property. The proposed rezoning of this property positions it for future commercial development. Case #Z-19-05 was approved by the Planning and Zoning Commission on April 23, 2019.

I am also including a related ordinance approving the amendment of the Future Land Use Map ("FLUM"). The rezoning of the property located at 6200 Watauga Road to General Business District (GB) necessitates the amendment of the Future Land Use Map ("FLUM"), wherein the rezoned property will need to be amended from "Parks and Open Space" to "Local Office/Retail/Commercial." This proposed amendment was approved by the Planning and Zoning Commission on April 23, 2019.

These two ordinances may be submitted for consideration at the next City Council meeting.

Thank you for your attention to the above and the opportunity to be of assistance. If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

JESSIKA J. VELASQUEZ
City Attorney's Office

MGD/jjv
cc: Andrea Gardner, *City Manager*
Paul Hackleman, *Director of Public Works*
Terri Johnson, *Interim City Secretary*

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

WHEREAS, the City of Watauga, Texas has adopted a comprehensive Zoning Code providing for the planned development of the City; and

WHEREAS, the City of Watauga, Texas recognizes a zoning change from Governmental Use District (GU) to General Business District (GB) for the property located at 6200 Watauga Road is imperative as the size and location of the property is better suited to be developed as commercial property; and

WHEREAS, the proposed rezoning of this property positions it for future commercial development; and

WHEREAS, such amendments have been presented to and approved by the Planning and Zoning Commission as Planning and Zoning Case #Z-19-05 on April 23, 2019.

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

I.

The City of Watauga, Texas hereby authorizes approval of the rezoning for Planning and Zoning Case #Z-19-05, regarding property located at 6200 Watauga Road, allowing for a zoning change of the property from Governmental Use District (GU) to General Business District (GB).

II.

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

III.

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

IV.

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

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

APPROVED:

_____
DAVID GRIFFIN, Mayor Pro Tem

ATTEST:

_____
TERRI JOHNSON, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, City Attorney

PLANNING AND ZONING COMMISSION

RECOMMENDATION TO COUNCIL

PLANNING AND ZONING MEETING: April 23, 2019

PLANNING AND ZONING CASE NO: Planning & Zoning Case Z-19-05

Consideration and action to recommend approval or recommend denial of Planning and Zoning Case No. Z-19-05: Recommendation for a Zoning Change for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020 from GU (Government Use) to GB (General Business).

RECOMMEND APPROVAL OR DENIAL:
APPROVAL X **DENIAL** ____

COMMENTS:
(REQUIRED FOR DISAPPROVALS)

Commission Voted 5-1 For Approval

Larry Clark – Chairman

WATAUGA
TEXAS

Planning & Zoning Application

CASE NO. Z-19-05

P&Z Fee: _____
Date ~~Paid~~: 3/12/19
Receipt #: _____

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☑ Zoning Change ☐ Specific Use Permit ☐ Planned Development

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WATAUGA
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Planning & Zoning Application

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CITY COUNCIL: _____ **Yes** _____ **No** **DATE:** _____

ADDITIONAL P&Z FEE: _____ **RECEIPT #:** _____ **DATE:** _____

MARY LOUISE GARCIA
COUNTY CLERK
100 West Weatherford Fort Worth, TX 76196-0401
PHONE (817) 884-1195

CITY OF WATAUGA
7105 WHITLEY RD
WATAUGA,, TX 76148

Submitter: CITY OF WATAUGA

DO NOT DESTROY
WARNING - THIS IS PART OF THE OFFICIAL RECORD.

Filed For Registration:	5/25/2018 8:41 AM			
Instrument #:	D218112802			
	WD	5	PGS	$28.00

By: Mary Louise Garcia

D218112802

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CORRECTION GENERAL WARRANTY DEED

Date April 23, 2018

Grantor Roger Brooks

Grantor's Mailing Address

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Fort Worth, Texas 76109-5559
Tarrant County

Grantee City of Watauga

Grantee's Mailing Address

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This information was prepared based on information furnished by the parties, and no independent title search has been made

Executed effective as of the date first written above

GRANTOR

ROGER BROOKS

GRANTEE

PAT SHELBOURNE, MAYOR PRO TEM
CITY OF WATAUGA

STATE OF TEXAS §
§
§
COUNTY OF TARRANT §

The foregoing instrument was acknowledged before me on the 1st day of May, 2018

NOTARY PUBLIC, STATE OF TEXAS

MY COMMISSION EXPIRES
12/23/2020

PRINTED NAME OF NOTARY
Aaron Michael Hill

AARON MICHAEL HILL
Notary Public
STATE OF TEXAS
My Comm Exp 12/23/2020
ID# 13094181 9

DESCRIPTION OF PROPERTY
3 238 ACRES
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THENCE, South 86 degrees 40 minutes 43 seconds East, continuing along the south Right-of-Way line of Watauga road, 211 54 feet to a one half inch iron rod found in place at the beginning of a curve to the left whose center bears North 03 degrees 17 minutes 59 seconds East, 5779 58 feet,

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THENCE, South 24 degrees 42 minutes 06 seconds West, along the west line of said City tract, 88 92 feet,

THENCE, South 05 degrees 10 minutes 09 seconds West, continuing along the west line of said City tract, 53 10 feet to a point on a curve to the right whose center bears North 54 degrees 39 minutes 02 seconds West, 570 0 feet,

THENCE, westerly along the northerly line of said City Tract and said curve to the right through a central angle of 11 degrees 26 minutes 56 5 seconds and an arc length of 113 90 feet to a point at the end of said curve,

DESCRIPTION OF PROPERTY
3 238 ACRES
W J MILLER SURVEY ABSTRACT NO 1020

THENCE, South 46 degrees 47 minutes 56 seconds West, continuing along the northerly line of said City tract, 104 67 feet,

THENCE, South 50 degrees 50 minutes 06 seconds West,continuing along the north line of said City tract, 332 05 feet to southeast corner of the aforesaid Block 26 of said Browning Heights North Section Seven,

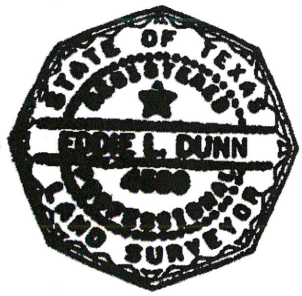
THENCE, North 00 degrees 34 minutes 04 seconds East, along the east line of said Block 26, 523 01 feet to the POINT OF BEGINNING

The Tract of land herein described contains 3 238 acres (141,048 square feet) of which 0 159 (6,931 square feet) acres falls within existing easements dedicated to the public leaving a net acreage of 3 079 acres (134,117 square feet) of land more or less

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FROM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUND AND THAT SAME IS TRUE AND CORRECT

Company Name Eddie L. Dunn R P L S

By Eddie L Dunn
Eddie L Dunn
Registered Professional Land Surveyor
Texas No 4580
Date of survey January 1996




Watauga Rd
6200 Watauga Rd
Douglas Dr
Brookside Dr
Scott Ct
Google Earth

PLANNING AND ZONING COMMISSION

RECOMMENDATION TO COUNCIL

PLANNING AND ZONING MEETING: **April 23, 2019**

PLANNING AND ZONING CASE NO: **Planning & Zoning Case Z-19-05**

Consideration and action to recommend approval or recommend denial of Planning and Zoning Case No. Z-19-05: Recommendation for a Zoning Change for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020 from GU (Government Use) to GB (General Business).

RECOMMEND APPROVAL OR DENIAL:
APPROVAL X **DENIAL**____

COMMENTS:
(REQUIRED FOR DISAPPROVALS)

Commission Voted 5-1 For Approval

Larry Clark – Chairman

GENERAL WARRANTY DEED

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TARRANT §

THAT THE UNDERSIGNED, ROGER D. BROOKS, (hereinafter referred to as "Grantor") for good and valuable consideration, the consideration for the conveyance of the property shall be the design, engineering and construction, at the sole cost and expense of the Buyer and cooperation with the City of North Richland Hills, of an underground storm drainage system necessary to alleviate any drainage problems that may arise with respect to water draining on to adjacent property and on and down Orchard Drive, Brookside Drive, Stardust Drive and Skylark Drive including waters from Rufe Snow Drive and lands on the east-side thereof, from the development as commercial property of the land owned by Seller on the West-side of the 6000 block of Rufe Snow between Orchard and Stardust Drive, all in the City of Watauga, Tarrant County, Texas. Such consideration shall have the agreed value of $50,000.00. Additionally, said property described herein on Exhibit "A" shall be utilized as a City of Watauga City Park and inasmuch shall be named "Nat Brooks Park". the receipt and sufficiency of which is hereby fully acknowledged, HAS GIVEN, GRANTED AND CONVEYED and by these presents DO HEREBY GIVE, GRANT AND CONVEY unto the City of Watauga, of the County of Tarrant, State of Texas, (hereinafter referred to as "Grantee") all of that certain real estate lying and being situated in Tarrant County, Texas more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes.

This conveyance, however, is made and accepted subject to any and all validly existing encumbrances, conditions and restrictions, relating to the hereinabove described property as now reflected by the records of the County Clerk of Tarrant County, Texas and all applicable zoning ordinances of Tarrant County, Texas.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in any wise belonging and any right, title, and interest in Grantor in and to adjacent streets, alleys and rights-of-way, unto the said Grantee, its heirs, personal representatives, successors, and assigns forever, and Grantor does hereby bind himself and his heirs, personal representatives, successors and assigns, to warrant and forever defend all and singular the Property unto Grantee and its heirs, personal representatives, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, subject, however, as aforesaid.

Current ad valorem taxes on said property having been prorated, the payment thereof is assumed by the City of Watauga.

Executed this 30 day of MAY, 1996.

Roger Brooks
ROGER BROOKS

1939 E. Price, Keller Tex 76248
Address

FILED
TARRANT COUNTY TEXAS
96 JUN 14 A9:50
SUZANNE HENDERSON
COUNTY CLERK
BY

Grantee address:
City of Watauga
7101 Whitley Road
Watauga, TX 76148

THIS DOCUMENT IS UNCLEAR IN THE RETURN ADDRESS.
THE RETURN ADDRESS WAS OBTAINED FROM:
(ENVELOPE) (CHECK) (FILE SLIP) (COVER LETTER)
(SUBMITTER) (OTHER) _____

THE STATE OF TEXAS §
§
COUNTY OF TARRANT §

The foregoing instrument was acknowledged before me on the 30th day of May, 1996.

Nancy J. Meadows
NOTARY PUBLIC, STATE OF TEXAS
PRINTED NAME OF NOTARY
Nancy J. Meadows

MY COMMISSION EXPIRES:
4-16-97

12400 1190

MARY LOUISE GARCIA
COUNTY CLERK
100 West Weatherford Fort Worth, TX 76196-0401
PHONE (817) 884-1195

CITY OF WATAUGA
7105 WHITLEY RD
WATAUGA,, TX 76148

Submitter: CITY OF WATAUGA

DO NOT DESTROY
WARNING - THIS IS PART OF THE OFFICIAL RECORD.

Filed For Registration:	5/25/2018 8:41 AM			
Instrument #:	D218112802			
	WD	5	PGS	$28.00

By: Mary Louise Garcia

D218112802

ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

CORRECTION GENERAL WARRANTY DEED

Date April 23, 2018

Grantor Roger Brooks

Grantor's Mailing Address

2841 Manorwood Trail
Fort Worth, Texas 76109-5559
Tarrant County

Grantee City of Watauga

Grantee's Mailing Address

7105 Whitley Road
Watauga, Texas 76148
Tarrant County

Consideration

The correction deed and conveyance made herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged

Property Description See Exhibit "B" attached hereto and incorporated by reference for all purposes

This deed is made as a correction general warranty deed in substitution of the deed titled "General Warranty Deed' ("Corrected Deed") dated May 30, 1996 and recorded under Instrument Number 12400 1190 of the real property records of Tarrant County, Texas (attached hereto as Exhibit "A" and incorporated by reference for all purposes) This correction general warranty deed is made in order to correct the following information The Corrected Deed included a restriction in favor of the Grantor stipulating that the property was to be utilized as a city park to be named "Nat Brooks Park ' That restriction should be eliminated

All references to the restrictions for use associated with the property and name for the park, if such property is used as a city park, are deleted from the Corrected Deed Grantor and Grantee

hereby release each other of such restrictions and waive any claims against each other related, directly or indirectly, to the restrictions referenced herein

Other than the stated correction, this correction general warranty deed is intended to restate in all respects the Corrected Deed, and the effective date of this correction deed relates back to the effective date of the Corrected Deed

This information was prepared based on information furnished by the parties, and no independent title search has been made

Executed effective as of the date first written above

GRANTOR

ROGER BROOKS

GRANTEE

PAT SHELBOURNE, MAYOR PRO TEM
CITY OF WATAUGA

STATE OF TEXAS §
§
§
COUNTY OF TARRANT §

The foregoing instrument was acknowledged before me on the 1st day of May, 2018

NOTARY PUBLIC, STATE OF TEXAS

MY COMMISSION EXPIRES
12/23/2020

PRINTED NAME OF NOTARY
Aaron Michael Hill

AARON MICHAEL HILL
Notary Public
STATE OF TEXAS
My Comm. Exp. 12/23/2020
ID# 13094181 9

DESCRIPTION OF PROPERTY
3 238 ACRES
W J MILLER SURVEY ABSTRACT NO 1020

SITUATED in the city of Watauga, Tarrant County, Texas and being a tract of land out of the W J Miller Survey, Abstract No 1020 said tract being a portion of a tract of land conveyed to Nat Brooks, Roger D Brooks, and Effie B. Brooks Trust, (Brooks tract) by deed as recorded in Volume 5888, Page 370 of the Deed Records of Tarrant County , Texas (D R.T C T.), and being more particularly described by metes and bounds as follows

BEGINNING at a one half inch iron rod found in place in the westerly property line of said Brooks tract and the east line of Block 26 of Browning Heights North Section Seven an addition to the City of Watauga as recorded in Volume 388-42, Page 58 of the Plat Records of Tarrant County, Texas (P R T C.T.), said point of beginning being at the southwest property corner of a tract of land conveyed to the City of Watauga as Right-of-Way for Watauga Road by deed as recorded in Volume 6722, Page 1155 of the D R T C T., said point of beginning being on a curve to the right whose center bears South 01 degrees 18 minutes 45 seconds West, 5679 58 feet,

THENCE, Easterly along said curve to the right and the south Right-of-way line of Watauga Road through a central angle of 2 degrees 01 minutes 37 seconds and an arc length of 200 92 feet to a one half inch iron rod found in place at the end of said curve,

THENCE, South 86 degrees 40 minutes 43 seconds East, continuing along the south Right-of-Way line of Watauga road, 211 54 feet to a one half inch iron rod found in place at the beginning of a curve to the left whose center bears North 03 degrees 17 minutes 59 seconds East, 5779 58 feet,

THENCE, Easterly along said curve to the left and along the south Right-of-Way line of said Watauga road through a central angle of 0 degrees 19 minutes 49 5 seconds and an arc length of 33 33 feet to a point at the northwest corner of a tract of land conveyed to the City of Watauga (City tract) by deed as recorded in Volume 11035, Page 1171 of the D R T C T ,

THENCE, South 24 degrees 42 minutes 06 seconds West, along the west line of said City tract, 88 92 feet,

THENCE, South 05 degrees 10 minutes 09 seconds West, continuing along the west line of said City tract, 53 10 feet to a point on a curve to the right whose center bears North 54 degrees 39 minutes 02 seconds West, 570 0 feet,

THENCE, westerly along the northerly line of said City Tract and said curve to the right through a central angle of 11 degrees 26 minutes 56 5 seconds and an arc length of 113 90 feet to a point at the end of said curve,

12400 1191

DESCRIPTION OF PROPERTY
3 238 ACRES
W J MILLER SURVEY ABSTRACT NO 1020

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Company Name Eddie L. Dunn R P L S

By Eddie L Dunn
Eddie L Dunn
Registered Professional Land Surveyor
Texas No 4580
Date of survey January 1996



12400 1192

AGENDA MEMORANDUM

DATE: April 27, 2019

TO: Honorable City Council Members

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

THROUGH: Andrea Gardner, City Manager

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

BACKGROUND/INFORMATION:

At the April 8th Council meeting, Council direction was provided to staff to amend Chapter 42-82 of the Code of Ordinances and Chapter 12, Fee Schedule, Section 12-42 to allow for over 65 seniors that own or rent property within the City of Watauga to receive a discount for water and sewer services. In addition, Council directed staff to amend the ordinances to provide the discount to disabled citizens that own property within the City of Watauga if they receive the disabled exemption under the Tarrant Appraisal District. A citizen may not receive both the disabled and the over 65 discount.

The City Attorney has amended the ordinances to include the above changes. The amended ordinances are attached for Council consideration. A red-lined version of the admendments is also included.

FINANCIAL IMPLICATIONS:

A decrease of approximately $25,000 annually in revenue for the Water and Sewer Fund. This amount is projected to grow annually as the over 65 and disabled population grows within the City of Watauga.

The discounts provided to over 65 citizens and disabled is expected to total approximately $210,000 for Fiscal Year 2019-20.

RECOMMENDATION/ACTION DESIRED:

Consideration and action on the item as presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

AGENDA MEMORANDUM

1. Ordinance Utility Discounts for Seniors

REVIEWED BY:

Andrea Gardner, City Manager	Approved - 5/3/2019
Terri Johnson, City Secretary	Final Approval - 5/4/2019

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

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

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

April 30, 2019

Ms. Sandra Gibson
Director of Finance
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

VIA E-MAIL

Re: Code of Ordinances amendments to Chapter 12 (Fee Schedule) and Chapter 42 (Utilities), providing for discounts for disabled and residential customers age 65 and older

Dear Ms. Gibson:

My office has received and reviewed the proposed amendments to Chapter 12, Section 12-42(a) and (b) and Chapter 42, Sections 42-81 and 42-82 of the Code of Ordinances for the City of Watauga in relation to water and sewer rates. The amendments to these Sections collectively provide discounts for disabled and residential customers age 65 and older on both water and sewer bills. The language also clarifies that only one type of discount may be applied per resident. Under the structure set forth in the ordinance, a resident cannot receive a discount for both being disabled and age 65 and older.

Please find enclosed two ordinances approving such amendments—one related to Chapter 12 and the other related to Chapter 42. The ordinances may be submitted for consideration at the next City Council meeting. I have also included a red-lined version of the amendments.

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

Sincerely,

MARK G. DANIEL
City Attorney

MGD/jjv
cc: David Griffin, *Mayor Pro Tem*
Ms. Andrea Gardner, *City Manager*
Ms. Terri Johnson, Interim *City Secretary*

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

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

I.

Chapter 12, Section 12-42(a) and (b) of the Code of Ordinances for the City of Watauga, Texas shall be amended to read as follows:

Section 12-42. – Chapter 42, Utilities

(a) Water Rates

(1) Billing policy where only one user or building is tied to the same meter:

(a) The monthly bill will be computed as follows: The minimum bill taken from Schedule A plus a volume charge of $5.01 per 100 cubic feet on monthly volume greater than the minimum volume from Schedule A for all customers.

(b) Residential customers who have attained the age of 65 and reside in owner-occupied or rental property within the City will be eligible for a $5.00 discount for water service on their monthly bill when proof of eligibility is provided to the City. An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 12-42(a)(1)(c).

(c) Disabled residential customers who reside in owner-occupied property within the City will be eligible for a $5.00 discount for water service on their monthly bill when proof that they are currently receiving the disability exemption through the Tarrant Appraisal District is provided to the City. An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 12-42(a)(1)(b).

SCHEDULE A
Water Rate Schedule
Effective March 1, 2019

Meter size (inches)	¾ "	1"	1 ¼"	1 ½"	2"	3"	4"	6"/8"
Minimum Bill*	$15.70	$21.26	$28.33	$57.76	$75.03	$137.16	$227.59	$579.99
Volume*	267	345	460	937	1,300	2,400	4,000	10,000

*Volume included in minimum bill (base charge)

(2) Billing policy where more than one user or building is tied to the same meter:

It shall be the policy of Watauga to bill each home, homes, duplex, triplex, offices or any other buildings where more than one user is tied onto the same water meter at $15.70 per month for each customer unit for water, plus a monthly volume charge of $5.01 per 100 cubic feet of water used by the building.

(3) Billing for apartment complexes and mobile home parks:

$15.70 per month per apartment unit or each free-standing mobile home plus a monthly volume charge of $5.01 per 100 cubic feet of water used by the apartment complex or mobile home park.

Apartment or mobile home park owner shall furnish a certified statement of occupancy prior to the 10th day of each month. Failure to file occupancy statement will result in billing for 100% occupancy.

(b) Sewer Rates

(1) *Minimum monthly service charge.*
(a) The monthly bill will be computed as follows: The minimum monthly service charge will be $17.36 for all customers.
(b) Residential Customers who have attained the age of 65 and reside in owner-occupied or rental property within the City are eligible for a $5.00 discount for sewer service on their monthly bill when proof of eligibility is provided to the City.

An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 12-42(b)(1)(c).

(c) Disabled residential customers who reside in owner-occupied property within the City will be eligible for a $5.00 discount for sewer service on their monthly bill when proof that they are currently receiving the disability exemption through the Tarrant Appraisal District is provided to the City. An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 12-42(b)(1)(b).

(2) Volume Charge.

(a) A monthly volume charge shall also be charged to all customers in the amount of $2.99 per 100 cubic feet of water used or wastewater produced.

(b) The monthly volume charge for residential customers will be based on the lesser of the calculated average monthly water consumption billed during the winter quarter months of December, January and February, or actual water usage during the month. The volumes used to compute these charges are based on the amount of water used by the residential customer as measured by a meter. Where the previous winter quarter average is not available from the records, the volume to be used for the monthly volume charge shall be 900 cubic feet.

(3) *Determination of water use for commercial and industrial customers.* The monthly charges to commercial and industrial customers will be based on water use for each month as measured by appropriate meters, with the provision that, if a customer can show to the satisfaction of the Director of Public Works that a significant portion of the metered water usage does not enter the sanitary sewer system, the customer will be charged only for that volume entering the wastewater system, as determined by a method approved by the Director of Public Works.

(4) *Industrial waste.* All industrial users: To be served on the system only by specific contract approved by the City Council for the particular industrial sewage or water involved.

(5) *Waste creating unusual conditions or problems.* In the event a commercial customer is introducing sewage into the wastewater system that creates unusual conditions or problems such as excessive oils, grease or chemicals, the Director of Public Works shall advise the customer of options which are available to the commercial customer to remedy the existing condition. Those options include the following:

(a) To correct at his own expense the conditions causing the excess.

(b) To pay a monthly rate, to be determined by the Director of Public Works, to the City equal to the expense of maintaining and/or treating the excessive waste.

(6) *Billing policy where more than one user or building is tied to the same water meter.* It shall be the policy of the City of Watauga to bill each home, homes, duplex, triplex, office, or any other buildings where more than one user is tied onto the same water meter at $17.36 per month for each customer unit for sewer, plus a monthly charge to be calculated as set forth in Subsection (2)(a) above.

(7) *Billing for apartment and mobile home parks.*

(a) $17.36 per month per apartment unit or free-standing mobile home plus a monthly volume charge of $2.99 per 100 cubic feet of water used by the apartment complex or mobile home park.

(b) The apartment or mobile home park owner shall furnish a certified statement of occupancy prior to the 10th of each month. Failure to file the occupancy statement will result in billing for 100% occupancy.

II.

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

III.

Should any portion or part of this Ordinance be held for any reasons to be invalid or unenforceable, the same shall not be construed to affect any other valid portion thereof, but all valid portions hereof shall remain in full force and effect.

IV.

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

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

APPROVED:

_____

DAVID GRIFFIN, MAYOR PRO-TEM

ATTEST:

_____

TERRI JOHNSON, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

_____

MARK G. DANIEL, CITY ATTORNEY

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

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

I.

Chapter 12, Section 12-42(a) and (b) ~~, Chapter 42, Utilities~~ of the Code of Ordinances for the City of Watauga, Texas shall be amended to read as follows:

Section 12-42. – Chapter 42, Utilities

(a) Water Rates

(1) Billing policy where only one user or building is tied to the same meter:

(a) The monthly bill will be computed as follows: The minimum bill taken from Schedule A plus a volume charge of $5.01 per 100 cubic feet on monthly volume greater than the minimum volume from Schedule A for all customers.

(b) Residential customers who have attained the age of 65 and reside in owner-occupied or rental property within the City will be eligible for a $5.00 discount for water service on their monthly bill when proof of eligibility is provided to the City. An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 12-42(a)(1)(c).

(c) Disabled residential customers who reside in owner-occupied property within the City will be eligible for a $5.00 discount for water service on their monthly bill when proof that they are currently receiving the disability exemption through the Tarrant Appraisal District is provided to the City. An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 12-42(a)(1)(b).

SCHEDULE A
Water Rate Schedule
Effective March 1, 2019

Meter size (inches)	¾ "	1"	1 ¼"	1 ½"	2"	3"	4"	6"/8"
Minimum Bill*	$15.70	$21.26	$28.33	$57.76	$75.03	$137.16	$227.59	$579.99
Volume*	267	345	460	937	1,300	2,400	4,000	10,000

*Volume included in minimum bill (base charge)

(2) Billing policy where more than one user or building is tied to ~~onto the~~ same meter:

It shall be the policy of Watauga to bill each home, homes, duplex, triplex, offices or any other buildings where more than one user is tied onto the same water meter at $15.70 per month for each customer unit for water, plus a monthly volume charge of $5.01 per 100 cubic feet of water used by the building.

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$15.70 per month per apartment unit or each free-standing mobile home plus a monthly volume charge of $5.01 per 100 cubic feet of water used by the apartment complex or mobile home park.

Apartment or mobile home park owner shall furnish a certified statement of occupancy prior to the 10th day of each month. Failure to file occupancy statement will result in billing for 100% occupancy.

(b) Sewer Rates

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(a) The monthly bill will be computed as follows: ~~-~~The minimum monthly service charge will be $17.36 for all customers.

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~~(1)~~(c) Disabled residential customers who reside in owner-occupied property within the City will be eligible for a $5.00 discount for sewer service on their monthly bill when proof that they are currently receiving the disability exemption through the Tarrant Appraisal District is provided to the City. An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 12-42(b)(1)(b).

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(2) Volume Charge.

(a) A monthly volume charge shall also be charged to all customers in the amount of $2.99 per 100 cubic feet of water used or wastewater produced.

(b) The monthly volume charge for residential customers will be based on the lesser of the calculated average monthly water consumption billed during the winter quarter months of December, January and February, or actual water usage during the month. The volumes used to compute these charges are based on the amount of water used by the residential customer as measured by a meter. Where the previous winter quarter average is not available from the records, the volume to be used for the monthly volume charge shall be 900 cubic feet.

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(4) *Industrial waste.* All industrial users: To be served on the system only by specific contract approved by the Ceity Ceouncil for the particular industrial sewage or water involved.

(5) *Waste creating unusual conditions or problems.* In the event a commercial customer is introducing sewage into the wastewater system that creates unusual conditions or problems such as excessive oils, grease or chemicals, the Ddirector of Ppublic Wworks shall advise the customer of ~~his~~ options which are available to the commercial customer to remedy the existing condition. Those options include the following:

(a) To correct at his own expense the conditions causing the excess.

(b) To pay a monthly rate, to be determined by the Director of Public Works, to the City equal to the expense of maintaining and/or treating the excessive waste.

(6) *Billing policy where more than one user or building is tied ~~on~~to the same water meter.* It shall be the policy of the City of Watauga to bill each home, homes, duplex, triplex, offices, or any other buildings where more than one user is tied onto the same water meter at $17.36 per month for each customer unit for sewer, plus a monthly charge to be calculated as set forth ~~noted~~ in Ssubsection (2)(~~b~~a) above.

(7) *Billing for apartment and mobile home parks.*

(a) $17.36 per month per apartment unit or free-standing mobile home plus a monthly volume charge of $2.99 per 100 cubic feet of water utilized ~~used~~ by the apartment complex or park.

(b) The apartment or mobile home park owner shall furnish a certified statement of occupancy prior to the 10th of each month. ~~Failure to~~Failure ~~file~~to file the occupancy statement will result in billing for 100% occupancy.

II.

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

III.

Should any portion or part of this Ordinance~~s~~ be held for any reasons to be invalid or unenforceable, the same shall not be construed to affect any other valid portion thereof, but all valid portions hereof shall remain in full force and effect.

IV.

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

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

APPROVED:

_____
DAVID GRIFFIN, MAYOR PRO-TEM

ATTEST:

_____
ZOLAINA PARKERTERRI JOHNSON, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, CITY ATTORNEY

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

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

I.

Chapter 42, Sections 42-81 and 42-82, of the Code of Ordinances for the City of Watauga, Texas shall be amended to read as follows:

Section 42-81. – Water Rates

(a) Billing policy where only one user or building is tied to the same meter:

(1) The monthly bill will be computed as follows: The minimum bill taken from Schedule A as set forth in the Fee Schedule in Chapter 12 plus a volume charge as provided in the Fee Schedule on monthly volume greater than the minimum volume from Schedule A for all customers.

(2) Residential customers who have attained the age of 65 and reside in owner-occupied or rental property within the City will be eligible for a discount for water service on their monthly bill as set forth in the Fee Schedule when proof of eligibility is provided to the City. An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 42-81(a)(3).

(3) Disabled residential customers who reside in owner-occupied property within the City will be eligible for a discount for water service on their monthly bill as set forth in the Fee Schedule when proof that they are currently receiving the disability exemption through the Tarrant Appraisal District is provided to the City. An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 42-81(a)(2).

(b) Billing policy where more than one user or building is tied to the same meter:

It shall be the policy of the City of Watauga to bill each home, homes, duplex, triplex, office or any other buildings where more than one user is tied to the same water meter as provided in the Fee Schedule in Chapter 12 for each customer unit for water, plus a monthly volume charge as provided in the Fee Schedule per 100 cubic feet of water used by the building.

(c) Billing for apartment complexes and mobile home parks:

(1) An amount as provided for in the Fee Schedule in Chapter 12 per month per apartment unit or free-standing mobile home plus a monthly volume charge as provided for in the Fee Schedule per 100 cubic feet of water used by the apartment complex or mobile home park.

(2) Apartment or mobile home park owner shall furnish a certified statement of occupancy prior to the 10th day of each month. Failure to file occupancy statement will result in billing for 100% occupancy.

Section 42-82. - Sewer Rates

(a) Minimum monthly service charge.

(1) The monthly bill will be computed as follows: The minimum monthly service charge for all customers is set forth in the Fee Schedule in Chapter 12.

(2) Residential Customers who have attained the age of 65 and reside in owner-occupied or rental property within the City are eligible for a discount for sewer service on their monthly bill as set forth in the Fee Schedule when proof of eligibility is provided to the City. An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 42-82(a)(3).

(3) Disabled residential customers who reside in owner-occupied property within the City are eligible for a discount for sewer service on their monthly bill as set forth in the Fee Schedule when proof that they are currently receiving the disability exemption through the Tarrant Appraisal District is provided to the City. An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 42-82(a)(2).

(b) *Volume Charge.*

(1) A monthly volume charge shall also be charged to all customers in the amount as set forth in the Fee Schedule in Chapter 12 per 100 cubic feet of water used or wastewater produced, as specifically set forth herein.

(2) The monthly volume charge for residential customers will be based on the lesser of the calculated average monthly water consumption billed during the winter quarter months of December, January and February, or actual water usage during the month. The volumes used to compute these charges are based on the amount of water used by the residential customer as measured by a meter. Where the previous winter quarter average is not available from the records, the volume to be used for the monthly volume charge shall be 900 cubic feet.

(c) *Determination of water use for commercial and industrial customers.* The monthly charges to commercial and industrial customers will be based on water use for each month as measured by appropriate meters, with the provision that, if a customer can show to the satisfaction of the Director of Public Works that a significant portion of the metered water usage does not enter the sanitary sewer system, the customer will be charged only for that volume entering the wastewater system, as determined by a method approved by the Director of Public Works.

(d) *Industrial waste.* All industrial users: To be served on the system only by specific contract approved by the City Council for the particular industrial sewage or water involved.

(e) *Waste creating unusual conditions or problems.* In the event a commercial customer is introducing sewage into the wastewater system that creates unusual conditions or problems such as excessive oils, grease or chemicals, the Director of Public Works shall advise the customer of options which are available to the commercial customer to remedy the existing condition. Those options include the following:

(1) To correct at his own expense the conditions causing the excess.

(2) To pay a monthly rate, to be determined by the Director of Public Works, to the City equal to the expense of maintaining and/or treating the excessive waste.

(f) *Billing policy where more than one user or building is tied to the same water meter.* It shall be the policy of the City of Watauga to bill each home, homes, duplex, triplex, office, or any other buildings where more than one user is tied to the same water meter at an amount set forth in the Fee Schedule in Chapter 12 per month for each customer unit for sewer, plus a monthly charge to be calculated as set forth in Subsection (b).

(g) *Billing for apartment and mobile home parks.*

(1) An amount as set forth in the Fee Schedule in Chapter 12 per month per apartment unit or free-standing mobile home plus a monthly volume charge as set forth in the Fee Schedule per 100 cubic feet of water used by the apartment complex or mobile home park.

(2) The apartment or mobile home park owner shall furnish a certified statement of occupancy prior to the 10th day of each month. Failure to file the occupancy statement will result in billing for 100% occupancy.

II.

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

III.

Should any portion or part of this Ordinance be held for any reasons to be invalid or unenforceable, the same shall not be construed to affect any other valid portion thereof, but all valid portions hereof shall remain in full force and effect.

IV.

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

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

APPROVED:

_____

DAVID GRIFFIN, MAYOR PRO-TEM

ATTEST:

_____

TERRI JOHNSON, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

_____

MARK G. DANIEL, CITY ATTORNEY

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 42~~—~~(UTILITIES), SECTIONS 42-81 AND ~~SECTION~~ 42-82~~,~~ OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, REGARDING WATER AND SEWER RATES FOR THE CITY OF WATAUGA WATER AND WASTEWATER SYSTEM; PROVIDING FOR DISCOUNTS FOR RESIDENTIAL CUSTOMERS OVER THE AGE OF 65 AND RESIDENTIAL CUSTOMERS WHO RECEIVE THE DISABILITY EXEMPTION THROUGH THE TARRANT APPRAISAL DISTRICT; PROVIDING THAT ALL ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN~~D~~ EFFECTIVE DATE.

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

I.

Chapter 42, Sections 42-81 and ~~Section~~ 42-82, of the Code of Ordinances for the City of Watauga, Texas shall be amended to read as follows:

Section 42-81. – Water Rates

(a) Billing policy where only one user or building is tied to the same meter:

(1) The monthly bill will be computed as follows: The minimum bill taken from Schedule A as set forth in the F~~f~~ee Sschedule in Chapter 12 plus a volume charge as provided in the F~~f~~ee Sschedule on monthly volume greater than the minimum volume from Schedule A for all customers.

(2) Residential customers who have attained the age of 65 and reside in owner-occupied or rental property within the City will be eligible for a discount for water service on their monthly bill as set forth in the F~~f~~ee Sschedule when proof of eligibility is provided to the City. An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 42-81(a)(3).

(3) Disabled residential customers who reside in owner-occupied property within the City will be eligible for a discount for water service on their monthly bill as set forth in the Fee Schedule when proof that they are currently receiving the disability exemption through the Tarrant Appraisal District is provided to the City. An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 42-81(a)(2).

(b) Billing policy where more than one user or building is tied ~~on~~to the same meter:

It shall be the policy of the City of Watauga to bill each home, homes, duplex, triplex, office~~s~~ or any other buildings where more than one user is tied ~~on~~to the same water meter as provided in the F~~f~~ee Sschedule in C~~c~~hapter 12 for each customer unit for water, plus a monthly volume charge as provided in the F~~f~~ee Sschedule per 100 cubic feet of water used by the building.

(c) Billing for apartment complexes and mobile home parks:

(1) An amount as provided for in the F~~f~~ee Sschedule in C~~c~~hapter 12 per month per apartment unit or free-standing mobile home plus a monthly volume charge as provided for in the F~~f~~ee Sschedule per 100 cubic feet of water used by the apartment complex or mobile home park.

(2) Apartment or mobile home park owner shall furnish a certified statement of occupancy prior to the 10th day of each month. Failure to file occupancy statement will result in billing for 100% occupancy.

Section 42-82. - Sewer Rates

(a) Minimum monthly service charge.

(1) The monthly bill will be computed as follows: ~~-~~The minimum monthly service charge for all customers is set forth in the F~~f~~ee Sschedule in C~~c~~hapter 12. ~~for all customers..~~

(2) Residential Customers who have attained the age of 65 and reside in owner-occupied or rental property within the City are eligible for a discount for sewer service on their monthly bill as set forth in the F~~f~~ee Sschedule when proof of eligibility is provided to the ~~City.~~ City. An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 42-82(a)(3).

~~(a)~~(3) Disabled residential customers who reside in owner-occupied property within the City are eligible for a discount for sewer service on their monthly bill as set forth in the Fee Schedule when proof that they are currently receiving the disability exemption through the Tarrant Appraisal District is provided to the City. An individual receiving a discount under this Subsection shall not be permitted to receive any additional discounts under Section 42-82(a)(2).

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(b) *Volume Charge.*

(1) A monthly volume charge shall also be charged to all customers in the amount as set forth in the F~~f~~ee S~~s~~chedule in C~~c~~hapter 12 per 100 cubic feet of water used or wastewater produced, as specifically set forth herein.

(2) The monthly volume charge for residential customers will be based on the lesser of the calculated average monthly water consumption billed during the winter quarter months of December, January and February, or actual water usage during the month. The volumes used to compute these charges are based on the amount of water used by the residential customer as measured by a meter. Where the previous winter quarter average is not available from the records, the volume to be used for the monthly volume charge shall be 900 cubic feet.

(c) *Determination of water use for commercial and industrial customers.* The monthly charges to commercial and industrial customers will be based on water use for each month as measured by appropriate meters, with the provision that, if a customer can show to the satisfaction of the Director of Public Works that a significant portion of the metered water usage does not enter the sanitary sewer system, the customer will be charged only for that volume entering the wastewater system, as determined by a method approved by the Director of Public Works.

(d) *Industrial waste.* All industrial users: To be served on the system only by specific contract approved by the C~~c~~ity C~~c~~ouncil for the particular industrial sewage or water involved.

(e) *Waste creating unusual conditions or problems.* In the event a commercial customer is introducing sewage into the wastewater system that creates unusual conditions or problems such as excessive oils, grease or chemicals, the D~~d~~irector of P~~p~~ublic W~~w~~orks shall advise the customer of ~~his~~ options which are available to the commercial customer to remedy the existing condition. Those options include the following:

(1) To correct at his own expense the conditions causing the excess.

(2) To pay a monthly rate, to be determined by the Director of Public Works, to the City equal to the expense of maintaining and/or treating the excessive waste.

(f) *Billing policy where more than one user or building is tied ~~on~~to the same water meter.* It shall be the policy of the City of Watauga to bill each home, homes, duplex, triplex, office~~s~~, or any other buildings where more than one user is tied ~~on~~to the same water meter at an

amount set forth in the Ffee Sschedule in Cehapter 12 per month for each customer unit for sewer, plus a monthly charge to be calculated as ~~noted~~ set forth in Ssubsection (b).

(g) Billing for apartment and mobile home parks.

(1) An amount as set forth in the Ffee Sschedule in Cehapter 12 per month per apartment unit or free standing mobile home plus a monthly volume charge as set forth in the Ffee Sschedule per 100 cubic feet of water used by the apartment complex or mobile home park.

(2) The apartment or mobile home park owner shall furnish a certified statement of occupancy prior to the 10th day of each month. ~~Failure to~~Failure ~~file~~to file the occupancy ~~————————~~statement will result in billing for 100% occupancy.

II.

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

III.

Should any portion or part of this Ordinance~~s~~ be held for any reasons to be invalid or unenforceable, the same shall not be construed to affect any other valid portion thereof, but all valid portions hereof shall remain in full force and effect.

IV.

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

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas this, the _____ d~~D~~ay of May~~rch~~, 2019.

APPROVED:

DAVID GRIFFIN, MAYOR PRO-TEM

ATTEST:

~~ZOLAINA PARKER~~TERRI JOHNSON, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

MARK G. DANIEL, CITY ATTORNEY

AGENDA MEMORANDUM

DATE: April 30, 2019

TO: Honorable City Council Members

FROM: Robert Parker, Chief of Police

THROUGH: Andrea

SUBJECT: Consideration and Possible action to amend section 22-1. - Charitable donation collection containers to include Keller Independent School District property within the City of Watauga as an exception.

BACKGROUND/INFORMATION:

A request has been made to review this ordinance to allow a charitable organization to place a Charitable Donation Container on the property of Whitley Rd. Elementary for the donation of shoes and clothing. These contributions made would directly benefit the students living in Watauga and attending Whitley Rd. Elementary.

A review of the Watauga Code of Ordinances revealed that Recycle Containers and Charitable Donation Containers would not be allowed on KISD property. It also revealed that an exception was specifically made for BISD properties for Recycle containers.

The City of Watauga has both districts within the city limits and has students that attend both districts. Staff is proposing that the same exception be granted for both districts

A copy of the existing Code and a copy of staff proposal are both attached for review.

FINANCIAL IMPLICATIONS:

No financial implication for staff time are notable.

RECOMMENDATION/ACTION DESIRED:

City staff respectfully requests the City Council approve the amendment to section 22-1 of the City of Watauga Code of Ordinances to allow both Birdville and Keller Independent School Districts as an exception to this section and allow both recycle containers and Charitable Collection Containers on District Property within the city limits of Watauga.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

AGENDA MEMORANDUM

1. Current Code of Ordinances. pdf 22-1
2. Proposed Code of Ordinance 22-1
3. Community Storehouse Brochure
4. Community Storehouse
5. MGD Approval letter and modified Ord.

REVIEWED BY:

Andrea Gardner, City Manager	Approved - 5/2/2019
Terri Johnson, City Secretary	Final Approval - 5/3/2019

Approved as to form for inclusion on Agenda

Sec. 22-1. - Charitable donation collection containers.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Charitable collection center means any nonprofit organization assembled for the primary purpose of selling donated items.

Charitable donation collection container means any metal, plastic or wooden container provided by a charitable collection center for the primary purpose of receiving or storing donated items.

(b) *Location of unattended containers.* A charitable collection center shall not be permitted to locate an unattended charitable donation collection container at any location in the city other than on or adjacent to a premises or tract where the charitable collection center maintains a retail or storefront facility operating with regular business hours.

(c) *Exception.* This section shall not apply to recycling bins or *Charitable donation collection container* located on Birdville Independent School District or Keller Independent School District property within the city.

(d) *Penalty.* This section shall be operative within the city limits, and any person who violates any provision of this section, upon conviction in the municipal court of the city, shall be subject to a fine in accordance with the general penalty provision found in section 1-7 for each offense, and each and every day such violation continues shall constitute a separate offense.

(Code 2001, § 4.2101; Code 2010, § 4.01.001)

HOW YOU CAN HELP

DONATE FUNDS

Every donation is important to keep low-income children in our community in school. You can make a difference in the life of a child by:

- Making an online donation at **www.communitystorehouse.org/donate-funds**
- Mailing a check to **PO BOX 13, Keller TX 76244**

To make the biggest impact in the life of a child, visit our website to set up a monthly reoccurring gift. Scan the QR code (at right) with your smart phone for easy access!

DONATE ITEMS

Community Storehouse accepts all types of donations. All donations may be dropped off at the Katy Road location and large donation items can be picked-up by sending an email to **furniturepickup@yahoo.com**. Books, school supplies, food, hygiene products and art materials are used for our education and wellness programs.

DONATE TIME

At Community Storehouse you can work directly with the children or take a role behind the scenes. Whichever you choose, we have opportunities for you to volunteer on your own, work with your family or friends, or even with your company.

RESALE STORES & DONATION CENTER

Upscale Resale offers clothing, accessories, furniture and home goods. Families in need of clothing and/or shoes are issued vouchers to shop in the resale stores. Donated furniture is given to clients in crisis as well.

Donation Center
12001 Katy Rd.
Fort Worth TX 76244
Monday - Saturday:
9am – 5pm
Closed Sunday
817-741-3341

Upscale Resale
309 N Main St.
Keller TX 76248
Monday - Saturday:
9am - 7pm
Sunday: 12am - 5pm
817-741-4167

WELLNESS PROGRAMS

SNACK PACK PROGRAM



The Snack Pack Program meets the nutritional needs of children at risk of hunger during weekends and school holidays. Snack packs have kid-friendly nutritious foods and are delivered to school partners.



DIGNITY CLOSET

Kids who have poor hygiene don't perform as well at school. Basic hygiene products like toothbrushes, shampoo, deodorant and feminine hygiene products are stocked on school campuses for distribution to students as needed.

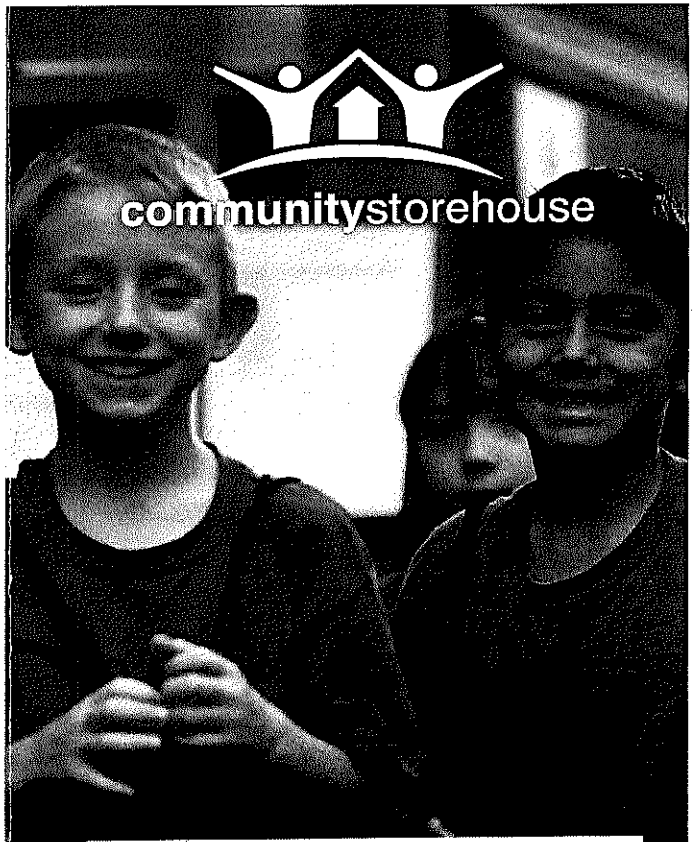
CHARITY NAVIGATOR
★★★★
Four Star Charity

Exceptional rating - exceeds industry standards and outperforms most charities in its Cause.

This organization is a gold-level GuideStar participant, demonstrating its commitment to transparency.

GOLD

communitystorehouse



WE ARE CHANGING LIVES

Our Mission Statement:

"Dedicated to the education and well-being of low-income children in our community."

Our Vision Statement:

"Closing the gap between opportunity and achievement for children in our community."

12001 Katy Rd. • Fort Worth, TX 76244
www.communitystorehouse.org
817-431-3340



communitystorehouse

EDUCATIONAL PROGRAMS

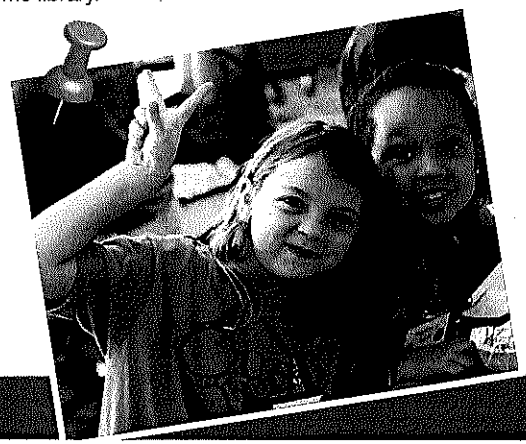


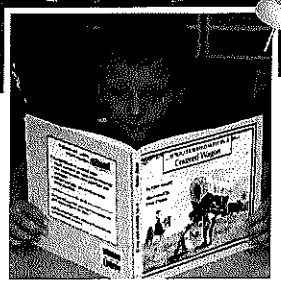
AMBASSADORS

Ambassadors represent their school community by being peer mentors, building leadership, communication, social and study skills. When students leave the supportive community found on most elementary school campuses it can be a jarring experience, especially for our most at-risk students. In the Ambassador Program students are provided with an opportunity to BELONG, LEAD, and ACHIEVE.

QUEST SUMMER ENRICHMENT PROGRAM

The Quest program provides three weeks of early intervention for low-income children, grades K-2, by identifying and addressing the needs of students that are at risk. Kids without access to learning opportunities in the summer can suffer academically. Students who do not read proficiently by third grade are four times more likely to leave high school without a diploma than proficient readers. Quest helps children prepare for the upcoming school year by connecting what they learn in the classroom with the world around them through new and exciting experiences. This program also promotes literacy in the home by providing children with a variety of books to take home to build their home library.





BOOK CLUB

Book Club motivates children in grades K-5 to read for pleasure and become engaged readers and writers. There is a significant gap of proficient reading levels between children below the poverty line compared to children in high-income families. Book Club shrinks this gap by providing students positive read aloud sessions with volunteers, followed by writing and hands-on enrichment activities directly related to the text.

AFTER SCHOOL READING PROGRAM

Young children who are regularly read to have a larger vocabulary, higher levels of letter recognition and sound awareness. In the After-school Reading Program volunteers read to students, discuss the readings in a group setting and promote reading for pleasure. By promoting literacy year-round children have the opportunity to boost self-confidence and improve social and communication skills.

LITTLE LEARNERS



Little Learners is an educational enrichment opportunity for children, ages 18 months to 3.5 years, and their caregivers focused on literacy and school readiness. To close the readiness gap found with children living below the poverty line, we are investing in early learning to ensure a high quality learning experiences in school.

KIDS2COLLEGE

The Kids2College program raises college-awareness at the middle school level. Community Storehouse works in partnership with local universities, showing students who are born into low-income families the opportunities available to them through education. The Kids2College program combines hands-on activities with information on careers, college life and academic preparation.



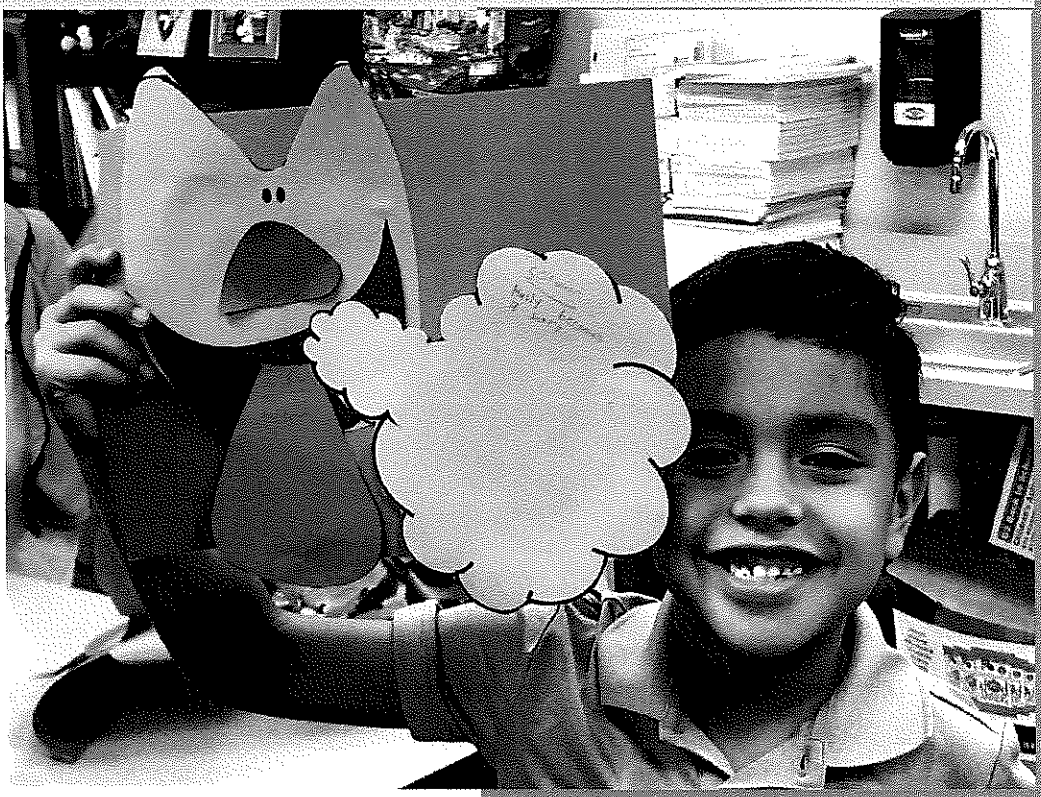
JUNIOR BOARD

This program provides high school students the opportunity to learn from and model the Community Storehouse Board of Directors. Interested youth must submit an application, letters of recommendation and interview to obtain a position on the Junior Board. These students then hone their leadership skills by giving back to the community.



2019

Community Storehouse



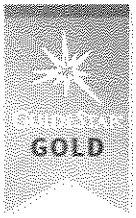
communitystorehouse

Christian Community Storehouse dba

Community Storehouse

2019 Case Statement





Wolves at the Door

Mario's* mom works two jobs to make sure he and his brothers have what they need. She is their sole support. When the flu hit their family, Mario's mom lost ten days of work because she had to stay home and take care of them. For a single mom living paycheck to paycheck this was a crisis wherein hunger and homelessness are the wolves at the door. After paying rent, nothing remained for food or utilities. Mario's school counselor referred her to Community Storehouse where she qualified for assistance with food and hygiene products for the next three months. Additionally, Community Storehouse was able to pay their utility bill. Providing this type of short-term assistance to families keeps the wolves from the door and provides the time needed to recover from financial crisis before it becomes unmanageable.

*Names changed to protect client confidentiality.

communitystorehouse

Helping Children Since 1982

An impoverished childhood is one of deprivation, exclusion and vulnerability devoid of the material, spiritual and emotional resources needed to thrive. Poverty is mean. It is ruthless. Without intervention, poverty can become a life-sentence.



Christian Community Storehouse positively changes educational outcomes for children in crisis. We provide quality care for at-risk children, conduct relevant educational programs and provide supervised service learning opportunities. Community Storehouse provided over 107,000 services to over 5,000 children and their families in 2018. Our programs give lasting impact rather than sustaining generational poverty.

The demand for our services continues to increase due to population growth, economic conditions, natural disasters, societal factors, situational life crisis events, and health issues. Children born to generational poverty or experiencing the consequences of a household crisis such as income loss or death of a parent are more likely to fail in school. Keeping children active and thriving in the Keller, Carroll and Northwest Independent School Districts is what Community Storehouse is all about. And we're the only Nonprofit, 501©3 children's charity in Northeast Tarrant County focused on this mission.

Mission Statement: "Dedicated to the education and well-being of low-income children in our community."

Vision Statement: "Closing the gap between opportunity and achievement for children in our community."

Our Programs

Think of Community Storehouse as the first responders to any issues that threaten to interfere with a child's success in school. Programming is developed based on the realized needs of children in our region. **Over 12,000 school-aged children qualify for assistance in our three county service area, including 20.2% of children in Northwest ISD and 23.7% of children in Keller ISD.** The cycle of generational poverty can and will only be broken through education of these children. Statistics show that children in these circumstances are also more likely to go without educational support and good nutrition at home. These children are therefore more likely to drop out of school, continuing the generational poverty cycle. According to The

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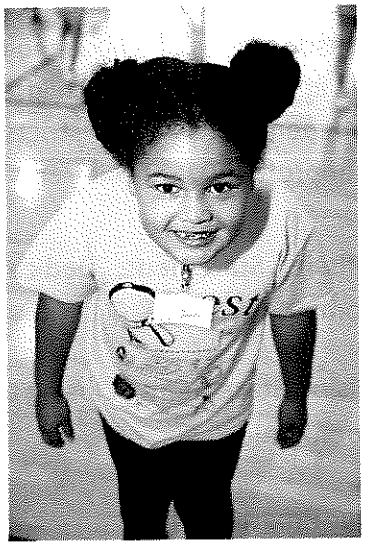
National Dropout Prevention Center Network, "82% of prisoners in America are high school dropouts." Christian Community Storehouse has the programs in place to help break this cycle in the areas we serve.

Educational Programs

Quest Summer Enrichment Program 100 Children Served*

When children begin to feel good about themselves as readers, they begin to feel successful and become open to increased learning on many levels. Unlike a traditional summer school program, our summer reading program, Quest, is geared towards not only identifying and addressing a student's academic needs, but also focuses on providing an inviting and upbeat environment. By providing a variety of new and exciting experiences, Quest helps children connect what they are learning in the classroom with the world around them.

Music, art, and physical education are taught in addition to a targeted reading instructional program. A light breakfast, snack and lunch are provided daily to ensure that nutritional needs are being met and to help them energize for the day's activities. We strive to create a summer camp atmosphere for the children which helps keep their excitement level up.



During guided reading instruction, students read books that are on the exact level needed for their individual progression. Students are given a personal copy of the book they are reading in class which is theirs to take home and keep. This encourages them to continue reading on their own and at their own pace, while allowing them to show off their new skills to family members.

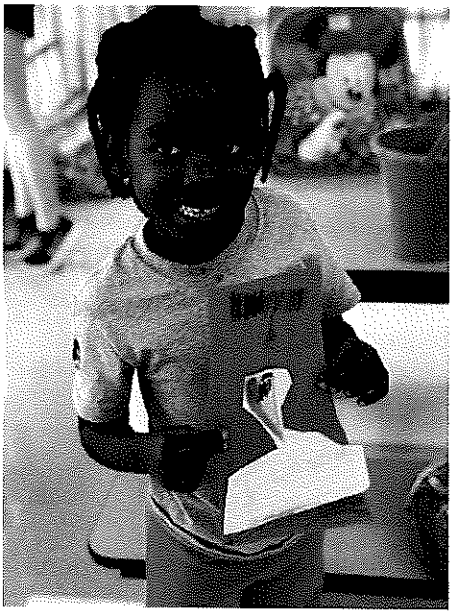
An instrumental component of Quest is providing children who come from low-income households with a variety of real world experiences to increase their background knowledge. It's much more exciting to read about helicopters if you have watched one land just yards away and are able to peer inside at its many controls and gadgets! When children meet and speak with–or see demonstrations by– authors, firefighters, motorcycle riders, musicians, football

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players, pilots, electricians, dancers, and even state senators, they are exposed to ideas and vocabulary that strengthens their reading comprehension, creating a more confident reader!

The Community Storehouse Quest Program is a community effort. Our highly trained, qualified teaching staff, along with about 25 volunteers per day, work together to ensure our students make measurable progress in reading and begin to identify themselves as readers. Parents report that children who were previously averse to working on school reading assignments, and never looked at books, are now asking for books and for opportunities to read.

Community Storehouse Summer Book Club 50 Children Served*



Children without access to learning opportunities in the summer can suffer 3 months of learning loss during the summer break. This means low income students can be an academic year behind their middle-income peers by 9th grade. Summer Book Club motivates children to read for pleasure and become engaged readers and writers. Students experience positive read aloud sessions followed by enrichment activities in STEM subjects, writing and art. This program provides students with high quality books to take home daily to encourage further reading and build their home libraries. Additionally, Summer Book Club provides students with meals, daily snacks, take-home snack packs and hygiene supplies.

Community Storehouse After-School Reading Program 40 Children Served*

The Community Storehouse Afterschool Reading Program pairs volunteers with low-income academically at-risk children. Volunteers read aloud to small groups of children, discuss readings, and facilitate word attack games to increase student fluency levels. This program also promotes literacy in the home by providing these children with a variety of books to take home to build their home library.

The After-School Reading program provides scholars with a variety of quest readers from our community. This gives our scholars regular exposure to people who exemplify the idea that

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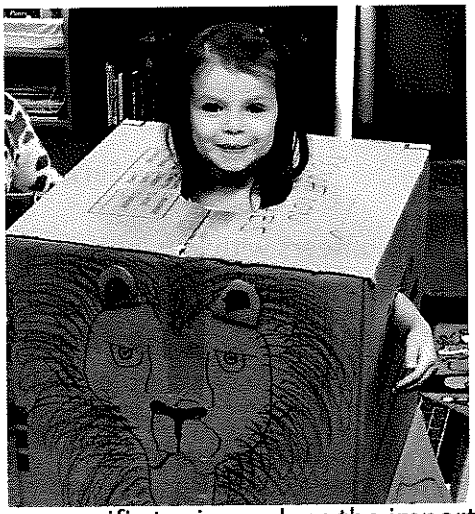
leaders are readers. These opportunities increase background knowledge, build vocabulary, boost self-confidence, and improve social and communication skills. This program will help scholars begin to link education and career aspirations particularly among students from low-income households who will be future first-generation high school graduates and first-generation college students.



Early Childhood Literacy Programs

Children from low-income families are disadvantaged when it comes to early exposure to reading. This creates massive reading readiness gaps between even the youngest children. By age three, children from wealthier families have typically heard 32 million more words than children from low-income families.[2] Upon entering school, children from low-income families have one-fourth the vocabulary of children from wealthier homes.[3] By the time children from low-income families enter kindergarten, they are 12-14 months below national norms in language and pre-reading skills. Community Storehouse educational literacy programs focus providing opportunity for parents to recognize their role as "teacher" to their young children. Giving parents the tools they need for this task is instrumental in changing their child's economic future

Little Learners 12 Children Served*



Little Learners is a program designed for young learners, ages 18 months to 3.5 years, and their caregivers. Each session focuses on a different story and includes a free book, craft, small snack, and an educational experience full of exciting discoveries. Although mostly structured, all activities are optional which makes for a pressure-free introduction to the early learning classroom. This program encourages caregivers to focus on early literacy and developmental milestones to better prepare their children for educational success. This literacy focused program also will incorporate "special sessions" focused on specific topics such as the importance of exposure to developmental toys and imaginative

play; social/language growth through music, movement and games; and occasional guests to give the little ones further enrichment opportunities.

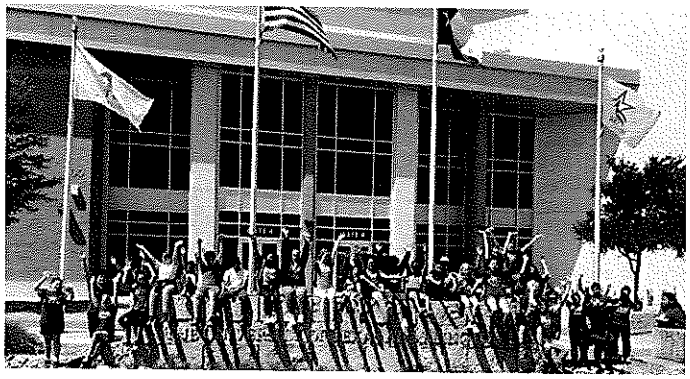
Community Storehouse Children's Lending Library 460 Children Served*

Researchers have found that while there are more than a dozen books per child in middle-income neighborhoods, in low-income neighborhoods the ratio is closer to one book for every three hundred children.[1] Compounding these differences, low-income families engage in much less conversation and use smaller vocabularies when talking with their children. The result is that there are stark differences in the early exposure to reading in low-income households. In low-income families, time as well as money are scarce, and books may be a costly luxury.

Having a home environment that supports literacy is one of the most effective approaches to helping children develop literacy skills. Having ready access to a variety of books at home promotes reading outside of school, the development of relationships, ideas, vocabulary, language and overall reading skills.

The Community Storehouse Lending Library provides free children's books to low-income children, tots to teens, living in our service area. Books are available at our resale locations, food pantry, seasonal events, educational programs and all summer feeding program locations. In spring 2019 Community Storehouse will expand our Lending Library program. Focused on creating access to reading materials to low-income families, Little Lending Libraries will be placed in low-income areas providing 24/7 access to books (and encouraging a love of reading!) in areas where books are scarce. By growing the home libraries of underprivileged children in our community, we positively contribute to their literacy.

Kids2College 476 Children Served*



Studies show that students born into families that are in the bottom 25% of income have only a 9% chance of graduating from college. By contrast, students born into families in the top 25% of income have a 54% chance of earning a degree. College grads tend to get better jobs, avoid layoffs, and earn

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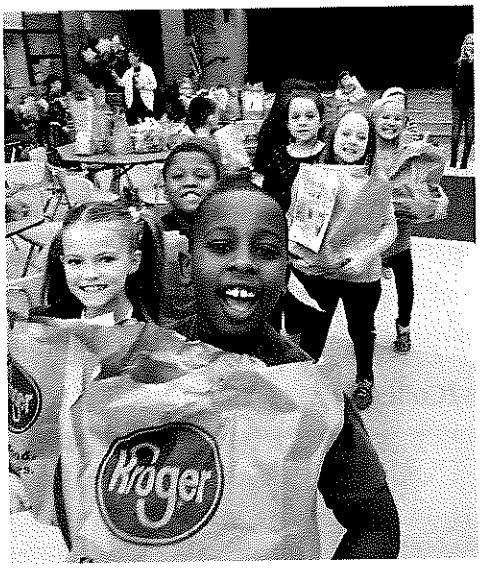
more money over their careers. College doesn't just change lives, it transforms communities.

The Kids2College program raises college-awareness at the middle school level. Community Storehouse works in partnership with UNT, the Sally Mae Fund, and a middle school campus where 57% of students qualify for the free/reduced lunch program. Kids2College is focused on opportunity through education. Students complete a six-session curriculum which combines hands-on activities with information on careers, college life, academic preparation, and includes a take-home component. The students participate in a visit to UNT at the end of the program. 146 sixth graders toured UNT in 2015, 446 students in 2016, 468 in 2017, and 475 students are scheduled to tour in 2018.

Youth Leadership/Service Learning

1,243 Children Served*

In order for youth to be prepared to work in partnership with adults, they need to develop and/or enhance their leadership skills. Leadership training prepares youth to manage time, work as a team, set goals, start conversations, facilitate meetings, and make effective presentations. The Community Storehouse promotes youth leadership as a great way to gain positive life skills:



- Youth Leadership teaches youth effective listening and communication skills
- Youth Leadership develops tolerance and appreciation for diversity
- Youth Leadership develops skills in conflict resolution
- Youth Leadership develops character and personal responsibility
- Youth Leadership encourages students to begin developing habits in community service.
- Youth Leadership creates communication links between the students of Keller ISD, Northwest ISD and the volunteer service needs of the community.

The Community Storehouse Youth Leadership Development Program also offers the youth in our community the opportunity to develop a myriad of practical skills through the volunteer

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experience. These skills include: general office and data entry, event planning and operations, retail and merchandizing, donation management and distribution, teaching assistant and youth mentor.

Youths volunteering to accumulate Green Cord or Service Learning hours can find an abundance of opportunities to actively participate with the Community Storehouse in community work as well as a means to officially document their service hours for college entrance applications, resumes, scholarship applications, Youth Mission or Confirmation goals. Youth seeking to complete Court Ordered Community Service hours have the opportunity to do so in a positive, character building, and faith-based environment.

Community Storehouse Junior Board



The Community Storehouse Junior Board provides young leaders in our community the opportunity to hone their leadership skills. Interested Youth must submit an application, letters of recommendation, proof of maintaining a 3.0 GPA and interview to obtain a position on the Junior Board.

Junior Board Members learn what it means to serve on the Board of Directors from current Community Storehouse Board member mentors. The Junior Board members must draft their charter and elect officers to their Board. At each of their monthly meetings, the Junior Board hosts a guest speaker from the community (a community leader in local politics, business, the clergy, etc.) who gives a talk followed by a Q & A session.

Youth Leadership Award

The Community Storehouse Youth Leadership Award identifies young people who are working to make a difference in our community. Applicants must demonstrate leadership and ingenuity as trailblazers undertaking community initiatives that have measurable results. Initiatives must align with the Community Storehouse Mission Statement and/or the Community Storehouse Vision statement. The program is open to youth between the ages of 15 and 18. This award and a $1000 scholarship will be presented to the winner(s) at the annual Community Storehouse Hope Dinner and Auction.

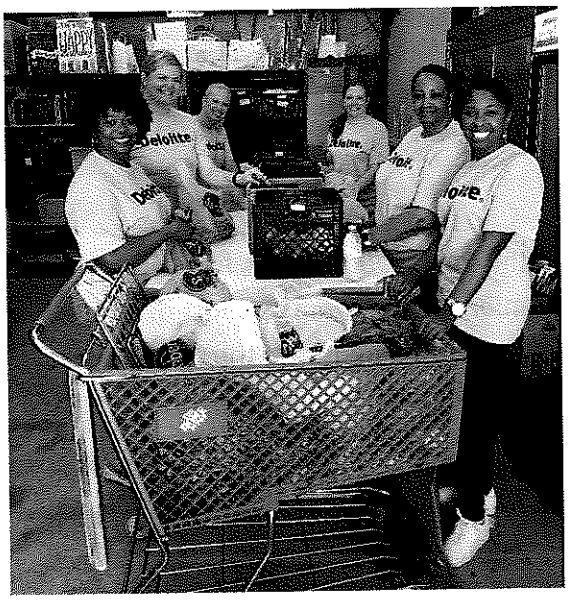
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Wellness Programs

Hunger prevention is vital to proper growth and development of children. In Tarrant county 23.3% (116,370) of the county's children live with food insecurity. School Counselors refer families in crisis to Community Storehouse. Studies show:

- Children who have their food needs met are more likely to reach their full growth potential.
- Children who have their food needs met are generally healthier and tend to have higher academic achievement because they are well prepared for school and absent less often.
- Healthier children display social and behavioral wellness because they tend to adapt better to environmental stress.

Community Storehouse Food Pantry 2,536 Children Served*



Families facing food insecurity can apply for assistance in our client services office. Case managers determine eligibility based on documentation provided by the applicant, an intake interview, and state income guidelines. Food pantry vouchers are issued typically for 1-3 months of food assistance at a time. Emergency food boxes are available to anyone requesting food. No one requesting food is turned away. Supplemental food is made available for qualifying families when their children are out of school during summer and holiday breaks. Senior citizens 62 years and over qualifying as low-income can apply for the Senior Food Program and receive grocery assistance each month as well as holiday food.

Snack Pack Program 40,663 Snack Packs provided directly to children*

The Community Storehouse Snack Pack Program meets the nutritional needs of children at risk of hunger during weekends and school holidays. Most of these children rely on the federally subsidized free or reduced meal program to provide them with breakfast and lunch during the school week. Food insecurity over the weekends causes these students to come to school very

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hungry Monday mornings. The Snack Pack Program provides these children with bags filled with kid-friendly nutritious foods at their school site. The snack packs are assembled by volunteers at the Community Storehouse food pantry and delivered by volunteers to school partners each week. The school staff (counselor, nurse, teacher, etc.) identifies students suffering from weekend food insecurity and the Community Storehouse Snack Packs are put into their backpacks each Friday. A typical pack will contain: granola bars, cereal bars, cheese or peanut butter crackers, fruit snacks, pretzels, trail mix, dried fruit, beef jerky, Pop Tarts, fruit cups, pudding cups and other non-perishable, child-friendly snacks.

Summer Feeding Programs

Summer leaves many kids with a season of food insecurity. During the summer these children



do not have access to the National School Lunch Program which provides free or reduced lunch each and every school day. The national child food insecurity rate is 22.4%. In Tarrant county 23.3% (116,370) of the county's children are food insecure. Unfortunately, for many low-income children, their parents simply cannot cope with the increased cost to feed them through the summer months.

Meeting the summer food needs of low-income children is important because children who have their food needs met are more likely to reach their full growth potential, be healthier and display social and behavioral wellness. To combat summer food insecurity, the Community Storehouse has implemented the Summer Food Box, Summer Lunch, and Mobile Food Programs.

Summer Food Box 698 Children Served*

In the spring semester, school counselors identify students who can benefit from supplemental food over the summer months and encourage parents to register. The Summer Food Box program provides these families with a box of kid-friendly supplemental food in June, July and August. Volunteers assemble, pack and distribute Summer Food Boxes adding children's books, bread, fresh fruit and vegetables to the distribution as available.

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Summer Lunch

174 Students Served*



The Summer Lunch Program provides a meal for any hungry child up to age 18 at a fixed feeding site where the at-risk population of children suffering food insecurity is highest. There volunteers play board games, puzzles and help attendees pick out free books to encourage summer reading. Volunteers also serve the food and maintain clean conditions at the feeding site. Additionally, this program provides lunch to every child attending our Quest Reading and Summer Book Club educational enrichment programs.

Dignity Closet

788 Children Served*

Kids who have poor hygiene don't perform as well at school.

It is well known that a lack of food and/or health care can affect a child's education. But another critical need is proper hygiene. These children are teased and become social outcasts, which affects their self-esteem, ability to concentrate on lessons, and their desire to come to school. Middle and high-school girls who are menstruating might stay home for several days each month because they can't afford feminine hygiene products. This affects school performance and attendance.

These might sound like easy fixes, but they're not if you simply don't have the money.

Many low-income families are food stamp recipients. Food stamps, however, do not pay for laundry soap, dishwashing soap, toilet paper and other hygiene necessities that many of us take for granted. Low-income parents are forced to prioritize just like higher-income parents. But, instead of "Make dinner, or get take-out?" it's more like, "I have seventeen dollars to last me through the month-do I spend it on food, or shampoo and laundry soap?"

We provide basic hygiene products to Title I schools in KISD, CISD and NISD. These schools have the highest percentage of students on the free or reduced lunch program. Toothbrushes, toothpaste, shampoo, combs, soap, deodorant and feminine hygiene products are stocked on campus for distribution to students as needed per the school counselor, nursing and teaching staff.

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Baby Dignity Closet 263 Children Served*

Can you imagine how impossible it would be, on top of having the stress of a newborn, if you are wondering where your baby's next diaper is coming from? Nearly 30% of parents in the United States cannot afford diapers, which can cost up to $100 every month per baby. Moreover, diapers are not an expense not covered by food stamps. This negatively effects both the stress level in low-income homes, but the health and well-being of the infants.

The Baby Dignity Closet program helps to provide diapers, wipes, baby wash, lotion, pull-ups, socks, hats and other goods needed by babies in low-income households.

The Community Storehouse Baby Dignity Closet Program provides the afore mentioned baby items as well as baby books, developmental toys, seasonal clothing, maternity clothing, strollers, cribs, and other donated items as needed to the Pregnancy Related Services Program Coordinators in Keller, Carroll and Northwest Independent School Districts to dispense to low-income teen parents as needed. The donated items ensure that each baby's basic needs are met and aid both school districts in preventing students from dropping out. If every teen parent can make it to graduation, it will make a profoundly positive difference in the lives of their babies.

In 2019, over the Baby Dignity Closet program provided over $2000.00 in donated developmental toys, baby books and toddler clothing to the Northwest ISD "Parents are Teachers" program, focused on school readiness from birth to preschool.

Holiday Programs

Unfortunately, many low-income children usually have a holiday that is a lot more barren and depressing than most of us could possibly imagine. The Community Storehouse believes every child deserves a happy holiday. We want each child to know that even if things seem hopeless, that there is a world out there where people care about them and love them.

Hunger Doesn't Take a Break

Children dependent on the free/reduced meal program at school often face food insecurity during school breaks. Community Storehouse works with school counselors to provide supplemental food to low-income families ensuring children do not go hungry over their school/holiday breaks.

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Spring Break 882 Children Served*

Fall/Thanksgiving Break 1,149 Children Served*

Winter/Christmas House 1,400 Children Served*



Christmas House is stocked with thousands of toys donated from the community and Toys for Tots and manned by an army of volunteers. Parents can come and select gifts for their children ages newborn to 18. There are also books, stocking stuffers, games, socks, underwear and gift wrap available for the parents to help create a wonderful holiday for their children. A boxed holiday meal is provided to each family. This program allows the parent the dignity and independence to choose what they would like to give to their child.

*Number of children served in 2018

References

1. Neuman, Susan B. and David K. Dickinson, ed. Handbook of Early Literacy Research, Volume 2. New York, NY: 2006.
2. Hart, B., and Risley, T.R. (2003). "The Early Catastrophe: The 30 Million Word Gap." American Educator, 27(1), pp. 4–9.
3. Spiegel, Alix. (2011). "Closing The Achievement Gap With Baby Talk." NPR.org Accessed 4 September 2012.

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

MARK G. DANIEL

BOARD CERTIFIED - CRIMINAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CRIMINAL TRIAL SPECIALIST-BOARD CERTIFIED
NATIONAL BOARD OF TRIAL ADVOCACY

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

May 1, 2019

Via Email

Chief Robert Parker
Watauga Police Department
7105 Whitley Road
Watauga, Texas 76148

Re: Ordinance re Article 1, Section 22-1(c)
Charitable Donation Collection Containers

Dear Chief Parker:

Per your request, I have drafted the attached Ordinance by the City Council of the City of Watauga amending Article I, Section 22-1(c) to include charitable donation collection containers at the Keller Independent School District as an exception. I would recommend that this Ordinance be presented at the next City Council meeting for consideration and approval.

Thank you for your attention to the above and the opportunity to be of assistance. Please let me know if you have any questions.

Sincerely,

MARK G. DANIEL

MGD:tp

cc: Mayor Pro tem David Griffin
Ms. Andrea Gardner, City Manager
Ms. Terri Johnson, Interim City Secretary

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

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

WHEREAS, City Council for the City of Watauga desires to update and clarify Article I, Section 22-1(c) regarding exceptions to charitable donation collection containers.

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

I.

Article I, Section 22-1(c), of the Code of Ordinances for the City of Watauga, Texas shall be amended to read as follows:

Section 22-1. – Charitable donation collection containers.

(c) *Exception.* This section shall not apply to recycling bins or charitable donation collection containers located on Birdville Independent School District or Keller Independent School District property within the City.

II.

This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Watauga, Texas and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the

provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances or Ordinances are hereby repealed.

III.

Should any portion or part of this Ordinances be held for any reasons to be invalid or unenforceable, the same shall not be construed to affect any other valid portion thereof, but all valid portions hereof shall remain in full force and effect.

IV.

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

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

APPROVED:

_____
DAVID GRIFFIN, MAYOR PRO-TEM

ATTEST:

_____
TERRI JOHNSON, INTERIM CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

_____
MARK G. DANIEL, CITY ATTORNEY

AGENDA MEMORANDUM

DATE: May 6, 2019

TO: Honorable City Council Members

FROM: Scott Prescher

THROUGH: Andrea Gardner, City Manager

SUBJECT: Consideration and possible action regarding legal services for the City of Watauga

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BACKGROUND/INFORMATION:

Councl Member Scott Prescher asked that this item be added to the agenda. The existing legal counsel has been in place since 1984.

FINANCIAL IMPLICATIONS:

In June of 2018, the City Attorney requested his retainer fee amount be increased from $2380/month to $2430/month.

After the first 15 hours, the cost was $201/hour and now it is $205/hour.

Council approved the current contract in July, 2018.

RECOMMENDATION/ACTION DESIRED:

City Staff respectfully request the Council discuss this item and take appropriate action.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. City Attorney Agreement

REVIEWED BY:

Approved as to form for inclusion on Agenda

LAW OFFICES
EVANS, DANIEL, MOORE, EVANS, BIGGS & DECKER
(NOT A PARTNERSHIP)

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

June 14, 2018

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

Re: City Attorney Position
October 1, 2018 - September 30, 2019

Dear Ms. Gardner:

I understand the City Council will commence the budget review process and considerations for the coming 2018-2019 fiscal year in the near future.

I am writing to respectfully request a minimal billing rate adjustment concerning my services to the City of Watauga as City Attorney. As you are aware, my existing agreement with the City of Watauga calls for a retainer fee of $2,380.00 per month for the first fifteen (15) hours of legal services rendered ($154.00 per hour). Following this fifteen (15) hour threshold, the present agreement calls for a rate of $201.00 per hour of legal services rendered.

I am respectfully requesting consideration of a nominal increase with regard to my services as City Attorney. I would seek a retainer fee in the amount of $2,430.00 per month ($158.66 per hour), which sum shall be compensation for the initial fifteen (15) hours of legal services rendered each month consisting of attendance and advice at all City Council meetings and workshops, telephone and office consultations with the City Council members and City staff concerning municipal affairs, municipal court prosecution, preparation and review of contracts, ordinances and resolutions and preparation of legal memorandums necessary for the operations of the City. This request would result in an increase of 2.0% over the present contract. With regard to the hours of legal services exceeding the initial fifteen (15) hours each month, I would respectfully request consideration of a fee in the amount of $205.00 per hour of legal services rendered. This would result in an increase of 2.0% over the present contract.

I would agree to bill associate attorney time at $116.50 per hour of legal services rendered (2.0% increase). Unlike many attorneys for municipalities, I will not seek to bill for my legal assistant's time.

In addition to legal fees, the City would continue to be responsible for all reasonable expenses (postage, copying, facsimile, travel, association dues, long distance telephone, etc.) incurred in my representation excluding travel expense to and from the City for the City Council meetings and other related conferences and workshops.

I believe that you will find this proposal compares most favorably with rates for city attorneys in neighboring municipalities.

I would also appreciate you presenting his letter and request to the other members of the City Council. I look forward to an opportunity to be of continued service to the City of Watauga.

Sincerely,

MARK G. DANIEL

MGD:tp

cc: Mayor Pat Shelbourne